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International Labour

FOURTEENTH SESSION  
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# FORCED LABOUR

Item I on the Agenda



GENEVA  
International Labour Office  
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## Preliminary Observations

The Governing Body decided at its Thirty-seventh Session, in November 1927, to place upon the Agenda of the Twelfth (1929) Session of the International Labour Conference the question of *Forced Labour*, with a view to a first discussion in accordance with the double-discussion procedure of the Conference.

The Twelfth Session accordingly had before it a Grey Report on Forced Labour which had been prepared by the Office with the assistance of the Committee of Experts on Native Labour, and which concluded with a draft Questionnaire.

After a preliminary general discussion which took place at the sixth and seventh sittings on 3 June 1929, the question was referred to a Committee of 36 members (12 from each group). The Committee sat on eleven occasions between 1 and 15 June, and reported to the Conference on that date. The Workers' Group in the Committee felt themselves unable to agree with the majority of the Committee on certain points, and, whilst taking full part in the discussion and adoption of the Committee's Report, submitted also a Minority Report to the Conference. The two Reports give a full account of the arguments put forward in Committee. They are reproduced below *in extenso*.

II

**Report of the Committee on Forced Labour  
to the Twelfth Session of the Conference**

The Committee on Forced Labour began its session on 1 June, and held eleven sittings between that date and 15 June. Its officers, elected at its first and second sittings, were: *Chairman*: Mr. Jules Gautier (French Government Delegate); *Vice-Chairmen*: Mr. Lambert-Ribot (French Employers' Delegate), who requested that he might be replaced during his absence by Mr. Le Neveu, and Mr. Besteiro (Spanish Workers' Delegate); *Reporter*: Mr. Schrieke (Netherlands Government Delegate).

(1) The history of the appearance of the question of forced labour before international opinion and international bodies is recounted at length in the Grey Report, but it is both useful and necessary to recall briefly to the attention of the Conference the manner in which the subject was suggested to the International Labour Office, and in which its subsequent study has been carried out.

The first reference to forced labour as an evil to be feared, to be repressed if possible and in any case to be limited and regulated, appears in the texts of the Mandates—documents drawn up by specially constituted bodies and later approved by the Council of the League of Nations as laying down guiding principles for the administration of areas under mandate. These documents, in so far as they relate to the "B" and "C" types of mandate, lay down rigid restrictions as to recourse to forced labour and as to the payment of adequate remuneration to forced workers.

The subject next came into the international sphere when the League of Nations decided upon an enquiry into slavery in the post-war world, and created the Temporary Slavery Commission to carry out that enquiry. The report of the Commission was equally condemnatory of forced labour, and when finally in 1925 and 1926 the Assembly adopted the Convention on Slavery, an Article was inserted therein condemning in general terms recourse to forced labour as liable to "have grave consequences." Regulation of forced labour was purposely omitted from the Convention. The Reporter of the Commission of the Assembly which dealt with the matter (Viscount Cecil of Chelwood) stated on a later occasion in the British House of Lords that the details of regulation were matters which the International Labour Office was much better equipped to consider. In the previous year (1925) the Norwegian Delegate to the Assembly had called attention to the useful work which could be done by the International Labour Office "in bringing about better conditions for native labour," and on this occasion (1926) the Assembly adopted a Resolution requesting the Council of the League to inform the Governing Body of the adoption of the Slavery Convention and to draw its attention to the "importance of the work undertaken by the Office with a view to studying the best means of preventing forced or compulsory labour from developing into conditions analogous to slavery."

As to the Office itself, its representation on the Mandates Commission and the Temporary Slavery Commission had already necessitated a considerable study of forced labour, as well as of other labour questions arising from consideration of conditions in areas under Mandate. Further, the application of Article 421 of the Treaty of Peace, which provides for the extension of the execution of ratified Conventions, with considerable elasticity, to colonies, protectorates and other non-self-governing pos-

sessions, had compelled the Office to pursue its studies of colonial labour. At its request the Governing Body established in 1926 a Committee of Experts on Native Labour to assist the Office in what was clearly a heavy and difficult task. Needless to say the Office made every endeavour to obtain the best advice possible, and it was able to secure men of proved ability and experience in regard to all important colonial areas, so that the practice and the views of all the Colonial Powers can be placed at its disposal.

The Committee of Experts, consulted as to which of the labour conditions found in colonial and similar areas were most suitable for, or which demanded most urgently, international consideration, was unanimous in indicating forced labour and long-term contract labour. Further, when examining the draft of the Report on Forced Labour prepared by the Office, the Committee was again unanimous in requesting the Governing Body, by resolution, to place the question on the Agenda of the Conference at an early date.

These preliminary observations on the history of the question in the Assembly and Council of the League, and in the Office and the Governing Body, will serve at once to illustrate the importance of the subject and to explain the detailed care devoted to it by the present Committee on Forced Labour.

(2) The Chairman in his opening remarks evoked a broad spirit of humanity and justice in the consideration of the extremely delicate and complex problems which the Committee was called upon to discuss. That spirit was remarkably maintained during the whole of the debates. Though questions of a highly controversial nature were constantly suggested by study of the draft Questionnaire prepared by the Office, which the Committee took as the basis of its deliberations, the ruling motive in the mind of every member was clearly a desire to secure

an amelioration in the lot of peoples subject to the burden of forced labour, and particularly of those whose progress towards civilisation is as yet little advanced.

Throughout its discussions, the Committee did not lose sight of the fact that its task was not to prepare a Convention, but to draft a Questionnaire, and that this Questionnaire should be as complete and as precise as might be possible in order to cover all cases upon which experience shows that it is necessary to know the opinion of the Governments (who are entirely free to make the replies which they think fit) and thus to obtain for the assistance of the Conference, when the terms of the Convention are discussed, the most complete information possible on forced or compulsory labour and the very varied methods which may be employed for its suppression or its limitation and regulation.

The Committee has therefore been led to consider the subject in detail and to examine all possible cases. The Reporter considers that, since the question is entirely new, and since the League of Nations has emphasised its importance, it is essential to inform the Conference of the principal points of view expressed, and the reasons which have led to the adoption or rejection of certain questions. He considers that to do so will perhaps tend to shorten the debates in the Conference itself, and further will permit the Governments to understand more completely the meaning of the questions asked. The Reporter hopes that for these reasons the Conference will excuse the somewhat unusual length of this Report.

#### A. — PROPOSAL FOR A DRAFT CONVENTION

(3) The proposal of the Office for a Draft Convention and not a Recommendation, on this matter was not questioned. On the other hand, whereas the draft question

on this point prepared by the Office asked the Governments whether they considered advisable a Convention "*to limit and regulate*" the use of forced labour, there were a number of members of the Committee who wished to give the Governments the opportunity to state whether or no they were prepared to go even further and to support a Convention for its *abolition*.

The Committee therefore adopted unanimously a new text of Question 1, which is intended to give the Governments the fullest opportunity of stating their views clearly and unambiguously on this matter. The general feeling of the Committee that in their replies the Governments should further be given occasion to state the reasons why, in their view, the immediate suppression of forced labour might not be possible, was not expressed in the text of the question, but it was suggested that the Office in sending out the Questionnaire might refer to the Committee's desire in this respect, with the object of securing that the Conference of 1930 should be fully informed.

The text of Question 1 finally adopted reads :

1. Do you consider that the International Labour Conference should adopt a Draft Convention, the object of which is to suppress the use of forced or compulsory labour in all its forms ?

If so, do you consider that a period of transition is necessary before such suppression can be fully carried out ?

If you do not consider it possible to adopt a Draft Convention, the object of which would be to suppress the use of forced or compulsory labour in all its forms, or if you consider that suppression is possible, but that a period of transition is necessary :

Do you consider that the International Labour Conference should adopt a Draft Convention the object of which would be to limit and regulate the use of forced or compulsory labour ?

#### *The Working of Article 421*

(4) As the Conference is aware, Article 421 of the Treaty of Peace provides a certain degree of elasticity



in the application of Conventions adopted by the International Labour Conference to colonies, protectorates and non-self-governing possessions. The drafters of that Article recognised that between advanced industrial States and those where industrial development is just beginning there are vast differences, particularly in regard to the advantage or possibility of the application of legislation regulating labour conditions.

But in the present case, where the kind of labour under consideration is found most commonly (though not quite exclusively) in the very colonies, protectorates and other non-self-governing possessions mentioned in Article 421, the Committee felt that the circumstances justifying the application of this Article, namely, the vast differences of industrial development mentioned above, did not exist. On the contrary, it was considered that the application of Article 421 would be inimical to the often expressed desire of the Committee to secure the total abolition of forced labour as early as possible, and to the successful application of any Convention which might be adopted, either for its suppression or for its limitation and regulation.

At the same time, the Committee recognised that the exceptional treatment of a Convention on Forced labour in regard to this Article raised complex and difficult problems the solution of which it was not prepared to suggest, and in order to call the attention of Governments to the matter and to obtain their opinions thereon for the next Session of the Conference, it adopted unanimously the text of the following new Question :

2. Do you consider that such a Convention should be drafted in such a way that its ratification by a State should imply, for the colonies and protectorates of that State, the application of the Convention without the reserves or modifications provided for in Article 421 of the Treaty of Peace ?

### *A Definition of Forced Labour*

(5) The suggested definition of forced labour given in the draft Questionnaire was finally adopted as it stood, but it gave rise to a certain disquietude in the minds of some members of the Committee. The circumstances of long-term contract labour were recalled. As has been often observed, a worker may enter voluntarily upon a long-term contract and then find that he was mistaken as to the nature and conditions of the work he is called upon to perform, or, that he was wilfully deceived by the recruiter. It was suggested therefore that a more satisfactory definition of forced labour might be attained if, in addition to postulating the possibly non-voluntary character of the forced worker's entry upon his task, the fact that *he cannot withdraw himself from it voluntarily* be also part of the definition. Otherwise, it was asserted, much forced labour would escape from the scope of a Convention on the subject.

The general truth of the criticism of long-term contracts implied in this proposal was not denied at the moment<sup>1</sup>, but it was felt that to bring the whole very complex question of contracts within the scope of a possible Convention on Forced Labour would raise almost insuperable difficulties. It was noted also that the International Labour Office was at present engaged, with the assistance of the Committee of Experts, in a study of contracts, and that the question would in all probability come before the Conference at an early date. The mover of the amendment, with those who had supported it, withdrew their proposal on the understanding that they should later put forward a Resolution concerning contract labour.

<sup>1</sup> But see (6) below.

A second proposal was intended to specify, more clearly than the original was thought to do by the mover, the exception of convict or penal labour from the scope of forced labour, as the term is used in the Report and Questionnaire, and, at the same time, to secure that such convict or penal labour, *if not carried out under Government supervision and control* (that is, if farmed out to private employers), should be considered to be a form of forced labour and so to be condemned. This amendment was lost by 15 votes to 14.

The words "under menace of any penalty" in the English text and "sous la menace d'une peine quelconque" in the French text, gave rise to further suggestions. A motion to add "*or obligation*" after "*penalty*" was rejected as being possibly too wide. The further suggestion was made that "penalty" in English might be interpreted in a strict sense to mean punishment inflicted by a court of justice. The Committee was unanimous in holding that any penalty or punishment, inflicted by any person or body whatever, is intended to be meant by the use of the word "penalty" here.

As has been stated, the text finally unanimously adopted is that of the draft Questionnaire. It reads as follows :

3. Do you agree with the following definition of forced or compulsory labour for the purposes of such a Convention :

" All work or service which is exacted from any person under the menace of any penalty for its non-performance and for which the worker does not offer himself voluntarily " ?

### *The Question of Contract Labour*

(6) After the disposal thus of the question of a definition, the Committee returned to the subject of the possible coercive elements in long-term contracts. Any analogy

between forced labour and such contracts was forcibly denied by one member of the Employers' Group, who pointed out that in the Dutch East Indies every care was taken to ensure that workers understood the terms of their contracts before signing them, and who declared that in any well-administered colony no contract implying a real constraint should be possible. Other speakers referred to the difficulty of ensuring the understanding of contracts by workers unable to read and write and unacquainted with the conditions of the labour they would be called upon to do. Emphasis was laid upon the impossibility of their changing their employment if conditions were not suitable for them, and this fact was put forward in support of the thesis that long-term contracts implied an element of coercion.

The Resolution, put forward and supported in the main by the Workers' Group, was adopted by 18 votes, *nem. con.*; its terms are given below under the heading "Proposal for a Resolution".

*Exemptions from the Scope of the Term  
"Forced Labour"*

I. *Emergency cases*

(7) Little difficulty was experienced by the Committee in accepting the draft question asking whether Governments agreed to except emergency cases from the scope of any proposed Convention. Some minor amendments were made, and the following text was adopted unanimously:

4. Do you consider that cases of emergency (*force majeure*) should be outside the scope of the Convention?

If so, do you approve of the following definition of "cases of emergency":

"A case of emergency, for the purposes of this Convention, is the event of war and any occurrence which endangers the existence or the well-being of the whole or a substantial part of the population, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and so on" ?

## II. *Minor village services*

(8) A second possible exception was the subject of much more difficulty. The original question proposed to leave out of the scope of a Convention minor village services which "may be considered to be normal obligations" incumbent upon the members of village communities and not constituting forced or compulsory labour in the sense of the Convention. Some members of the Committee wished to give the question a less definite form, and to ask Governments merely whether such minor services "*may be continued*", leaving out that part of the original question, which suggested that these minor services should be considered to be outside the scope of any Convention on Forced Labour. The supporters of this proposal considered that, on the contrary, these services should be treated as forced labour subject to the stipulations and regulations laid down in other cases. They were, it was alleged, liable to abuse; chiefs, and the administrative officials who in some cases exercised the powers of chiefs, occasionally used their authority in these matters to exact far more than was traditional or customary, sometimes for their own personal benefit.

A compromise was found in the insertion in the text of phrases limiting the work or services here mentioned to those which are traditional and customary among the peoples concerned, and excluding new impositions on the part of the authorities, which, it was suggested, should be included in the kinds of forced labour elsewhere treated in the Questionnaire :

5. Do you consider that village services of a kind which have been traditional and customary amongst the local inhabitants, and which are performed within the close proximity of the village by the people who live in it, may be considered to be normal obligations incumbent upon the members of the community and not constituting forced or compulsory labour within the sense of the definition given in Question 3 above ?

*Compulsory Labour in Self-Governing Countries*

(9) A question intended to refer to the possible act of a self-governing people which might wish to impose compulsory labour upon itself in certain eventualities had been inserted in the original Questionnaire. The case which the Office had in mind in posing this question was that of the Bulgarian law on compulsory service, and Mr. Bobochewsky, Bulgarian Government Delegate, explained the nature and scope of this law to the Committee. Certain members expressed objections to the inclusion of the question, considering it of little practical importance, and it was rejected by 16 votes to 14.

*The Authorities Responsible for Recourse to Forced Labour, and the Question of the Delegation of Powers to Subordinate Authorities*

(10) Numerous cases of the abuse of forced labour, some of which are referred to in the Grey Report, appear to arise when powers to exact it are left, with inadequate control or none at all, to subordinate authorities. A question was therefore proposed by the Office asking Governments whether, in their view, the responsibility for all recourse to forced labour should not lie always with the highest possible authorities. In view of the existing practice in certain British colonies, the question suggested

that the highest authorities need not necessarily be those of the area concerned, but some higher authority of the metropolitan power itself.

Some members of the Committee wished, in fact, to restrict the question to this latter point, and though two members drew attention to practical difficulties in the matter the general sense of the debate tended to strengthen the proposed question in this direction, with the result that in the text of the question finally adopted the order in which the metropolitan authorities and the authorities in the territory concerned were mentioned was reversed. The Committee adopted the following text :

6 (a). Do you consider that the authority responsible for any recourse to forced or compulsory labour should be an authority of the metropolitan country, or, when that is not possible, the highest central authority in the territory concerned ?

(II) The object of the preceding question is to consult the Governments as to whether the high authority responsible for all recourse to forced labour may not, whilst still retaining its entire responsibility, delegate to lesser authorities powers for the utilisation of forced labour for local public purposes. As was pointed out, it might be inconvenient, if not impossible, to refer every single case of proposed forced labour to the highest authority. The draft Questionnaire therefore put a question suggesting the limitation of the powers which might be delegated in this respect to minor and local authorities to a number of defined cases of work of interest to the local community concerned.

The Workers' Group, considered, however, that their fear that to leave minor authorities too free a hand in *authorising* forced labour might lead to abuses should be expressed, and desired in consequence to pose a question in the following form, which was adopted by 12 votes to 9 :

6 (b). Do you consider that, where higher authorities delegate to subordinate authorities the right of authorising forced labour for local public purposes, this practice should cease ?

(12) There still remained the question of the *carrying out of works* by forced labour under the control of the local or minor authorities, and a further question was therefore adopted :

6 (c). Do you consider that the competent authority should define precisely, in so far as this has not already been done, the conditions under which forced or compulsory labour should be carried out under the control of minor and local authorities, and that these conditions should, in regard to the category of persons liable, the maximum duration for any individual, working hours, payment, indemnities, and inspection, be not more onerous than those indicated in this Questionnaire for putting into execution forced labour imposed by the competent authority itself ?

#### *Criteria justifying Recourse to Forced Labour*

(13) The question concerning the responsible authority thus being decided upon, the Committee discussed the criteria which, it is suggested, should be satisfied before any recourse should be had to forced labour. These, as presented in the draft question prepared by the Office, appeared to some members of the Committee to be possibly too drastic. In particular the Belgian Government Delegate wished to introduce such elasticity as would permit recourse to compulsory cultivation, either of foodstuffs necessary in order to avoid famine, or of crops for export the sale of which would permit the purchase of foodstuffs and assist in the general progress of the population concerned. This matter, it may be recalled, was discussed in the Temporary Slavery Commission, and in the Sixth Commission of the Assembly of the League on the occasion of the adoption of the Slavery Convention.



and both bodies refused to entertain the possibility of forced cultivation, except as a precaution against famine, declaring that it was liable to lead to the precise abuses which the Slavery Convention was intended to combat. The Committee of Experts on Native Labour, when examining the draft Questionnaire, had seen no reason for differing from the view of the earlier Commissions, and the present Committee apparently took the same view. With minor verbal alterations the first two paragraphs of the question were adopted *nem. con.*

An amendment to paragraph (iii) with the same intention, namely, to consult Governments on the possibility of compulsory cultivation, moved also by the Belgian Government Delegate, was rejected by 17 votes to 12, and a further amendment asking for opinion on what was held by the mover to be a better system of wage-fixing than is often found in colonial areas was withdrawn as being inopportune in this connection.

The amended text finally adopted comprises a reservation rendered necessary by the subsequent adoption of a new question (Question 12). The text reads as follows :

7. Do you consider that the competent authority, before permitting any recourse to forced or compulsory labour except the compulsory labour mentioned in Question 12, should be satisfied :

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service ;

(b) that the work or the service is of present or imminent necessity ;

(c) that it has been found impossible to obtain voluntary labour for carrying out the work or the service by the offer of the rates of wages ruling in the area concerned for similar work or service ; and

(d) that the work or service under consideration will not lay upon the present population concerned too heavy a burden, having regard to the labour available and its capacity to undertake the work ?

Some of these criteria (paragraphs *a*, *b*, and *d*) were repeated later, it will be noticed, in connection with the particular kind of compulsory labour which is exacted in the form of, or in lieu of, a tax (see (18) below).

#### *Forced Labour for Private Individuals*

(14) A logical sequel to the first criterion adopted in Question 7 is the total prohibition of forced labour for private employers or for other bodies than the community in general. In inserting a question on this point the Office and the Committee of Experts had but followed the opinions expressed by the Temporary Slavery Commission and in the Slavery Convention.

An amendment to delete that part of the question which appeared to presuppose if only for a limited time the continued existence of forced labour for private employers was rejected by 18 votes to 9, the majority evidently taking the line that, where this type of forced labour did exist, it might be impossible to abolish it immediately. The text finally adopted was that of the draft Questionnaire. It is :

8. Do you consider that in no case whatever should the competent authority impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies, or other entities than the community ?

Are you of opinion that where such forced or compulsory labour exists, every effort should be made to bring it to an end as soon as possible ?

Are you further of opinion that a time limit for such abolition should be fixed, and if so, what time limit would you propose ?

#### *Forced Labour for Chiefs*

(15) There is one case which might sometimes be construed as forced labour for private individuals, but which is traditional and customary among many primitive

peoples, who perform sometimes a considerable amount of obligatory labour for their chiefs. Some of this is clearly in reality performed in the general interest; much of it is not, and it was pointed out that these traditional rights of chiefs tend in practice not only to be exercised by administrative officials, but also to be extended by them beyond the more simple and elementary needs of a primitive tribe or clan.

That colonial policy which takes advantage of the presence of any constituted authority which may be found existing, and which strengthens that authority where it seems to be necessary, demands that precaution be taken that the influence of chiefs over their people should not be lessened without serious reasons, and it was considerations of this kind which prompted the British Government Delegate to move for the insertion of a supplementary question worded as follows :

9. Do you consider that, where tribal chiefs are left in possession of traditional rights in regard to compulsory labour, Administrations should ensure that such labour should be directed to public purposes and that the conditions under which it is carried out should be regulated in the same manner as is work of a similar nature done under the compulsion of the administrative authorities, in so far as this is possible having regard to the necessity of maintaining the traditional authority of the chief over his people ?

This new question was adopted by 15 votes to 14.

#### *Duties of Officials in Regard to Labour for Private Employers*

(16) In direct connection with the abolition of forced labour for private employers, a question was proposed in the draft Questionnaire relative to the part to be played by officers of the Administrations in regard to the recruiting of labour. This question relates to an exceedingly

difficult problem. As pointed out in the Grey Report, "advice" or "encouragement" from an official tends very easily to be understood by its recipient as a command, and the object of the question was to examine within what limits the encouragements of officials should be restrained, in order to avoid anything in the form of constraint.

Objection was taken in the Committee to the first idea expressed in the question, namely, the assumption that "it is the duty of officials to encourage the populations under their charge to engage in some form of labour." This duty was, however, vigorously defended by some members of the Government Group: encouragement was not only permissible, but highly desirable. It should take the form of education in the use of new tools, in the art of cultivation, and so on. Governmental action influenced working habits and methods in all countries, and there was no reason to suppress its usefulness here. A motion to delete the words referring to the duty of the officials to encourage, and a further motion to a similar effect were defeated, and the question was adopted as it stands in the Grey Report.

10. Do you consider that whilst it is the duty of officials of the Administration to encourage the populations under their charge to engage in some form of labour, they should not be permitted to put constraint upon them to work for private employers ?

#### *Concessions Giving Rights over Labour*

(17) The abolition of forced or compulsory labour for private employers seems to entail logically the abolition of the rights sometimes granted to concessionnaires (individuals or companies) to exercise compulsion in one form or another in order to obtain the products they sell or utilise, and the Committee adopted the following text without discussion or opposition :

11. Do you consider that no concessions granted to individuals or companies should permit any form of compulsion for the obtaining of the products which such individuals or companies utilise or in which they trade; and that, where such concessions already exist, (a) they should not be renewed except in such a way as to terminate any arrangements of this kind, and (b) every effort should be made to change, in the same way and as early as possible, existing concessions which are not yet due for renewal?

*Forced Labour as Tax, or in Lieu of Tax*

(18) The Netherlands Government Delegate instanced a case of forced labour which was not of the ordinary type, and which in his view was not fully covered by the existing Questionnaire. He referred to forced labour exacted as a tax or in lieu of a tax. There were areas where money could hardly be said to exist, and there the people must contribute their share for the general good by doing work the utility of which is within their comprehension, and which they can carry out in their usual environment and under conditions to which they are accustomed. Clearly some of the criteria previously suggested for recourse to forced labour of any kind were applicable also here, and he proposed to repeat them in the text of the new question he put forward.

It was suggested by those who opposed the new question that the kinds of services most frequently exacted as tax were those indicated in Question 12 of the original Questionnaire (minor village services), but a number of members insisted that this was not always the case, and that certain minor services were frequently carried out by traditional and customary work which was in no sense regarded by the villagers as forced labour.

A compromise was arrived at by the acceptance on the part of the mover of words asking the Governments whether this form of compulsory labour should not be abolished, and the new question was voted in the following form:

12. Do you consider that, where forced or compulsory labour is demanded as an equivalent to or a substitute for a tax, this practice should be abolished as soon as possible, and that until it is abolished the competent authority should be satisfied :

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service ?

(b) that the work or service is of present or imminent necessity ?

(c) that the work or service under consideration will not lay upon the present population concerned too heavy a burden having regard to the labour available and its capacity to undertake the work ?

(d) that the workers while performing their work remain in the neighbourhood of their homes ?

(e) that the execution of the work or the rendering of the service shall be directed by the local authorities in accordance with the exigencies of religion, social life and agriculture ?

It will be noted that the effect of this amending question is to make quite clear that those of the criteria laid down in Question 9 above which are applicable to this form of forced labour should be satisfied here also, and that two further criteria (Nos. *d* and *e* above) of the highest importance to village life are added.

### *Safeguarding Forced Workers*

#### *I. By laws and regulations*

(19) A general question, intended to suggest that strict regulations, accompanied by the compiling and recording of statistics, were necessary to secure the satisfactory execution of forced labour, when recourse should be had to it, was the occasion of an exceedingly interesting debate. The question itself was adopted, with an amendment, in the following form :

13. (a) Do you consider that in any area where forced or compulsory labour still exists, complete and precise regulations should be adopted, in so far as this has not already been done, in regard to the organisation of this labour, and that such regulations should provide for the compiling and recording of statistics concerning it, in particular as regards the organisation of work and the hours of work and the method of payment of wages ?

(20) The Workers' Group, however, took the view that the adoption of complete and precise regulations was in itself an inadequate protection for the workers, and proposed, in the first place, a question tending to secure that the utmost publicity should be given to such regulations. Though certain members pointed to the difficulty, in some cases, of carrying out the translation and printing suggested, the Committee adopted by 20 votes to 1 the following text :

13. (b) Do you consider that in any territory where forced labour exists the legal provisions or administrative orders governing its application should be printed (and freely exhibited) by the competent authority in such one or more native languages as will convey its import to the workers concerned and the population from which the workers are to be drawn ; and that copies of such printed matter should be made available, at cost price, to the workers or others ?

## II. *By freedom of association*

(21) In the second place, the view was strongly held by the Workers' Group that the only really effective safeguard against the abuses of forced labour lay in the existence of trade unions. Laws might be adopted, but, unless there were pressure from the persons interested in their application, they tended to be of no effect. It was therefore essential that workers subject to forced labour should be in a position to make their wishes known and to assist in the application of the laws on

the matter, and this they could only attain if they enjoyed the right freely to organise themselves in trade unions.

The Workers therefore proposed the following new question :

Do you agree that it is indispensable to grant freedom of trade union organisation to the working population of the territories covered by a Forced Labour Convention?

The objections raised to this proposal were of two kinds. It was pointed out by certain members of the Employers' Group that the question of freedom of association in general had already been before the Conference, that no agreement had been reached concerning it, and that it seemed dangerous or at least inopportune to re-introduce the question to the Conference in connection with forced labour. In the second place, it was argued that as forced labour for private employers seemed likely to be entirely abolished, there could only remain for consideration in this respect the relations between forced workers and the Administrations of the territories concerned. The question of freedom of association of Government employees was even more complex and difficult than that of freedom of association in general.

In reply, it was stated that the public works of colonies were frequently conceded to private firms, and that therefore the second of the above arguments was untenable. Moreover, the increasing movement towards solidarity of interest between the workers of the metropolitan countries and those of dependent areas—a movement to be encouraged as far as possible in the interests of world peace and understanding—would be seriously impeded if the colonial workers were unable to organise. The Workers' Group then proposed a new text, which might meet some of the objections raised :



Do you consider that, in order to facilitate the abolition or limitation of forced labour, it would be useful to encourage, or at least not to hinder, the efforts made by the workers to organise themselves freely in the territories which are at present subject to a system of forced labour ?

On a vote by roll-call, this proposal was, however, defeated by 21 votes to 12, with one abstention.

### III. *By the hearing of complaints*

(22) At a later stage in the proceedings an amendment aiming at securing a further safeguard for forced workers was introduced by a member of the Workers' Group. It suggested an additional criterion which should be satisfied before recourse should be had to forced labour, in the form of the setting up of definite machinery by which "forced workers would be able to present to the authorities any grievances arising out of their terms of labour and to negotiate thereon."

This proposal also was lost, by 18 votes to 11.

### IV. *By inspection*

(23) The Committee adopted the following question concerning the inspection of the conditions of forced labour without discussion or opposition :

14. Do you consider that the duties of any existing labour inspectorate which has been established for the inspection of voluntary labour should be extended to cover the inspection of forced labour, and that, in the absence of such an inspectorate, other adequate measures should in all cases be taken to assure that the regulations governing the employment of forced labour are strictly applied ?

*V. By penalties for the illegal exaction of forced labour*

(24) The numerous cases in which forced labour has been exacted without legal authority, or in excess of legal prescriptions, had suggested the insertion in the draft Questionnaire of a question as to whether action of this kind should not be considered a penal offence. An amendment was adopted suggesting that such offences should be visited by adequate punishment, and the text adopted without opposition reads :

15. Do you consider that the illegal exaction of forced labour should be punishable as a penal offence, and that the penalties should be really adequate ?

*Exemptions from Forced Labour*

(25) The draft Questionnaire proposed two questions concerning limitations as to the class of workers upon whom forced labour might be imposed, and as to the number of such workers who might be taken from a given community.

The Committee did not consider the first of these questions, which asked merely whether forced labour might not be exacted only from adult able-bodied males, to be sufficiently detailed, and a number of amendments were added suggesting in the first place an age limit, and in the second place the express exception of certain categories of persons.

The text finally adopted, by 22 votes to none, reads :

16. Do you consider that only adult males of not less than 18 years of age should be called upon for forced or compulsory labour, subject to the following limitations and conditions ;

(a) Prior determination by a Government medical officer that the persons concerned are not suffering from any conta-

gious disease and that they are physically fit for the work required and for the conditions under which it is to be carried out ;

(b) Exemption for persons already bound by a contract of employment ;

(c) Exemption for school teachers and pupils ;

(d) The maintenance in each community of the number of adult able-bodied men indispensable to family and social life ;

(e) Respect for conjugal and family ties ?

(26) The second question dealt with an allied matter which has been the subject of much discussion in recent years. Here again the Committee wished to place the matter before the Governments in a much more detailed form than the draft Questionnaire proposed, with the object of securing more precise information. Several amendments were carried without opposition, and the question as finally adopted is as follows :

17. Do you consider that from any given community no more than a fixed proportion of the resident able-bodied males should be taken at any one time for forced or compulsory labour which entails their sleeping away from their homes ?

Do you consider that this proportion should be regulated according to the seasons, and the work which must be done by the persons concerned on their own behalf in their locality, and, generally speaking, that the economic necessities of the normal life of the community in question should be respected ?

Do you consider, finally, that this proportion should be prescribed, and what proportion do you suggest ?

### *The Regulation of Forced Labour*

#### *I. Its duration*

(27) The discussion on the question concerning the period for which forced labour might be exacted from an individual worker revealed few differences of opinion. The amendments proposed by members of the Workers' and of the Government Groups tended in each case to

limit the possible burden on forced workers, and were adopted with little or no opposition. The Committee wished to make clear that the maximum periods mentioned in the question were to be taken to mean the maxima for the *sum total of all kinds* of forced labour, whether the ordinary type, or that imposed as a tax or in lieu of a tax.

The question finally adopted reads :

18. Do you consider that the normal maximum period for which any individual may be taken for forced or compulsory labour of all kinds should not exceed 60 days in any one period of 12 months, including the time spent in travelling to and from work ;

or in exceptional cases where workers have to be brought from a considerable distance, 6 months in any one period of 24 months, it being understood that in this period will be included the time employed in the work contemplated in Question 12, and that any two such periods occurring in consecutive terms of 24 months should be separated by an interval of at least 3 months ?

In cases where workers have to be brought from a considerable distance, do you consider that the individual worker who has served in any one year for a longer period than the normal maximum of 60 days fixed above, or than any lower maximum which may be fixed, should be exempt from further forced or compulsory labour for a number of years equal to the number of times the normal maximum which he has so served ?

Do you consider that the normal maximum period for which any individual may be taken for the work or service contemplated in Question 12 should not exceed 80 days in any one period of 12 months ?

## II. *Measures of habituation*

(28) Two problems arise in regard to the habituation of forced workers to new circumstances. The first dealt with by the Committee is concerned with changes of climate and food when workers are moved from one area to another : the second touches upon their training and habituation to unaccustomed forms of work. As the Grey Report shows, neglect of precautions in these

matters has in the past led to exceedingly serious results, and the Committee directed its efforts so to amend the questions proposed as to indicate as clearly as possible the information sought from the Governments.

The questions adopted are :

19. Do you consider that forced workers should not, except in cases of special necessity, be transferred to districts where the food and climate differ so considerably from those to which they have been accustomed as to endanger their health ?

When such transfer cannot be avoided, do you consider that, on competent medical advice, measures of gradual habituation to the new conditions of diet and of climate should be adopted ?

Do you consider that in no case should the transfer of workers be permitted unless all necessary measures for the accommodation and health of the workers can be strictly applied ?

Do you consider that, in cases where forced workers are required to perform regular work to which they are not accustomed, measures should be taken to assure their habituation to it, especially as regards progressive training, the hours of work and the provision of rest intervals, and the increase or amelioration of diet which may be necessary ?

### III. *Hours of work*

(29) The question concerning hours of work proposed by the Office and the Committee of Experts asked for the opinion of the Governments with regard to the eight-hour day and the 48-hour week for forced workers. The British and South African Government Delegates proposed to delete that question and to replace it by :

Do you agree that the normal working hours of forced workers should not exceed any legal maximum applicable to voluntary workers ?

This proposal was supported by the British Employers' Delegate, who pointed out that it was premature to endeavour to regulate this matter for forced labour when the question was not yet settled for free labour,

and that the Washington Convention on the subject itself permitted a longer week in some Eastern countries. The proposal was carried by 16 votes to 13.

(80) For the rest, the Committee accepted that part of the original question which asked whether overtime should be paid for at rates higher than the rates for normal working hours, and that a weekly day of rest should be provided for, and adopted as the question on this point:

20. Do you consider that the normal working hours of forced workers should not exceed any legal maximum applicable to voluntary work, and that the hours worked in excess of that maximum should be remunerated at rates higher than the rates for the normal working hours?

Do you consider that a weekly day of rest should be provided for and that this day should coincide as far as possible with the day fixed by tradition or custom in the territories or regions concerned?

(81) With regard to transport workers, however, where the draft Questionnaire made the same query concerning the 8 and 48 rule, the Committee found no difficulty and the original text was adopted:

21. In the case of forced transport workers, do you consider that the normal daily journey should correspond to an average eight-hour working day, it being understood that account shall be taken not only of the distance covered, but also of the nature of the route, the season of the year, the weight to be carried and all other relevant factors, and that where hours of journey in excess of eight per day are exacted they should be remunerated at rates higher than the normal rates?

#### IV. *Wages*

(82) The international texts so far adopted on the question of forced labour provide always that "adequate remuneration" should be paid for it. The draft Ques-

than those ruling for similar kinds of work either in the district in which they are employed or in the district from which they are recruited, whichever may be higher ?

(b) that the wages should be paid to the workers individually and not to their tribal chiefs or other authorities ?

(c) that the days necessary for travelling to and from the workplace should be counted for the purpose of payment as working days ?

(d) that deductions from wages should not be made either for the payment of taxes or for special food, clothing or accommodation supplied to the worker for the purpose of maintaining the worker in condition to carry on his work, nor for the supply of tools ?

#### V. *Workers' Compensation*

(33) The anxiety of the Committee to call the attention of Governments to the desirability of securing improvements in the condition of forced workers was nowhere better illustrated than in the debates on the question on the provision of compensation for accidents, indemnification for sickness and the maintenance of the dependants of dead or incapacitated forced workers. The amendments proposed were adopted without opposition in all cases with one exception, when a single negative vote was given.

Consequently the following detailed question resulted at last from the Committee's discussions :

23. Do you consider :

(a) that any laws relating to workmen's compensation for accidents or sickness arising out of the circumstances of their employment shall be equally applicable to forced as to voluntary labour ?

(b) that the laws providing compensation for the dependants of dead or incapacitated workers should be equally applicable to all labour whether forced or voluntary ?

(c) that the competent authority or any authority employing forced workers should be obliged to ensure their subsistence when an accident or illness renders such workers totally or partially incapable of providing for themselves ?

(d) that when the forced worker is not living at his own home no distinction should be made as to whether or not the accident or illness was caused by his work ?

(e) that in the case of permanent incapacity, total or partial, the right to an indemnity calculated according to the degree of incapacity should be ensured ?

(f) that the competent authority should take measures to ensure the maintenance of dependants of an incapacitated or deceased forced worker ?

(g) that any existing laws or administrative orders concerning compensation or indemnification for sickness, injury to, or death of forced workers should be printed, exhibited and offered for sale by the competent authority, in the manner provided for in the case of the laws and orders concerning forced or compulsory labour ?

#### VI. *Special precautions for work of long duration*

(34) The following questions are self-explanatory. They were all adopted by the Committee without opposition :

24. (a) Do you consider that when forced workers, other than forced transport workers, are compelled to remain for considerable periods for works of construction or maintenance at workplaces, measures should be taken to assure their health and to guarantee the necessary medical care, and that in particular (i) they should be medically examined before commencing the work and at fixed intervals during the period of service, (ii) an adequate medical staff should be provided with the dispensaries and hospital accommodation necessary to meet probable eventualities, and (iii) the sanitary conditions of the workplaces, the supply of drinking water, food, fuel, and cooking utensils and, where necessary, of housing and clothing should be assured ?

(b) Do you consider that, when the work is prolonged, definite arrangements should be made to ensure the subsistence of the family of the forced worker, in particular by facilitating the remittance, by a safe method, of part of the wages to the family at the request of or with the consent of the worker ?

(c) Do you consider that the journeys of forced workers to and from the workplaces should be at the expense and under the responsibility of the Administration, which should facilitate



them by making the fullest use of all available means of transport ?

(d) Do you consider that it is necessary to ensure the repatriation of forced workers at the expense of the competent authority in case of illness or accident causing incapacity to work of a certain duration ?

(e) Do you consider that any forced worker who may wish to remain as a free worker at the end of his period of forced labour should be permitted to do so without losing his right to repatriation free of expense to himself ?

(f) Do you consider that the competent authority should satisfy itself of the possibility of adequately taking all the measures indicated in this Question before permitting any recourse to forced or compulsory labour ?

## VII. *Special provisions concerning forced portorage*

(85) The only difficulty raised by the draft Questionnaire in regard to the special provisions concerning forced portorage was that of the possibility of medical examination. The Workers' Group wished to insist on the medical examination of workers prior to their being taken as forced porters, but the majority of the Committee followed the opinion of Government Delegates who had pointed out that such medical examination was in some cases very difficult, if not absolutely impossible to provide, and the Workers' amendment was defeated. The question as originally drafted was then adopted :

25. When recourse is had to forced or compulsory labour for the transport of persons or goods (porters, boatmen, etc.) do you consider that the competent authority should promulgate regulations determining, *inter alia*, (a) that only adult males, medically certified where medical examination is possible, to be physically fit, shall be employed on this work, (b) the maximum load, (c) the maximum distance from their homes to which these workers may be taken, (d) the maximum number of days per month or other period for which they may be taken, (e) the persons entitled to demand this form of forced labour and the extent to which they are entitled to demand it ?

In this connection, what maximum load do you suggest, what maximum distance from their homes to which these workers may be taken, and what maximum number of days per month or other period for which they may be taken ?

(36) The Committee finally adopted three questions asking whether Governments agreed in condemning resort to forced labour for certain purposes and the employment of forced workers in a certain class of works.

### *Compulsory Cultivation.*

As has been stated, unsuccessful efforts were made in the earlier debates of the Committee so to amend the question concerning the criteria which should be satisfied before recourse is had to forced labour as to render compulsory cultivation possible. On this point, the Office and the Committee of Experts had inserted a question in the original draft tending to seek the opinion of the Governments on the thesis already approved by the Temporary Slavery Commission and the Sixth Committee of the Assembly of the League in 1925 and 1926, namely, that compulsory cultivation should be permissible only as a precaution against famine.

The Belgian Employers' Delegate proposed to amend this question also as to suggest that compulsory cultivation should be permissible in other cases. It was necessary, he urged, to introduce in native agriculture products the harvest of which was not so strictly dependent on seasonal influences, and which, on the other hand, would permit those who exported them to buy necessary foodstuffs. To support his argument, he instanced the success of native agriculture in Uganda, the Gold Coast and certain French colonies. He thought that similar results might be obtained by persuasion, but that this method might take two or three generations, and in Africa such a delay was dangerous. The British Government Delegate, in

reply, stated that Uganda and the Gold Coast were just those dependencies in the British Empire in which cultivation and production were most free from any kind of European control or direction. The French Workers' Delegate stated also that the compulsion imposed on French peasants during] the war had failed both in practice and as an educative measure. The amendments were rejected:

The Workers' Group than put forward the suggestion that, even as a measure of precaution against famine, other methods than compulsion might be found possible. This idea was inserted in the last paragraph of the question, which was adopted in the following form :

26. Do you consider that recourse should be had to compulsory cultivation solely as a method of precaution against famine or a deficiency of food supplies, and always under the condition that the food or produce shall, in lieu of wages, remain the property of the individuals or the community producing it ?

Do you further consider that in no case should compulsory cultivation be imposed to promote the production of crops for export or as a measure of education ?

Do you consider that it would be possible to devise measures of precaution against the contingencies indicated in the first paragraph of this question otherwise than by the introduction of a system of forced labour ?

#### *Forced Labour as Collective Punishment*

(37) A second case in which, it was suggested, forced labour should not be employed, was put forward by the British Workers' Delegate. It was the practice in certain areas, he stated, that when the perpetrators of some crime could not be found, and when it was certain that they were being hidden by their co-villagers, a penalty was inflicted upon the whole village, and this penalty might take the form of forced labour. He considered that such penalties were often excessive, and that to

impose forced labour in such cases implied great injustice. Other methods of collective punishment (e.g. fines) were available, and if the system be retained at all, they, and not forced labour, should be made use of. The Committee agreed, and by 21 votes to none the following question was added to the Questionnaire :

27. Do you consider that " collective punishment laws " under which an entire community may be punished for misdemeanours committed by some of its members should contain no provision for forced or compulsory labour by the community as one of the methods of punishment ?

#### *Underground Work*

(38) The Committee adopted by 33 votes to none a new question, proposed by the British Workers' Delegate, asking whether the Governments agreed that forced workers should never be employed underground. The mover supported his suggestion not only on the ground that such work was arduous and often dangerous, but on the well-known fact that amongst many primitive peoples underground work is regarded with peculiar terror. The text adopted was :

28. Do you consider that forced labour should not be used for work underground ?

(39) A new question was put forward by the Worker's Group asking Governments whether it would not be advantageous if a Permanent Committee on native labour were created in connection with the International Labour Office and the Governing Body. To such a Committee, it was suggested, might be confided the examination of the annual reports forwarded to the Office in the future by Governments which had ratified Conventions on labour questions affecting primitive or backward peoples (as,

for example, a Convention on Forced Labour). The proposed Committee might also be charged with the study of other questions of the same nature, and with receiving, examining and reporting upon petitions.

The French Workers' Delegate, who moved the proposal, stated that its object was principally to permit a permanent and competent body to follow the development of native labour questions in the Organisation. He agreed with the Chairman in considering that the creation of the Committee would in no way interfere with the working of Article 408 of the Treaty of Peace and with the activity of the present Article 408 Committee of Experts. To a question whether the overseas countries directly concerned would be represented on the Committee he replied that the Governing Body in appointing the members would doubtless take that matter into consideration.

He accepted also a suggestion from the German Government Delegate that the Committee should be one of experts, reserving, however, the right of the Governing Body, if it so decided, to appoint a member of each of its Groups to the Committee.

He recalled the wording of a statement issued by the employers, according to which it was the duty of colonising powers to assure the exploitation of the wealth of colonial territories for the well-being of the world at large. As a counterbalance to that view, he suggested an equally international supervision of the conditions of this exploitation. The Workers' Group did not however go so far as to propose that : their suggestion was limited to endeavouring to give the International Labour Organisation the means of following as carefully as possible the application of all future Conventions which might relate to native labour. He was supported by other members of the Workers' Group who advanced, *inter alia*, that the Governing Body had already created a Committee of Experts on Native Labour, and that the question now was merely

one of extending the functions of that Committee and making it permanent.

The view that the matter was too important to be hastily decided was put forward by the Delegate of the Nicaraguan and Liberian Governments, who thought also that the terms of the question were too vague in regard to the "other duties" to be confided to the proposed Committee.

When the question came to the vote (the mover having accepted minor amendments) the first paragraph was defeated by 18 votes to 14, and a vote upon the succeeding paragraphs was rendered unnecessary.

#### B. — PROPOSALS FOR RECOMMENDATIONS

(40) The Committee adopted six questions asking Governments whether they considered that Recommendations might not be adopted by the Conference concerning matters closely allied to or affecting the general problem of forced labour.

Of those, the first two given below were the subject of a declaration on the part of the French Employers' Delegate, who expressed the view of his Group that they dealt with questions of an economic nature, which were not directly concerned with forced labour and which appeared to be outside the scope of the International Labour Organisation. They were adopted by 11 votes to 7 and 12 votes to 9 respectively, certain amendments having been made to the second.

The third, fourth and fifth were adopted without opposition. The sixth, however, was debated at considerable length. The British Government Delegate was in favour of it, provided he were assured that the movement of workers referred to therein was understood to mean movement within the same administrative areas. His

Government would insist on the right to restrict, if it were considered advisable, movement to outside areas. The Indian Government Delegate concurred. The Swedish Workers' Delegate was opposed to restrictions on the movements of workers, regarding them as economic evils, and the South African Workers' Delegate supported the proposal on the ground that restrictions on movement were employed at times in order to favour certain industries at the expense of others. The text of this question was adopted by 15 votes to 11.

The six questions tending to the possible adoption of Recommendations are :

#### I.

Do you consider that the International Labour Conference should adopt a Recommendation calling attention to important matters in connection with the economic development of as yet undeveloped areas with a view to avoiding such pressure upon the populations concerned as may amount to compulsion to labour ?

If so, do you consider that the Recommendation should set out that the amount of labour available, the capacities for labour of the population, and the evil effects which too sudden changes in the habits of life and labour may have on the social conditions of the populations, are factors which should be taken into consideration in connection with economic developments, and, in particular, when deciding upon :

(a) increases in the number and extent of industrial, mining and agricultural undertakings in the areas ;

(b) the non-native settlement which is to be permitted, if any ;

(c) the granting of forest or other concessions, with or without a monopolistic character ?

#### II.

Do you consider that the International Labour Conference should adopt a Recommendation deprecating resort to indirect means of artificially increasing the economic pressure upon populations to seek wage-earning employment, particularly by :

(a) imposing taxation on populations on a scale dictated by the intention of compelling them to work for the benefit of private enterprises ;

(b) rendering difficult the gaining of a living in complete independence by workers by unjustified restrictions as to the possession, occupation or use of land ;

(c) extending abusively the generally accepted meaning of vagrancy ;

(d) adopting pass laws which would result in giving the workers in the service of others a position of advantage as compared with that of other workers ?

### III.

Do you consider that the International Labour Conference should adopt a Recommendation calling attention to the necessity of so regulating demands for forced or compulsory labour as not to imperil the food supply of the community concerned ?

### IV.

Do you consider that the International Labour Conference should recommend, in regard to forced or compulsory labour imposed upon men, that every care be taken that the burden of that labour is not passed on to women and children ?

### V.

Do you consider that the International Labour Conference should recommend that every possible effort should be made to reduce the necessity for recourse to forced or compulsory labour for the transport of persons or goods and that, in particular, such recourse should be prohibited when and where animal or mechanical transport is available ?

### VI.

Do you consider that the International Labour Conference should adopt a Recommendation deprecating restrictions based on the voluntary flow of labour to other employment, or to certain areas or industries ?



C. — PROPOSAL FOR A RESOLUTION

*Resolution on Contract Labour*

(41) The occasion of the discussion of this Resolution, and a summary of the discussion itself are given above. (See § 6.) The Conference will recall that the Netherlands Workers' Delegate has submitted a draft Resolution to the same effect as the above<sup>1</sup>. The Committee on Forced Labour was informed of Mr. Kupers' text by the Chairman of the Selection Committee, and referred it to its Drafting Committee. The latter noted that the two texts were inspired by the same motives and that their terms were similar. The Committee on Forced Labour adopted the following text by 18 votes to none :

The Committee, considering that even the suppression of forced labour will not abolish all forms of compulsion to labour of which workers can complain, and particularly in connection with long-term contracts ;

Requests the Conference to instruct the International Labour Office to undertake all necessary studies on all the other cases of compulsion to labour with a view to the question of their complete abolition being placed on the Agenda of one of the next Sessions of the International Labour Conference with the shortest possible delay.

(42) In concluding this report of its work, the Chairman and Reporter of the Committee cannot refrain from observing that, in its view, the procedure of the Conference which entails the discussion in Committee of the details and drafting of a Questionnaire is hardly calculated to secure the best results. The advantage of having before it a Questionnaire is that the whole subject under discussion is therein usefully divided, and debates are kept within reasonable bounds. But these advantages

<sup>1</sup> See *Provisional Record*, No. 1, p. v.

might be obtained by other means, without involving the important disadvantage that the Committee, with the text of a draft Questionnaire before it, is inevitably led to discuss the minutiae of drafting and to attempt to do work which, it is generally admitted, is best done by a relatively small group.

It is understood that the procedure to which the Committee refers was adopted only tentatively by the Conference, as an experiment. The Chairman and the Reporter venture to ask, therefore, whether the time has not arrived for the Conference to reconsider the question.

15 June 1929.

*(Signed)* JULES GAUTIER,  
*Chairman.*

J. J. SCHRIEKE,  
*Reporter.*

**Minority Report of the Workers'  
Members of the Committee on Forced Labour.**

The Workers' members of the Committee on Forced Labour have felt it necessary to separate from the majority on this Committee by reason of differences which have arisen upon certain questions which they feel are fundamental. They have reserved the right to ask the Conference to revise a certain number of the decisions taken by the majority, and it is with this intention that they submit the present Report to the Conference.

There is no doubt that the Twelfth Session of the International Labour Conference is called upon only to decide whether the question of Forced Labour is to be placed on the Agenda of the next Session, and if so to

adopt a Questionnaire. But it cannot be denied that the drafting of such a Questionnaire, though it does not bind the Governments, may nevertheless influence their replies. The absence or the presence of a certain question may have direct or indirect effects upon the character and the bearing of the international regulations which it is proposed to adopt.

The disagreement of the Workers' Group with the majority of the Committee is due in the first place to the tendency itself of the draft Questionnaire which is presented to you by the Majority Report, and further to certain points which we feel are of the highest importance: freedom of association, the eight-hour day, forced labour for revenue purposes, and the creation of a system of control.

## I.

The Workers' members of the Committee must first of all recall the fact that they have in the strongest manner declared themselves in favour of the suppression of forced or compulsory labour of every kind.

This idea is found in Question 1 of the draft Questionnaire which is submitted to you. It is supported by a number of considerations which we wish to recall.

Some of these are of a humanitarian nature. They correspond to the general obligations laid down for States Members of the League of Nations by Articles 22 and 23 of the Covenant of the League of Nations, and concern the well-being and development "of peoples not yet able to stand by themselves" and to the "just treatment of the native inhabitants in territories under their control".

Forced labour has resulted, and will continue to result everywhere it is practised, in such abuses that its suppression is an imperative duty for civilised countries. We do not wish in this Report to go over all the evidence

concerning the effects of this survival of slavery. The Grey Report of the International Labour Office gives sufficient convincing evidence to demonstrate clearly the moral impossibility of perpetuating this system.

It is vain to endeavour to invoke the necessity of forced labour for educative purposes. To say that forced labour is a factor in the progress of native peoples and that it has an educational value is a statement that does not stand the light of investigation.

Again to claim that it is an economic necessity is an error from many points of view. This is proved by the unhappy experiences of too many colonial territories. The efficient development of these territories is compromised, not aided, by the use of forced labour.

Without dilating further on these considerations, we wish here to emphasize the fact that the question before the Conference is not entirely untouched, and that the reply to be given to it has already been determined by certain principles now embodied in international law, with which the Conference cannot put itself in contradiction.

These principles are affirmed, as far as regards the territories placed by the Treaty of Peace under mandate, by the following two texts :

*B Mandates* : " The Mandatory . . . . (3) shall prohibit all forms of forced or compulsory labour, except for essential public works and services, and then only in return for adequate remuneration " .

*C Mandates* : " The Mandatory shall see . . . . that no forced labour is permitted, except for essential public works and services, and then only for adequate remuneration. " .

No doubt these two obligations are only strictly binding on the various Mandatory Powers and for the territories under their administration. We would observe that it is unbelievable that these Powers, which possess

other territories in full sovereignty, will refuse to apply to them the same principles. If such measures have been found applicable in territories under mandate, is it not reasonable to believe that they are equally applicable in neighbouring territories where identical conditions exist ?

These principles of international law have been extended by the activities of the League of Nations. It will be remembered that the Temporary Slavery Commission was charged by the Council with studying the question of forced labour, in the following terms: “(4) Systems of compulsory labour, public or private, paid or unpaid. (5) Measures taken or contemplated to facilitate the transition from servile or compulsory labour to free wage labour or independent production.” If it be admitted that the suppression of forced labour can neither be absolute nor immediate, if it be considered that the transition from servile conditions of work to free paid labour calls for transitional measures, the aim to be achieved is none the less its disappearance.

The value, then, of the Draft Conventions or Recommendations which the Conference may adopt will be judged by the fact that they prepare the way, or they do not prepare the way, for the suppression of forced labour.

The tendency of the draft Questionnaire submitted to the Twelfth Session of the Conference does not admit of a fully satisfactory reply to this question. Not only—except in the two first paragraphs at the beginning—is no true indication found that the aim to be achieved is the suppression of forced labour, but the proposed restriction is absolutely insufficient. Rather, it must be stated, the Questionnaire tends towards a kind of codification of forced labour. The international regulation which it suggests could not be satisfactory: it would embody, besides vague and insufficient solutions, so many exceptions that the abuses to be suppressed could be perpetuated. Truly efficient guarantees, have, on the

other hand, been omitted from the draft Questionnaire. If the Conference adopts it in its present form, it will not respond to the hopes that have been placed in it, nor to the mission which has been confided to the Conference by the Assembly and the Council of the League of Nations.

## II.

The Workers' Group will bring before the Conference the amendment which it submitted to the Committee, where it was rejected, to insert in the Questionnaire the principle of the freedom of association.

It seems to us impossible that this decision should not be reconsidered. On the one hand we are told that the end which justifies even the worst methods of colonisation is to raise the cultural and economic level of backward or primitive peoples. On the other hand, these people are refused an effective element of development and defence.

We realise that in the diversity of colonial conditions the application of the right of association does not appear everywhere under the same aspect. We do not confuse the possibilities of developing it in colonial countries which, open to the modern economic system, have already achieved a certain progress, with the position in primitive territories. But it seems to us nevertheless that the freedom to organise should be allowed for in the Convention, and therefore included in the Questionnaire, both because it is recognised to be urgently necessary in certain cases, and because in others it would constitute a safeguard for the future.

The formation of trade unions is an essential guarantee of the protection which the International Labour Organisation has the aim of developing in the world. So much the less should the Conference forget that the principle

of the freedom of association is expressly laid down in the Labour Part of the Peace Treaties.

The Conference cannot pass over in silence possible refusals to grant this right to native workers. We therefore repeat our amendment as follows :

Do you consider that a definite procedure should be established to allow forced workers, as well as all other native workers, to present all their complaints relative to the conditions of labour to the authorities and to negotiate concerning them ?

### III.

The Workers' Group cannot consent to Question 9, which allows tribal chiefs the right of using forced labour. Question 9 is a contradiction of Question 8 which the Conference should not support.

The Workers' Group asks for the suppression of Question 9.

### IV.

The majority of the Committee adopted an amendment which completely transforms Question 18 of the draft Questionnaire of the Office, which has become Question 20 of the draft of the Committee.

The following is the original text which the Workers' Group asks the Conference to re-establish :

Do you agree that the normal working hours of forced workers should not exceed eight per day and forty-eight per week and that hours worked in excess of these should be remunerated at rates higher than the rates for the normal working hours ?

The draft adopted by the majority of the Committee is unacceptable. It would suppress an elementary guarantee for forced workers. It cannot be maintained that the hours of labour of forced workers should be based on the maximum legal hours of free workers. No comparison

is possible between the two cases ; the one is contractual, the other is not.

In exacting forced labour from natives, the competent authorities have the duty of protecting their health and life against the effects of this work : that is the sense of all the proposed regulations. Now, the Conference is asked to renounce one of the surest of these safeguards, to leave the door open to all kinds of arbitrary decisions, to forget that in the majority of cases of the application of forced labour it is a question of natives unaccustomed to work, very often physically weak and for whom an excessive duration of the working day may have consequences so much the worse in that the climate does not allow as great efforts as those possible in countries of the temperate zone.

Moreover, the majority of the Committee has fallen into a strange contradiction with itself. Having suppressed the mention of the eight-hour day in Question 20, it has re-established it in Question 21, for which it has accepted without change the text as drafted by the Office (Question 19 of the proposed draft Questionnaire). The Conference cannot do otherwise than correct this serious error.

## V.

The majority of the Committee have adopted an amendment providing for the insertion of a question (No. 12) relative to forced labour required as the equivalent to a tax or to replace this tax. We ask the Conference to delete this text.

To admit the principle of forced labour for revenue purposes would certainly lead, not to limiting the cases where forced labour could be used, but to increasing them. By it alone all the proposed regulations could be rendered useless.



We note, moreover, that the Committee has adopted the text of Section III of the draft Questionnaire of the Office, of which the following are the two first paragraphs :

Do you consider that the International Labour Conference should adopt a Recommendation deprecating resort to indirect means of artificially increasing the economic pressure upon populations to seek wage-earning employment, particularly by :

(i) imposing taxation on populations on a scale dictated by the intention of compelling them to work for the benefit of private enterprises ?

The idea thus laid down is plainly in contradiction with Question 12.

## VI.

Our last remark deals with the refusal of the majority of the Committee to accept the insertion of the following questions :

Do you consider that it would be advantageous to create a permanent committee on native labour in connection with the International Labour Office ?

Do you consider that the reports adopted by virtue of Article 408 on the Convention concerning native labour should be sent to this Committee ?

Do you consider that it should be charged with the study of other problems created by native labour ?

We place this amendment before the Conference asking it to say in agreement with us that without the creation of an effective control system, so much the more indispensable since it is a question of distant territories concerning which information is scarce and difficult to obtain, the regulations proposed would not be in keeping with the work of justice and humanity which the International Labour Conference should realise as its aims.

(Signed) L. JOUHAUX,  
Reporter.

### III

#### **Discussion in the Conference of the two Reports.**

The Conference discussed the two Reports reproduced in the preceding pages in its eighteenth and nineteenth sittings of 17 and 18 June 1929 respectively, and in its twenty-third and twenty-fourth sittings of 20 June.

The principal feature of the discussion was the expression by speakers of the Workers' Group of their fear that the Questionnaire as drafted appeared to presuppose rather the continuance of forced labour, with international agreement and regulation to give it countenance, than its suppression, which was the real aim to be achieved. The greater part of the debates therefore turned on the amendments to the Questionnaire and the new questions proposed in the Minority Report.

*Question 9*, which the Minority Report proposed to delete, was adopted unanimously by the Conference in an amended form, put forward by one of the British Government Delegates.

*Question 13 (c)* was proposed by the Minority to suggest an additional safeguard for forced workers; reinforcing those provided by the legislative regulations mentioned in *13 (a)* and *13 (b)*. It was adopted in the Conference by 61 votes to 26.

In *Question 20* the Minority proposed to return to the original text as given in the draft Questionnaire prepared by the Office, which asked whether the Governments considered that the working hours for forced workers should not exceed eight per day and 48 per week. In the Committee this text had been modified to suggest that

the hours of forced workers should not exceed any legal maximum applicable to voluntary workers. The Conference restored the original text by 52 votes to 29.

*Question 29* is new. A motion to insert a question somewhat to the same effect had been lost in Committee. The Minority re-moved the question in full Conference, which adopted it by 59 votes to 49.

The further proposal of the Minority to delete *Question 12* was not accepted by the Conference, the question being retained by 52 votes to 36.

With the above amendments the Questionnaire contained in the Report of the Committee was adopted, and the Conference then decided by 101 votes to 15, i.e. by the two-thirds majority required under Article 6 (5) of the Standing Orders and Article 402 (3) of the Treaty of Versailles, to put the question of *Forced Labour* on the Agenda of the Fourteenth (1930) Session of the Conference for a second and final discussion.

With a view to preparing this final discussion the Questionnaire adopted by the Twelfth Session of the Conference is submitted herewith to the Governments for their consideration and replies. The grouping of the questions under suitable headings, and certain minor amendments of pure form, are the work of the Office.

# QUESTIONNAIRE

## A. — QUESTIONS TENDING TO THE ADOPTION OF A DRAFT CONVENTION

### *General*

1. Do you consider that the International Labour Conference should adopt a Draft Convention, the object of which is to suppress the use of forced or compulsory labour in all its forms ?

If so, do you consider that a period of transition is necessary before such suppression can be fully carried out ?

If you do not consider it possible to adopt a Draft Convention, the object of which would be to suppress the use of forced or compulsory labour in all its forms, or if you consider that suppression is possible, but that a period of transition is necessary :

Do you consider that the International Labour Conference should adopt a Draft Convention the object of which would be to limit and regulate the use of forced or compulsory labour ?

2. Do you consider that such a Convention should be drafted in such a way that its ratification by a State should imply, for the colonies and protectorates of that State, the application of the Convention without the reserves or modifications provided for in Article 421 of the Treaty of Peace ?<sup>1</sup>

<sup>1</sup> See Appendix.

3. Do you agree with the following definition of forced or compulsory labour for the purposes of such a Convention :

“ All work or service which is exacted from any person under the menace of any penalty for its non-performance and for which the worker does not offer himself voluntarily ? ”

*Exceptions from Scope of Convention*

4. Do you consider that cases of emergency (*force majeure*) should be outside the scope of the Convention ?

If so, do you approve of the following definition of “ cases of emergency ” :

“ A case of emergency, for the purposes of this Convention, is the event of war and any occurrence which endangers the existence or the well-being of the whole or a substantial part of the population, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and so on ” ?

5. Do you consider that village services of a kind which have been traditional and customary amongst the local inhabitants, and which are performed within the close proximity of the village by the people who live in it, may be considered to be normal obligations incumbent upon the members of the community and not constituting forced or compulsory labour within the sense of the definition given in Question 3 above ?

*Authorities responsible for Recourse to Forced  
or Compulsory Labour*

6 (a) Do you consider that the authority responsible for any recourse to forced or compulsory labour should

be an authority of the metropolitan country, or, when that is not possible, the highest central authority in the territory concerned ?

(b) Do you consider that, where higher authorities delegate to subordinate authorities the right of authorising forced labour for local public purposes, this practice should cease ?

(c) Do you consider that the competent authority should define precisely, in so far as this has not already been done, the conditions under which forced or compulsory labour should be carried out under the control of minor and local authorities, and that these conditions should, in regard to the category of persons liable, the maximum duration for any individual, working hours, payment, indemnities, and inspection, be not more onerous than those indicated in this Questionnaire for putting into execution forced labour imposed by the competent authority itself ?

*Criteria to be satisfied before Recourse is had to Forced or Compulsory Labour*

7. Do you consider that the competent authority, before permitting any recourse to forced or compulsory labour, except the compulsory labour mentioned in Question 12, should be satisfied :

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service ;

(b) that the work or the service is of present or imminent necessity ;

(c) that it has been found impossible to obtain voluntary labour for carrying out the work or the service by the offer of the rates of wages ruling in the area concerned for similar work or service ; and

(d) that the work or service under consideration will not lay upon the present population concerned too heavy a burden, having regard to the labour available and its capacity to undertake the work ?

*Forced or Compulsory Labour for Private Employers*

8. Do you consider that in no case whatever should the competent authority impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies, or other entities than the community ?

Are you of opinion that where such forced or compulsory labour exists, every effort should be made to bring it to an end as soon as possible ?

Are you further of opinion that a time limit for such abolition should be fixed, and if so, what time limit would you propose ?

9. Do you consider that, where forced or compulsory labour is demanded by chiefs who exercise administrative functions in consequence of traditional rights, this practice should be abolished as soon as possible, and that, until it is abolished, Administrations should ensure that such labour should be directed to public purposes and that the conditions under which it is carried out should be regulated in the same manner as is work of a similar nature done under the compulsion of the administrative authority ?

10. Do you consider that whilst it is the duty of officials of the Administration to encourage the populations under their charge to engage in some form of labour, they should not be permitted to put constraint upon them to work for private employers ?

11. Do you consider that no concessions granted to individuals or companies should permit any form of

compulsion for the obtaining of the products which such individuals or companies utilise or in which they trade ; and that, where such concessions already exist, (a) they should not be renewed except in such a way as to terminate any arrangements of this kind, and (b) every effort should be made to change, in the same way and as early as possible, existing concessions which are not yet due for renewal ?

*Forced or Compulsory Labour as Tax or in lieu of Tax*

12. Do you consider that, where forced or compulsory labour is demanded as an equivalent to or a substitute for a tax, this practice should be abolished as soon as possible, and that until it is abolished the competent authority should be satisfied :

(a) that the work to be done or the service to be rendered is of important direct interest for the community called upon to do the work or render the service ?

(b) that the work or service is of present or imminent necessity ?

(c) that the work or service under consideration will not lay upon the present population concerned too heavy a burden having regard to the labour available and its capacity to undertake the work ?

(d) that the workers while performing their work remain in the neighbourhood of their homes ?

(e) that the execution of the work or the rendering of the service shall be directed by the local authorities in accordance with the exigencies of religion, social life and agriculture ?

*Protection of Forced Workers*

13 (a). Do you consider that in any area where forced or compulsory labour still exists, complete and precise



regulations should be adopted, in so far as this has not already been done, in regard to the organisation of this labour, and that such regulations should provide for the compiling and recording of statistics concerning it, in particular as regards the organisation of work and the hours of work and the method of payment of wages ?

(b) Do you consider that in any territory where forced labour exists the legal provisions or administrative orders governing its application should be printed (and freely exhibited) by the competent authority in such one or more native languages as will convey its import to the workers concerned and the population from which the workers are to be drawn ; and that copies of such printed matter should be made available, at cost price, to the workers or others ?

(c) Do you consider that a definite procedure should be established to allow forced workers, as well as all other native workers, to present all their complaints relative to the conditions of labour to the authorities and to negotiate concerning them ?

14. Do you consider that the duties of any existing labour inspectorate which has been established for the inspection of voluntary labour should be extended to cover the inspection of forced labour, and that, in the absence of such an inspectorate, other adequate measures should in all cases be taken to assure that the regulations governing the employment of forced labour are strictly applied ?

15. Do you consider that the illegal exaction of forced labour should be punishable as a penal offence, and that the penalties should be really adequate ?

*Exemptions from Forced or Compulsory Labour*

16. Do you consider that only adult males of not less than 18 years of age should be called upon for forced

or compulsory labour, subject to the following limitations and conditions :

(a) Prior determination by a Government medical officer that the persons concerned are not suffering from any contagious disease and that they are physically fit for the work required and for the conditions under which it is to be carried out ;

(b) Exemption for persons already bound by a contract of employment ;

(c) Exemptions for school teachers and pupils ;

(d) The maintenance in each community of the number of adult able-bodied men indispensable to family and social life ;

(e) Respect for conjugal and family ties ?

17. Do you consider that from any given community no more than a fixed proportion of the resident able-bodied males should be taken at any one time for forced or compulsory labour which entails their sleeping away from their homes ?

Do you consider that this proportion should be regulated according to the seasons and the work which must be done by the persons concerned on their own behalf in their locality, and, generally speaking, that the economic necessities of the normal life of the community in question should be respected ?

Do you consider, finally, that this proportion should be prescribed, and what proportion do you suggest ?

### *Regulation of Forced or Compulsory Labour*

#### *I. Duration*

18. Do you consider that the normal maximum period for which any individual may be taken for forced or compulsory labour of all kinds should not exceed 60 days

in any one period of 12 months, including the time spent in travelling to and from work,

or in exceptional cases where workers have to be brought from a considerable distance, 6 months in any one period of 24 months, it being understood that in this period will be included the time employed in the work contemplated in Question 12, and that any two such periods occurring in consecutive terms of 24 months should be separated by an interval of at least 3 months ?

In cases where workers have to be brought from a considerable distance, do you consider that the individual worker who has served in any one year for a longer period than the normal maximum of 60 days fixed above, or than any lower maximum which may be fixed, should be exempt from further forced or compulsory labour for a number of years equal to the number of times the normal maximum which he has so served ?

Do you consider that the normal maximum period for which any individual may be taken for the work or service contemplated in Question 12 should not exceed 30 days in any one period of 12 months ?

## II. *Habituation*

19. Do you consider that forced workers should not, except in cases of special necessity, be transferred to districts where the food and climate differ so considerably from those to which they have been accustomed as to endanger their health ?

Do you consider that in no case should the transfer of workers be permitted unless all necessary measures for the accommodation and health of the workers can be strictly applied ?

When such transfer cannot be avoided, do you consider that, on competent medical advice, measures of gradual

habituation to the new conditions of diet and of climate should be adopted ?

Do you consider that, in cases where forced workers are required to perform regular work to which they are not accustomed, measures should be taken to assure their habituation to it, especially as regards progressive training, the hours of work and the provision of rest intervals, and the increase or amelioration of diet which may be necessary ?

### *III. Working Hours*

20. Do you consider that the normal working hours of forced workers should not exceed eight per day and forty-eight per week, and that the hours worked in excess of these should be remunerated at rates higher than the rates for the normal working hours ?

Do you consider that a weekly day of rest should be provided for and that this day should coincide as far as possible with the day fixed by tradition or custom in the territories or regions concerned ?

21. In the case of forced transport workers, do you consider that the normal daily journey should correspond to an average eight-hour working day, it being understood that account shall be taken not only of the distance covered, but also of the nature of the route, the season of the year, the weight to be carried and all other relevant factors, and that where hours of journey in excess of eight per day are exacted they should be remunerated at rates higher than the normal rates ?

### *IV. Wages*

22. Do you consider :

(a) that forced or compulsory workers, including transport workers, should in all cases be paid in cash at

rates not less than those ruling for similar kinds of work either in the district in which they are employed or in the district from which they are recruited, whichever may be higher ?

(b) that the wages should be paid to the workers individually and not to their tribal chiefs or other authorities ?

(c) that the days necessary for travelling to and from the workplaces should be counted for the purpose of payment as working days ?

(d) that deductions from wages should not be made either for the payment of taxes or for special food, clothing or accommodation supplied to the worker for the purpose of maintaining the worker in condition to carry on his work, nor for the supply of tools ?

#### V. *Workmen's Compensation*

23. Do you consider :

(a) that any laws relating to workmen's compensation for accidents or sickness arising out of the circumstances of their employment shall be equally applicable to forced as to voluntary labour ?

(b) that the laws providing compensation for the dependants of dead or incapacitated workers should be equally applicable to all labour whether forced or voluntary ?

(c) that the competent authority or any authority employing forced workers should be obliged to ensure their subsistence when an accident or illness renders such workers totally or partially incapable of providing for themselves ?

(d) that when the forced worker is not living at his own home no distinction should be made as to whether or not the accident or illness was caused by his work ?

(e) that in the case of permanent incapacity, total or partial, the right to an indemnity calculated according to the degree of incapacity should be ensured ?

(f) that the competent authorities should take measures to ensure the maintenance of dependants of an incapacitated or deceased forced worker ?

(g) that any existing laws or administrative orders concerning compensation or indemnification for sickness, injury to, or death of forced workers should be printed, exhibited and offered for sale by the competent authority, in the manner provided for in the case of the laws and orders concerning forced or compulsory labour ?

*Special Precautions for Work of Long Duration*

24 (a). Do you consider that when forced workers, other than forced transport workers, are compelled to remain for considerable periods for works of construction or maintenance at workplaces, measures should be taken to assure their health and to guarantee the necessary medical care, and that in particular (i) they should be medically examined before commencing the work and at fixed intervals during the period of service, (ii) an adequate medical staff should be provided with the dispensaries and hospital accommodation necessary to meet probable eventualities, and (iii) the sanitary conditions of the workplaces, the supply of drinking water, food, fuel, and cooking utensils and, where necessary, of housing and clothing should be assured ?

(b) Do you consider that, when the work is prolonged, definite arrangements should be made to ensure the subsistence of the family of the forced worker, in particular by facilitating the remittance, by a safe method, of part of the wages to the family at the request of or with the consent of the worker ?

(c) Do you consider that the journeys of forced workers to and from the workplaces should be at the expense and under the responsibility of the Administration, which should facilitate them by making the fullest use of all available means of transport ?

(d) Do you consider that it is necessary to ensure the repatriation of forced workers at the expense of the competent authority in case of illness or accident causing incapacity to work of a certain duration ?

(e) Do you consider that any forced worker who may wish to remain as a free worker at the end of his period of forced labour should be permitted to do so without losing his right to repatriation free of expense to himself ?

(f) Do you consider that the competent authority should satisfy itself of the possibility of adequately taking all the measures indicated in this Question before permitting any recourse to forced or compulsory labour ?

*Special Provisions concerning Forced Portorage*

25. When recourse is had to forced or compulsory labour for the transport of persons or goods (porters, boatmen, etc.) do you consider that the competent authority should promulgate regulations determining, *inter alia*, (a) that only adult males, medically certified where medical examination is possible, to be physically fit, shall be employed on this work, (b) the maximum load, (c) the maximum distance from their homes to which these workers may be taken, (d) the maximum number of days per month or other period for which they may be taken, (e) the persons entitled to demand this form of forced labour and the extent to which they are entitled to demand it ?

In this connection, what maximum load do you suggest, what maximum distance from their homes to which these

workers may be taken, and what maximum number of days per month or other period for which they may be taken ?

### *Compulsory Cultivation*

26. Do you consider that recourse should be had to compulsory cultivation solely as a method of precaution against famine or a deficiency of food supplies, and always under the condition that the food or produce shall, in lieu of wages, remain the property of the individuals or the community producing it ?

Do you further consider that in no case should compulsory cultivation be imposed to promote the production of crops for export or as a measure of education ?

Do you consider that it would be possible to devise measures of precaution against the contingencies indicated in the first paragraph of this Question otherwise than by the introduction of a system of forced labour ?

### *Cases in which Forced Labour should not be employed*

27 Do you consider that " collective punishment laws " under which an entire community may be punished for misdemeanours committed by some of its members should contain no provision for forced or compulsory labour by the community as one of the methods of punishment ?

28. Do you consider that forced labour should not be used for work underground ?

### *A Permanent Committee*

29. Do you consider that it would be advantageous to create a permanent committee of experts on forced



labour in connection with the International Labour Office ?

Do you consider that the reports made in virtue of Article 408 on the Convention concerning forced labour should be sent to this committee ?

Do you consider that this committee should be charged with the study of other problems created by forced labour ?

B. — QUESTIONS TENDING TO THE ADOPTION  
OF RECOMMENDATIONS

I.

Do you consider that the International Labour Conference should adopt a Recommendation calling attention to important matters in connection with the economic development of as yet undeveloped areas with a view to avoiding such pressure upon the populations concerned as may amount to compulsion to labour ?

If so, do you agree that the Recommendation should set out that the amount of labour available, the capacities for labour of the population, and the evil effects which too sudden changes in the habits of life and labour may have on the social conditions of the populations, are factors which should be taken into consideration in connection with economic developments, and, in particular, when deciding upon :

(a) increases in the number and extent of industrial, mining and agricultural undertakings in the areas ;

(b) the non-native settlement which is to be permitted, if any ;

(c) the granting of forest or other concessions, with or without a monopolistic character ?

## II.

Do you consider that the International Labour Conference should adopt a Recommendation deprecating resort to indirect means of artificially increasing the economic pressure upon populations to seek wage-earning employment, particularly by :

(a) imposing taxation on populations on a scale dictated by the intention of compelling them to work for the benefit of private enterprises ;

(b) rendering difficult the gaining of a living in complete independence by workers by unjustified restrictions as to the possession, occupation, or use of land ;

(c) extending abusively the generally accepted meaning of vagrancy ;

(d) adopting pass laws which would result in giving the workers in the service of others a position of advantage as compared with that of other workers ?

## III.

Do you consider that the International Labour Conference should adopt a Recommendation calling attention to the necessity for so regulating demands for forced or compulsory labour as not to imperil the food supply of the community concerned ?

## IV.

Do you consider that the International Labour Conference should recommend, in regard to forced or compulsory labour imposed upon men, that every care be taken that the burden of that labour is not passed on to women and children ?

V.

Do you consider that the International Labour Conference should recommend that every possible effort should be made to reduce the necessity for recourse to forced or compulsory labour for the transport of persons or goods and that, in particular, such recourse should be prohibited when and where animal or mechanical transport is available?

VI.

Do you consider that the International Labour Conference should adopt a Recommendation deprecating restrictions based on the voluntary flow of labour to other employment, or to certain areas or industries?

## APPENDIX.

### NOTE BY THE OFFICE ON QUESTION 2 IN THE QUESTIONNAIRE

The International Labour Office has made it a rule to publish the texts of Questionnaires drafted by the Conference as far as possible without change or comment.

In this case, however, in order to avoid misunderstandings and subsequent difficulties, it is felt desirable to draw the attention of Governments to Question 2 in the Questionnaire. This Question is as follows:

Do you consider that such a Convention should be drafted in such a way that its ratification by a State should imply, for the colonies and protectorates of that State, the application of the Convention without the reserves or modifications provided for in Article 421 of the Treaty of Peace?

This question did not appear in the draft Questionnaire prepared by the International Labour Office. It was the Conference which decided to include the question in the Questionnaire to be addressed to the Governments. This decision of the Conference proceeded solely from a perfectly legitimate desire to ensure real reciprocity in the engagements arising out of the Convention contemplated. It is extremely important that ratification of the Convention should have the same legal effect for all the contracting States. If improper advantage were taken of Article 421, however, some States might find themselves bound, as a result of their ratification, to

carry out the provisions of the Convention within their own borders, while other States which had also ratified were not applying the Convention to territories over which they exercise jurisdiction, and which might be contiguous to the State first mentioned, on the grounds of the colonial character of those territories. In other words, it would be anomalous that ratification of the Convention by different States should have an entirely different legal effect because some States were in a position to avail themselves of Article 421, and did so avail themselves, while others were debarred from taking advantage of the Article.

It is undoubtedly very important to avoid such inequality, and it was for this reason that the Conference felt it desirable to consider the possibility of drafting the Convention in such a way as to ensure that it would have the same effect for all States which ratify it and to exclude any reservations which would be calculated to create inequalities in the obligations assumed. Nevertheless, if the considerations which induced the Conference to add Question 2 to the Questionnaire were as stated above, it would seem desirable to consider what is the real scope of that question.

At first sight it might appear that Question 2 contemplates suspending Article 421 of the Treaty in respect of the proposed Convention. It is hardly likely, however, that the Conference had any such idea. It is clear that such a solution would raise serious legal objections. The provisions of Part XIII of the Treaty constitute the framework within which international labour Conventions have to be concluded. These provisions impose on the pre-legislative activity of the Conference limits which it ought not to go beyond, and it can hardly be imagined that a Convention should contain provisions suspending the application of an Article which forms part of the constitutional law of the International Labour Organisation.

Article 421 is on the same footing in the Treaty as the other provisions of Part XIII, and it would appear difficult for the Conference to decide that it should not be applied otherwise than by the procedure expressly laid down for amending the Treaty.

Moreover, it does not appear indispensable to suspend Article 421 in order to meet the considerations which the Conference had in view in framing Question 2, and the idea of such a suspension would seem to be based on a mistaken interpretation of the Article in question.

The exact meaning of Article 421 has never yet been clearly defined, the reason being that the Conventions hitherto adopted by the Conference have been mainly intended for application in metropolitan territories and their application in colonial territories has been considered a matter of secondary importance. This has led to some extent to a tendency to give to Article 421 an interpretation which it does not really bear, and to consider that its effect was to render the application of Conventions to colonies purely optional.

The scope of Article 421, however, is far from being so wide as this, and the adoption of Conventions which primarily affect colonial territories should furnish an opportunity for a stricter and proper application of the Article.

Under Article 421, the Members engage to apply Conventions which they have ratified to their colonies and protectorates (1) except where owing to the local conditions the Convention is inapplicable, or (2) subject to such modifications as may be necessary to adapt the Convention to local conditions. Further, Article 421 provides that the Members are to notify to the International Labour Office the action taken in respect of each of their colonies and protectorates.

Without entering into a detailed analysis of these provisions, it is to be noted that they in no way negative

the legal effects of ratification as regards colonies. In respect of colonial as well as of home territories, ratification is a formal and definite international engagement which can only be revoked in the manner laid down by the Convention. What then is the effect of Article 421? It is that Members which ratify a Convention are entitled to limit the effect of their ratification in respect of their colonies by what are really reservations. Such reservations may be geographical, i.e. a State may exclude one or other of its colonial territories from the effect of its ratification; or they may affect the substance of the Convention, i.e. a State may decide to apply only certain provisions of the Convention in its colonies or to modify its provisions in order to adapt them to local conditions. Once these reservations have been made, however, ratification takes effect within the limits fixed, and there is no ground for inferring from Article 421 that such ratification can subsequently be revoked or altered.

No doubt the possibility of making such reservations is sufficiently serious in itself. But it corresponds to the very special and complex nature of the problem of colonial labour, and it is clearly for this reason that the Treaty contains an exceptional provision in this matter. Besides, the disadvantages which might result from the reservations authorised by Article 421 should not be exaggerated, and in any endeavour to appreciate them it should not be forgotten that with or without reservations the States are free to negative the provisions of a Convention as a whole by refusing to ratify it.

It the circumstances it is questionable whether to suspend Article 421, supposing this to be legally possible, would be the only solution of the difficulties which led the Conference to frame Question 2. It is thought that other solutions might be found. It would appear, for instance, that a special clause might be inserted in the proposed Convention which would reconcile the provisions of

Article 421 with the reciprocal effect which it is desired that the provisions of the Convention should have. No attempt will be made here to put forward definite suggestions. It may be pointed out, however, that in the view of the Office a clause referring to Article 421 and defining its interpretation for the purpose of the application of the Convention would be useful. It would make it possible to define, as regards colonies, the nature of the obligations arising from ratification, and might refer to the possible sanctions in the case of the non-observance of ratified Conventions. It might also be desirable to include a clause enabling States to extend the effect of their ratification progressively to their different colonies. Provisions such as these would not suspend Article 421. By defining its scope, however, and definitely fixing the conditions in which it is to be applied, they would to a large extent remove the difficulties which might result from too elastic an interpretation of Article 421.



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**SONOR S. A., GENEVA.**

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THE  
**Social Service League,**  
**BOMBAY.**

(Registered under Act XXI of 1860.)



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**SEVENTEENTH ANNUAL REPORT**

(For the year 1928.)

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Life is an opportunity for Service, not as little as we dare, as much as we can.

*Bishop Westcott*



OFFICE :—

Servants of India Society's Home,  
Girgaum, Bombay.

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1929.

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" F. J. Ginwalla, M.A., LL.B.,  
M.L.C.  
Prof. H. R. Hamley, M.A.  
Mr. H. W. Bryant, M.B.E.  
" R. R. Bakhale,  
Mrs. Mithibai Setbna.

## Senior Life Workers.

Mr. G. N. Satharabuddhe, B.A. | Mr. P. G. Naik.  
" D. S. Savardekar, B.S., (U.S.A.). | Mr. M. R. Bade, B.A. (Hon.), B.Sc.

## Junior Life Workers.

Mr. A. W. Phanse. | Mr. G. G. Phase.

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**THE**  
**Social Service League, Bombay.**

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**SEVENTEENTH ANNUAL REPORT.**

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*( For the year 1928. )*

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The work of the Social Service League, Bombay, is mainly carried on at and from the following centres :—

1. **THE HEAD OFFICE,**  
    Servants of India Society's Home,  
    Sandhurst Road, Girgaon.
  2. **THE PAREL SETTLEMENT,**  
    91-B, Parel (Chinchpokli).
  3. **THE MADANPURA SETTLEMENT,**  
    Ghelabhai Street (Safraabadi),  
    Madanpura, Byculla.
  4. **THE WORKINGMEN'S INSTITUTE,**  
    Elphinstone Road, Parel.
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**ACTIVITIES AT THE CENTRES.**

1. **The Head Office:**—Library of books on Social Service—Register of Charities—Information Bureau—Social Service Propaganda by Lectures—Social Workers' Training Class—"Social Service Quarterly" and "Samaj Sevak" (a Marathi Quarterly Magazine)—Administration of the Miss

Florence Nightingale Village Sanitation Fund—Supervision of Co-operative Societies—Marathi and Gujarati Night Schools—Sanitation Rounds in A, B, C, D, and E Wards—Boy Scout Troop—Fresh Air Excursions for Poor Boys—Bombay Council of Social Workers.

**2. The Parel Settlement:**—Gymnasium for Workmen—Free Reading Room and Library—Free Travelling Libraries of Marathi and Gujarati Books—Magic Lantern Lectures—English Night School—Organisation and Supervision of Co-operative Societies—Organisation of Wrestling Matches—Writing of Petitions, Complaints, etc., on behalf of poor persons.

**3. The Madanpura Settlement:**—Urdu Night School—Boys' Clubs—Urdu Libraries (standing and travelling) and Free Reading Room—Lectures, Public Meetings and Lantern Lectures—Free Eye-treatment—Legal Advice—Ventilating Public Grievances about Insanitation, etc.—Petition writing and Letter writing for the illiterate—Directing Patients to suitable Hospitals and Dispensaries.

**4. The Workingmen's Institute:**—English Night High School—Textile Technical School—Charitable Dispensary for Women and Children—Organisation and Supervision of Co-operative Societies—Sanitation Rounds in E, F, and G Wards—Sewing and Cutting Class for Women—First Aid and Home Nursing Classes for Women—Paper Work and Canvas Work Class for Women and other activities of Mahila Mandal (the Women's Branch of the Social Service League)—Legal Advice and Petition Writing—Cheap and Wholesome Recreation for the Working Classes through dramatic performance and musical concerts.

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## I. MASS EDUCATION.

With the object of disseminating education among the backward classes of people especially the labouring and the depressed classes, the League conducts night schools, maintains free reading rooms and libraries, organises various kinds of

educational classes and arranges magic lantern lectures. During the year under report 9 night schools, 3 free reading rooms, 3 standing libraries and several centres of the travelling free library were maintained. A number of lantern lectures and other lectures were arranged, and various kinds of educational classes were organised throughout the year. Special classes for women were held and the educational work carried on by the League in this direction is included under a separate head, "Work for Women".

### (1) NIGHT SCHOOLS.

During the year under report the League maintained 9 night schools out of which one was Anglo-Marathi, 2 Anglo-Gujerati, 4 Anglo-Urdu and 2 night high schools. The total number of students on the rolls in all these night schools was 413, the average daily attendance being 310. Out of these 9 night schools six receive grants-in-aid from the Bombay Municipality. Almost all the students attending these schools, including the English high schools, belong to the working classes and earn their living by doing work in mills, factories, offices, etc., during the day time. The night high school at the Workingmen's Institute has been affiliated to the University of Bombay and in the year under report 21 students were sent up for the Matriculation Examination and 2 for the School Leaving Examination. This high school is equipped with a laboratory for teaching physics and chemistry. Also a small library and a reading room are maintained for the students' and the teachers' use. In the other night high school English is taught along with other subjects upto the standard VI.

In three night schools under the Madanpura Settlement Boys' Clubs were continued in the year under report and 28 meetings were held.

### (2) LIBRARIES AND READING ROOMS.

There were 3 standing libraries, and 3 reading rooms, besides 38 boxes of the travelling library, maintained by the

League during the year under report. The standing libraries together with the travelling library boxes contain in all 9,608 books and pamphlets in Marathi, Gujerati, Urdu and English, and the total number of books issued was 4,339.

**(a) Standing Libraries and Free Reading Rooms.**—The Head Office at Girgaon, the Parel Settlement at Chinchpokli and the Madanpura Settlement have each a standing library. Since the library at the Head Office consists of English books on social and labour questions, a detailed information about it is given under the head "Propaganda Work."

The library at the Parel Settlement at Chinchpokli contains about 1930 books and the number of books issued during the year under report was 2,116. During the year under report 160 new books were purchased. The majority of the persons taking advantage of this library consists of workmen and clerks working in mills, factories and workshops. The average daily number of readers at the reading room at this centre was 63.

The Urdu library at the Madanpura Settlement contains 1215 books and the number of books issued during the year under report was 1023. The reading room attached to this centre continued to be a popular resort of the literates in the locality, the average daily number of people who took advantage of it being 56. At the Workingmen's Institute also a small reading room is maintained.

**(b) Travelling Free Libraries.**—The central office of the Marathi and Gujerati sections of the travelling free libraries was shifted from the Damodar Hall to the Parel Settlement in the year under report. Since a large number of books had been lost or spoiled in the course of circulation, the boxes had to be rearranged. During the year under report boxes were supplied to 6 different centres. The Urdu boxes were issued from the Madanpura settlement. The total number of books issued was over 1,000.

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### (3) MAGIC LANTERN LECTURES.

During the year under report 12 lantern lectures were arranged under the auspices of the League at different places. Some of these were on 'Co-operation' and the others on other subjects such as 'Social Service', 'Child Welfare', etc.

## II. THE TEXTILE TECHNICAL SCHOOL.

This school was started in 1924 by the League at its Workingmen's Institute for imparting practical and theoretical training to the millworkers. Till then there were no facilities for millworkers to obtain a systematic training in their work. In this school elementary instruction both in theory and practice of spinning and weaving is given through the vernacular, according to the syllabus prepared by experts. Originally it was intended to have both day and night classes, but owing to the inability of the League to secure scholarships to cover the maintenance expenses of day students, only night classes could be started. There are in all six classes in the school, 3 in each of the two departments, viz., spinning and weaving, each class requiring a year's instruction. A scholarship of Rs. 3 per month is awarded to each student for regular attendance. This school is equipped with machinery required for demonstration in practical training.

At the beginning of the year under report there were 32 students on the roll, the daily average attendance being 25. The annual examinations were held in April, the examiners having been deputed, as usual, by the Committee of Direction for Technical Education in the Bombay Presidency. Out of the 22 students who appeared for their examinations 16 were successful. Six students appeared for the final year examination, and five of them passed it and were given certificates. New classes were opened in the month of June, but on account of the millworkers' general strike then prevalent in the city, there were no new admissions till October when the said general strike ended. This strike had also considerably affected the attendance in the school. Since October, however,



the number of students on the roll increased and there was improvement in attendance. At the end of the year there were 33 students on the roll and the average daily attendance was 31. Since September Sunday classes are held for demonstration work on machines and for machine drawing.

During the period under report Mr. R. D. Bell, I.C.S., C.I.E., who is a member of the Supervising Committee of the school and takes a keen interest in the progress of the school, kindly undertook to address circular letters to the Mill-Agents requesting them to give due consideration to the qualifications of the workers trained in this school. Although much could not be expected in this direction in the dislocated condition of the mill industry especially due to labour unrest, the appeal met with a sympathetic response at least in the case of one of the first batch of students who passed the final examination of the school, this student having been appointed as an assistant carding and spinning master in the Satya Mills under the agency of Messrs. James Finlay & Co. Also it may be mentioned that some of the students 'passed through this school have been able to win jobbers' and higher posts within a short time by proving their merit.

The school continued to receive grants-in-aid from the Bombay Municipality and the Committee of Direction for Technical Education.

The League is thankful to Mr. Bell, Mr. A. J. Turner, Principal of the V. J. Technical Institute, and other members of the Supervising Committee and also to those millowners who have been helping the school.

### III. THE BOY SCOUT TROOP.

The League has been maintaining a Boy Scout Troop during the last 11 years and the troop is known as the 31st Bombay Boy Scout Troop. At the end of the year this Troop consisted of 40 Scouts and 8 Rovers. The playground at the Sandhurst Road Garden behind the Vanita Vishram Hall, Girgaon, was used for parade, drill and games. Patrol Classes were regularly held at the Troops' headquarters where

the students went through the theoretical course in scouting. Messrs. P. L. Phadtare, B.A., LL.B., and V. K. Kulkarni worked as Scout Masters and Messrs. J. B. Patil and B. S. Kotnis as Assistant Scout Masters.

During the National Baby Week Exhibition, at the Girgaon Centre, the scouts worked as volunteers for a week.

In the Easter holidays a cycle trip to the Tansa Lake was organised under the guidance of Mr. Kotnis. In the first week of May the troop was taken out for two days' camping at Juhu. In June, July, August and September monthly excursions to Sar Village, near Marol, were arranged with a view to giving the boys lessons in swimming in the Vihar River. On the 12th December the troop camped for a couple of days at Worli, and during the Christmas holidays a four days' training camp was arranged at Borivli. Thirty scouts attended the camp and regular classes were held. The boys enjoyed camp life thoroughly well.

#### IV. PUBLIC HEALTH.

The League's efforts in the direction of the promotion of public health consist of (1) provision of free medical relief; (2) directing patients to and getting them admitted into suitable public dispensaries or hospitals; (3) arranging sanitation rounds in the different wards of the city, especially in the slum areas; (4) forwarding representations regarding sanitary needs and complaints about public nuisances to the Municipal authorities; and (5) helping sanitation work in villages through the Florence Nightingale Village Sanitation Fund.

(1) **Medical Relief.**—The League provides medical relief through its Bai Bachubai Charitable Dispensary for Women and Children at Parel, and in co-operation with the Blind Relief Association of Bombay at Madanpura.

(a) **Bai Bachubai Charitable Dispensary for Women and Children.**—This dispensary is located in the Bachubai Building of the Workingmen's Institute at Parel.

During the year under report the total number of patients treated at this dispensary was 21,987, of whom 11,717 were women and 10,270 children, there being an increase of 2,185 patients over the last year's total number. The daily average number of patients was 73. Patients of all castes and creeds from Parel, Dadar, Mahim, Matunga, Sewri, Worli, and even from distant localities like Byculla and Jacob Circle take advantage of this dispensary. Dr. Miss Lanibai Mankar, M.B.B.S., continued to be in charge of the dispensary. A grant of Rs. 75 per month is received from the Bombay Municipality for this activity.

On behalf of the Arya Mahila Samaj, Bombay, milk is supplied free to needy mothers and children at the recommendation of the lady doctor. In the year under report the cost of the milk thus distributed came to Rs. 823-8-0, which was borne by the Arya Mahila Samaj. The Samaj deserves the best thanks of the League for this generous help.

**(B) Free Eye Treatment.**—At the Madanpura Settlement of the League, Dr. S. R. Machave of the Blind Relief Association continued to attend twice a week in the afternoons of Fridays and Sundays, to the eye complaints of poor people. During the year under report 2,551 patients were treated. Of these 56 persons who were too poor to buy spectacles which they needed were supplied free with spectacles by Dr. Machave. The League's thanks are due both to Dr. Machave and the Blind Relief Association for this valuable co-operation in affording relief to poor eye patients. At this settlement 24 poor patients suffering from other ailments were directed to or got admitted into suitable hospitals.

**(2) Sanitation Work in the City.**—During the year under report four sanitation rounds were arranged. Three of these were taken in E, F and G Wards, and Dr. S. P. Mehta and Mr. B. G. Parelkar, representatives of F Ward in the Municipal Corporation and R. V. Varadkar were among those who formed these sanitation round parties. One round was arranged in C and D wards, Messrs. V. N. Vagal, M. S. Gurtu, D. S. Savardekar, V. L. Kolhatkar and A. J. Kulkarni

being among the party that went round. The reports of the insanitary conditions noted and the complaints received from the inhabitants of the respective localities, in the course of the rounds, were duly forwarded to the authorities concerned. In consequence of these reports the Municipal authorities took steps to stop the overflow of some manholes in Lalbag by getting the drains cleaned and also some minor sanitary defects were remedied. The inadequacy of sanitary conveniences for the Lalbag Market was remedied by the Health Department by getting the owner of the market to open for use a block of 2 seats of water closets at the South-West corner in the compound, which had been closed by him.

A representation regarding the inadequacy of accommodation at the Elphinstone Road Market was made to the Markets and Gardens Committee which recommended certain alterations to the market for enlarging the squatting area in front of the Market so that the congestion complained of might be relieved to some extent. These recommendations were approved of by the Corporation. The worker in charge of the Madanpura settlement visited 47 chawls and forwarded 105 complaints to the Municipal authorities regarding insanitary conditions of buildings, streets, etc.

(3) **The Miss Florence Nightingale Village Sanitation Fund:**—During the year under report four applications were received for grants and the total amount sanctioned was Rs. 300. The applications were from the Bhil Maudal, Dohad; the Atgaon Co-operative Society; Mr. V. V. Dastane, Pimprala, East Khandesh; and Mr. S. P. Patvardhan, Akeri (Savantvadi state). The trustees of this Fund are Sir Jamshetji Jeejibhoy, Bart., Sir Lalubhai Samaldas, Kt., C. I. E., and Mr. N. M. Joshi, M. L. A.

## Y WORK FOR WOMEN.

The League has been conducting sewing and cutting classes together with other activities for women at the Workingmen's Institute since 1923. These activities are

managed through the Mahila Mandal, Parel (the Women's Branch of the Social Service League, Bombay). All the educational classes are held in the afternoon, so that married women, widows and grown-up girls having domestic duties to attend to may take advantage of them. The classes of the Mandal are open to women of all castes and creeds.

**Sewing and Cutting Classes:**—A regular syllabus prepared in consultation with experts is followed in these classes, the whole course covering a period of two years. The course is divided into four classes, each class requiring instruction for six months. During the year under report the total number of students on the roll was 122 and the average daily attendance was 65. Seventy-nine students were successful in the annual examinations: 46 from the Junior Class (six months' training), 20 from the Senior Class (twelve months' training), and 13 from the Senior Advanced class (eighteen months' training). The Schools Committee of the Bombay Municipality has recognised the eighteen months' course in these classes as qualification for employment as sewing mistresses in its schools. In the year under report these classes were registered with the Educational Department of the Bombay Government and the Director of Public Instruction was pleased to sanction a grant-in-aid.

**Home Industry Classes.**—In addition to the sewing and cutting classes, special classes for teaching canvas work, needle work, embroidery work and the art of making paper-flowers were also regularly held. The average total number of students was 40, the average daily attendance being 39. These classes are conducted thrice in a week and a nominal fee of four annas a month is charged to the students attending them.

**Games and Physical Exercise Class.**—This class was started on 3rd July 1928 with the object of teaching indoor games and easy physical exercises to the students in the different classes, Miss Rajasbai Dongre, B. A., a worker from the Y. W. C. A., having kindly volunteered to conduct the class once a week. About 20 women on an average took

advantage of this class. This class had, however, to be discontinued after three months, Miss Dongre having found it impossible to continue her work owing to other engagements.

**Reading Room:**—About 25 women took advantage of the reading room attached to the classes, during the year under report.

**Lectures and Meetings:**—Three lantern lectures were arranged under the auspices of the Mahila Mandal during the year under report. One of these was given by Dr. H. V. Tilak, B. Sc., M. B. (London), F.R.C.S. (Edin.) on "Child Welfare" in the month of February and the other two lectures were given by Mr. V. S. Toro, B.A., of the Visual Instruction Department of the Government of Bombay, on "Japan" and "Historical places in Maharashtra", in the month of July. About a hundred women were present at each of these lantern lectures. "Vasantotsava" (the Spring Festival) was celebrated under the auspices of the Mandal in the month of April, the gathering consisting of over 100 ladies. A programme of music and dialogues, was gone through and flowers, etc. were distributed to the ladies present.

A meeting of the volunteers was held in October, Mr. N. M. Joshi presiding.

**Visits to Institutions:**—A party of 60 women and girls, mostly consisting of the students of the Health Volunteers' class conducted by Dr. H. V. Tilak was taken to the Nowrosji Wadia Maternity Hospital in March. They were shown round the different departments and Dr. Tilak explained to them the working of the hospital.

In April, about 60 students of the sewing and cutting classes were taken to the exhibition organised by the Gokhale Education Society at Rambang.

**Miscellaneous:**—A debating club for the students of the Mandal was started in July, and several debates on useful subjects were held. About a dozen students worked as volunteers at the exhibition organised by the Gokhale Education Society and a stall of articles prepared by the

students of the Mandal was also maintained at this exhibition. During the Divali holidays about 50 volunteers went about collecting funds for the Mandal and succeeded in collecting nearly Rs. 600.

**Thanks:—**The League is thankful to Princess Shrimati Kamaladevi Gaikvad of Baroda for her donation of Rs. 75 to the Mahila Mandal. Thanks are also due to Mrs. Mithibai Sethna for her help in various ways, to Mrs. Patel for her monthly donation of Rs. 5 and to Dr. Tilak and Miss Rajasbai Dongre for conducting the Health Volunteers' class and the Games and Physical Exercise class, respectively.

**Parle Branch:—**In the sewing and cutting class conducted by the Mahila Mandal at Ville Parle, there were 45 students on the roll, the daily average attendance being 25.

An embroidery and needlework class was opened at Parle in the year under report. The number of students on the roll in this class was 25 and the average daily attendance was 15.

About 25 students enrolled themselves as volunteers and collected Rs. 250 for the Divali Fund of the Mandal.

## VI. INDUSTRIAL SETTLEMENT AT BELGAUM.

The League received a proposal from the Government for undertaking the management of the Industrial (Criminal Tribes) Settlement at Belgaum. This settlement was formerly under the Gokak Falls Settlement and was managed by a Christian Mission up to the end of March 1927 when the Mission gave up the work and handed over the management to the Government who managed it departmentally till 31st March 1928. The proposal for undertaking the management of the settlement was accepted by the League and Mr. M. R. Bade, B.A., B.Sc., one of the life-workers of the League, was sent for training in the work. He visited most of the important settlements in the Northern and Southern Circles and got himself acquainted with the actual working of these settlements. After three months of this training Mr. Bade

took over the management of the Belgaum Industrial Settlement from 1st April 1928. The Settlement is situated at about 2 miles' distance from the railway station, the old jail there having been handed over to the Department for this purpose. There is accommodation for about 250 persons.

When the League took charge there were 145 persons—men, women and children—in the settlement. Of these 100 were Mang Garudis from the Kolhapur side and the rest Ghantichors (Girni Waddars). The latter correspond to the Bhamptas on the Poona-Satara side. It is the duty of the Manager to see that every able-bodied adult is employed in some useful work. Ordinarily there is not much difficulty in finding employment for the men and women in the settlement except in two or three months of the rainy season, during which period the inmates maintain themselves on their savings.

The inmates have their movements restricted. There is a daily roll-call at 8 P.M. after which the doors are closed and no one can go out of the premises till 6 A.M. During the day-time all are free to move about within a radius of 5 miles from the Settlement. Drinking and gambling are prohibited. A person brought to the Settlement is expected to stay there for a minimum period of six years. If he has behaved properly during his stay in the Settlement he is released on license and is allowed to stay at his native village on certain conditions.

**Sanitation, Education, Recreation and Co-operation :—**The premises are kept scrupulously clean and every care is taken to make the inmates cultivate habits of cleanliness. A sanitation cess of As. 2 per family is collected.

Education is compulsory for boys and girls in the Settlement between the ages of 5 and 12 years. During the period under report 21 boys and 8 girls were attending the school. There is a Scout Troop at the Settlement consisting of 12 scouts and 12 cubs under training.

Recreation is also provided both for adults and children. The former are fond of wrestling and *malkhamb* for which



provision is made, and the children play hockey, foot-ball, *khokho*, *atyapatya* and scout games.

The League organised a co-operative credit society for the inmates of the Settlement in June. At the end of the year the number of members of the society was 46. The society is useful to the members especially in tiding over occasional unemployment.

**Probation Work :—**Mr. Bade is looking after ten families released on license and now staying in Belgaum Taluka. Also very shortly he will be entrusted with the work of visiting probationers in Belgaum Taluka as well as the state limits of Sangli and Kurundwad.

During the period under report the record with respect to crime was excellent, none of the settlers being involved in any of the offences committed in the town against property.

The expenditure of the Settlement work is met from the capitation grant received from the Government. The number of inmates is expected to increase to double the present number shortly.

The Criminal Tribes Settlement Officer visited the settlement several times and was pleased to make the following remarks: "The Settlement is progressing very well and has had an excellent record during its first year under the Social Service League. I congratulate the League and the manager of the Settlement on its management."

The League's thanks are due to Mr. H. Starte, I.C.S., the C. T. S. Officer and to Mr. W. B. Gilligan, I.C.S., who acted as C. T. S. Officer for some months, for their kind and sympathetic help and guidance to the League's worker in charge of the Settlement.

## VII. WORK FOR OTHER INSTITUTIONS.

**The Bombay Presidency Released Prisoners' Aid Society :—**Mr. P. G. Naik, one of the life-workers of the League, continued as the Bombay Presidency Released Prisoners' Aid Society's Agent and was also in charge of the Society's

Home. The agent visited daily the Arthur Road Jail and the House of Correction at Byculla and interviewed the prisoners prior to their release, advised them as to their future and assisted them with food and shelter if they were found to be in need of them. Some persons were also paid railway or steamer fares, fully or partly, to proceed to their native places. During the year under report 439 released prisoners including 5 women were thus helped, and 115 persons took advantage of the temporary lodging facilities afforded by the Society's Home. At the end of the year Mr. Naik's services were transferred by the League to the Bombay Vigilance Association and Mr. A. W. Phanse, another life-worker of the league, was appointed by the Society as their Agent. The Central Committee of the B. P. B. P. A. Society have placed on record their appreciation of Mr. Naik's good and conscientious services on behalf of the Society extending over a period of 3 years.

**The Children's Aid Society:**—The services of Mr. D. S. Savardekar, B. S., (Columb.), one of the life-workers of the League, were lent to the Children's Aid Society from August 1928, to work as part-time supervisor. The Society have expressed their appreciation in their second annual report of Mr. Savardekar's keen and active work and of his successful efforts in securing fresh volunteers for supervision work. The said society is a non-official agency for putting into operation and carrying out the provisions of the Bombay Children Act. The Society maintains a Clearing House and a Remand Home for children awaiting orders under parts II and III of the Children Act and for youthful offenders awaiting trial under Part IV. The Society's representative attends the Juvenile Court and assists the Bench when and as required and the after-care of the children dealt with under the said Act, the Reformatory School's Act and the Apprentices' Act forms an important part of the Society's work.

**The Bombay Vigilance Association:**—Mr. P. G. Naik, one of the life-workers of the League, wrote a pamphlet on "The Prevalence of Social Vice" (Reprint of his articles in

the *Vaidh Vritta*), being the report of his investigation in regard to the problem of Devadasis in Goa and surrounding districts for which he was specially deputed by the Association. This report received wide publicity in the Press as it raises many social questions of public importance. Mr. Naik has written also another pamphlet on "Prostitution under Religious Customs."

**The Society for the Protection of Children in Western India.**—At the request of this Society the services of Mr. P. G. Naik, one of the life-workers of the League, were lent to it from 19th November 1928 to the end of the year during which time Mr. Naik acted as Superintendent of the Byramjee Jeejeebhoy Children's Home at Matunga conducted by that Society.

### VIII. WORK IN THE FIELD OF CO-OPERATION.

The League has till now organised over a hundred co-operative societies, the object being to free persons of limited means, especially the working classes, from the bondage of usurious money-lenders. Moreover, the co-operative movement inculcates habits of thrift, mutual good-will and self-reliance. Many of the societies organised by the League are now working independently. During the year under report there were 38 societies under the supervision of the League. The total membership of these societies was 3,447; working capital, Rs. 1,47,081; share capital, Rs. 61,555; reserve fund, Rs. 20,154; and during the same period loans amounting to Rs. 1,18,493 were advanced to needy members, the amount recovered during the same period being Rs. 95,213. The recoveries in the societies the majority of the members of which consisted of mill-workers were adversely affected by the prolonged general strike of mills in the city. The units of the societies are various: some are chawl or locality societies, some communal, some for workmen or labourers belonging to particular departments, and some for people residing in Bombay but drawn from particular villages in the mofussil. One of these is a Banking Union of co-operative societies.

A gathering of six societies working under the supervision of the League's head-office was held at the Servants of India Society's Home, Girgaon, on 15th December 1928, Mr. P. B. Gothoskar, B.A., presiding. About 250 members were present.

**Propaganda:**—Twelve lectures on co-operation and allied subjects were arranged during the year. Some of these lectures were given with the aid of lantern slides. The places where these lectures were given were Bombay, Sion, Dharavi, Kurla, Ambernath, Khandala and Lonavla. Also among the rural populations of Ambernath, Valivali, Jambul, Venjarde and Vasad the co-operative propaganda was carried on through informal talks to groups of villagers.

## IX. RECREATION FOR THE WORKING CLASSES.

The activities under this head consist of Indian gymnasia, theatricals, open air sports and fresh air excursions.

(a) The Indian gymnasium attached to the Parel Settlement of the League was taken advantage of by about 50 men daily on an average.

The Lathi club at the Working-men's Institute had to be discontinued owing to the general strike of the mill-workers which lasted for about 6 months in the year under report, almost all the members of this club being mill-operatives.

(b) **Theatricals:**—During the year under report 46 dramatic performances were given in the Damodar Thakersey Hall. They were in Marathi, Bengali, Tamil, Telegu and Konkani. Out of these 46 performances 8 were given by the Sahakari Manoranjan Mandal which is an amateur dramatic club formed under the auspices of the League and run on co-operative lines. This club consists of 92 members at present, who are mostly workmen and clerks employed in mills and factories. The object of the Mandal is to refine the taste of the working classes in the matter of amusement and to prevent them from patronising filthy *tamashas*. The Mandal gives occasionally benefit performances in aid of worthy institutions.

During the year under report two free musical concerts were given by the Bombay Municipality in the Damodar Thakarsay Hall, for the use of which no rent was charged by the League.

During the year 39 meetings, 2 gatherings and 2 conferences were held in the Hall.

(c) **Open Air Sports**:—In December a programme of open air sports was arranged for the students of the Mandvi Koliwada Night School conducted by the League. About 25 students took part in the sports and prizes were distributed to the successful competitors.

(d) **Fresh Air Excursions**:—During the year under report two fresh air excursions were arranged for the students of two night schools conducted by the League. The students of the Mandvi Koliwada Night School were taken to the Canary Caves at Borivli and those of the Parel Night High School to the Jogeshwari Caves, Andheri. The expenses were partly met from the yearly donation of Rs. 75 kindly paid by the proprietors of the "Times of India", which is earmarked for school-children's excursions.

## X. LEGAL ADVICE AND PETITION WRITING.

Mr. A. G. Shaikh, B.A., LL.B., High Court Pleader, continued to attend the Madanpura Settlement between 10 and 12 a. m. on every Sunday and 63 persons were given free legal advice by him during the year under report. At this centre 105 complaints regarding katchra nuisance, drain chokes, accumulation of filthy water, leaky roofs, unsafe and insanitary condition of buildings, etc., were sent to the Municipal authorities. Also 218 letters, 129 applications and 43 petitions were written on behalf of poor and illiterate persons. At the Workingmen's Institute 249 applications, petitions, complaints, notices, representations, etc., were written on behalf of poor persons, mostly from the working classes, and in some cases legal help at nominal fees was also provided. A number of workmen's compensation cases were also dealt with and successfully fought on behalf of workmen injured in the course

of their employment or the dependents of those fatally injured.

To Mr. Shaikh the League's thanks are due for his honorary work as legal adviser at the Madanpura Settlement.

## XI. PROPAGANDA WORK AND TRAINING FOR SOCIAL SERVICE.

The League's work in this connection consists of (1) arranging lectures on different social subjects; (2) conducting the "Social Service Quarterly" and the "Samaj Sevak"; (3) publishing pamphlets and leaflets; (4) maintaining an Information Bureau with a Register of Charities and Social Work; (5) maintaining a library of books on social subjects; and (6) organising Social Workers' Training Classes.

(1) "Social Service Quarterly" and "Samaj Sevak":—These quarterlies respectively English and Marathi are published by the League, with a view to propagating the gospel of social service among the educated classes and promoting serious thought on and concentrated study of social problems. Mr. V. L. Mehta, B.A., one of the Secretaries of the League continued to be the Editor of the Quarterly during the year under report.

(2) Information Bureau and Register of Charities:—A large number of reports of institutions carrying on social work in India, England and America have been collected and fresh additions are made every year to this collection.

(3) Library of Books on Social Questions:—This library is maintained at the League's head office in Girgaon and consists of about 1,685 books and 1,780 pamphlets on social and labour questions. This library is mostly used by students of social and labour problems for reference purposes.

(4) Social Workers' Training Class:—With a view to stimulating interest in and providing information on some of the outstanding problems of social service, the League has been organising social workers' training classes since 1925. The course consists of a series of lectures on different problems,

and visits to various social service institutions are arranged. During the year under report 35 lectures were arranged, the subjects being Juvenile Delinquency ; Water, Air and Food ; Infection and Carriers of Infection ; Common Infectious Diseases and their Prevention ; the Social Problems created by Industrial Revolution ; the Co-operative Movement ; Social Work in Rural Areas ; Life Histories of Social Workers ; the Child Welfare Movement ; Crime and Punishment ; Vigilance and Social Purity Work ; Problems of Poverty ; the Indian Labour Problem ; Adult Education ; Consumers' Co-operation ; India's Drink Problem ; the Beggar Problem ; Sociology ; and Education of the Defectives and the Delinquents. The League is sincerely thankful to the following ladies and gentlemen for giving benefit of their knowledge and experience in the subjects in which they have specialised :— Prof. R. M. Joshi, Principal Hamley, Prof. P. A. Wadia, Dr. G. S. Ghurye, Miss M. K. Davis, Mrs. A. W. Maclean, Miss I. M. Dickinson, Dr. Miss Jhirad, Mr. R. V. Parulekar, Rev. J. F. Edwards, Prof. H. L. Kaji, Principal T. A. Kulkarni, Rao Bahadur, S. S. Talmaki, Dr. H. D. Khote, Mr. V. L. Mehta, Mr. P. G. Naik and Mr. P. G. Kanekar.

These classes were attended by 74 students among whom there were several ladies.

### **BOMBAY COUNCIL OF SOCIAL WORKERS.**

This is an organisation brought into existence through the efforts of the League with a view to affording frequent opportunities to social workers belonging to different institutions in Bombay for meeting together for exchange of views and experiences, for surveying the work done in the various fields of social service and for holding Social Service Conferences from time to time. Mr. D. S. Savardekar, one of the life-workers of the League, continued to work during the year under report as secretary of this Council.

The Second Session of the Bombay Social Service Conference was held in April 1928 in the Malabari Memorial Hall

under the presidentship of Mr. K. Natrajan, B.A., Editor of the *Indian Social Reformer*.

### MISCELLANEOUS.

In addition to regular work much miscellaneous work was done at the League's centres, some of which is described below :—

Messrs. P. G. Naik and A. W. Phanse, life-workers of the League, kept supervision as provided for in the Bombay Children Act, over 5 and 3 children respectively as volunteers on behalf of the Children's Aid Society, during the year under report.

Mr. P. G. Naik has been representing the Social Service League on the Bombay Vigilance Association and taking a prominent part in their activities.

Mrs. Mithibai Sethna has been representing the League on the Bombay Presidency Women's Council.

At the Madanpura Settlement 8 unemployed persons were helped in obtaining employment.

### MEMORANDA SENT TO GOVERNMENT.

The views of the League's Managing Committee were called for by the Government and were duly forwarded on the following legislative measures :—

- (1) The Dangerous Drugs Bill.
- (2) The Trade Disputes Bill.
- (3) The Workmen's Compensation (Amendment) Bill.

### MEMBERSHIP, TRUSTEES, ETC.

(a) The total number of members of the League at the end of the year 1928 was 955 of whom 10 were Patrons, 5 Fellows, 3 Supporters, 15 Contributors, 67 Life-members, 14 paying Rs. 50 each annually; 30 paying Rs. 25 annually, 72 paying Rs. 12 annually, 9 paying Rs. 10 annually, 89 paying Rs. 6 annually, 34 paying Rs. 5 annually, 506 paying Rs. 3 annually, 5 paying Rs. 2, and 94 paying Re. 1 annually.



An annual meeting of the General Body was held on 19th April 1928.

The Managing Committee of the League met 10 times during the period under report.

**Trustees.**—The following are the Trustees of the League's property :—Sir Jamssetji Jeejeebhoy, Bart., Sir Lallubhai Samaldas, Kt., C.I.E., Diwan Bahadur K. M. Javeri, M.A., LL.B., Mr. K. J. Dubash, B.A., LL.B., Solicitor, and Mr. N. M. Joshi, B.A., M. L. A., J.P.

### THE LEAGUE'S FINANCES.

The League's account consists of receipts of income from the property, subscriptions, donations, etc., and the expenditure on the different activities.

The total receipts during the year under report amounted to Rs. 55,089-1-1 and the total payments to Rs. 56,638-13-3. On behalf of the Florence Nightingale Village Sanitation Fund, Rs. 302-8-0 was spent in the year under report leaving a balance of Rs. 18,767-9-9.

The donations to the General Fund include Rs. 1,500 from the N. M. Charities; Rs. 1,000 from the Trustees of the late Sir Batan Tata's Estates; Rs. 500 from the Pearl Merchants' Association; Rs. 300 from Sir Dorabji Tata; Rs. 100 from the Rev. Justin E. Abbot (America); Rs. 75 from the Proprietors of the *Times of India*.

The donations to the night-schools include Rs. 675 as Municipal grants; Rs. 360 from Seth Mathuradas Vasanji; Rs. 300 from Mrs. Hansraj Pragji Thakersey (for maintaining a night school in memory of Bai Dahibai Pragji Thakersey Mulji); Rs. 100 from the Grain Merchants' Association for the Mandvi Gujerati Night School; and Rs. 97-9-3 from the Social Service League Co-operative Credit Society as portion of the profits set apart for education.

The Bombay Municipality has been kind enough to help the League in some of its activities. Six out of the nine night-schools receive grants-in-aid from the Municipality. The libraries and reading rooms at the Parel Settlement and the Madanpura Settlement received in the year under report

grants of Rs. 500 and Rs. 200, respectively; the Travelling Free Libraries, Rs. 300; the Textile Technical School, Rs. 1,000; the Bai Bachubai Charitable Dispensary for Women and Children, Rs. 900; the Workmen's Gymnasium, Rs. 600, and the Mahila Mandal Classes for Women, Rs. 250.

A grant of Rs. 1,000 was received from the Government in aid of the League's work in the field of co-operation. Also Rs. 909 was received from the Government for the Textile Technical School.

Rs. 300 was received from the Labour Organisation Fund for carrying out an enquiry into the unemployment prevailing among the seamen in Bombay.

Rs. 75 was received as a donation from Princess Kamalabai Saheb Gaikwad of Baroda for the Mahila Mandal.

The balance at the end of the year was Rs. 5,969-13-2 out of which Rs. 4,000 is locked up in Government Securities.

The League's best thanks are due to Mr. Chunilal K. Sanghani, B. Sc., B. E., the Honorary Architect of the League, and to Messrs. G. G. Gokhale and J. K. Parulkar, J.P., Honorary Treasurers of the League, and to Messrs. Rustomji Mody and Damania, Honorary Auditors. The Press in the city has been very kind to the League in publishing announcements and reports of the various functions held under its auspices from time to time and its activities, and for this the League offers its best thanks to the English and vernacular journals in the city.

### AN APPEAL.

The depression of trade prevailing in the city has considerably told upon the League's finances and it has been found increasingly difficult to carry on the various activities in spite of all possible retrenchment in the usual expenditure and in spite of all efforts to tap all possible sources of income.

We have, therefore, to appeal to the general public, and especially to its well-to-do portion caring for the uplift of the masses in various directions, to take a keener interest in the League's work and to extend a helping hand in order that the League may be able to pursue its useful activities tiding over the present financial difficulties.

## APPENDIX

*Statement showing Receipts and Payments of the Main  
the Social Service League, Bombay, for the year*

RECEIPTS.				Rs.	a.	p.
1.	Donations	...	...	3,490	0	0
2.	Annual Subscriptions from Members	...	...	3,084	12	0
3.	Night Schools	...	...	5,209	13	3
4.	Receipts on account of services lent	...	...	472	8	0
5.	Propaganda Work	...	...	164	10	0
6.	Postage charges recovered	...	...	28	5	0
7.	Social Service Quarterly	...	...	421	4	0
8.	Samaj Sevak	...	...	132	8	0
9.	Library Deposits	...	...	20	0	0
10.	Training classes	...	...	128	0	0
11.	Fresh Air Excursions...	...	...	75	0	0
12.	Interest on Government Securities...	...	...	137	10	0
13.	Other Miscellaneous Receipts	...	...	761	6	0
14.	Amount kept in suspense now recovered	...	...	5	0	0
15.	Parel Settlement	...	...	1,565	6	6
16.	Madanpura Settlement...	...	...	295	8	8
Total Rs.				...	15,941	10 9

Examined and found correct.

RUSTOMJI MODY & DAMANIA,

Hon. Auditors.

14th December 1929.

*Office, Parel Settlement and Madanpura Settlement of  
1928 (i. e., from 1st January 1928 to 31st December 1928.)*

PAYMENTS.			Rs.	a.	p.
1.	Library of Books on Social Subjects	...	153	7	6
2.	Library Deposits returned	... ..	20	0	0
3.	Night Schools	... ..	8,397	11	0
4.	Boy Scouts	... ..	174	0	0
5.	Establishment	... ..	1,538	6	0
6.	Postage, Printing and Stationery 137-9-3 : 248-8-0 : 27-2-0	... ..	413	3	3
7.	Rent 780-0-0 and Lighting 132-10-6	...	912	10	6
8.	Social Service Quarterly	... ..	967	12	6
9.	Samaj Sevak	... ..	410	3	9
10.	Training Classes	... ..	42	8	6
11.	Fresh Air Excursions	... ..	106	12	6
12.	Other Miscellaneous Charges	... ..	163	11	6
13.	Amount paid but kept in suspense	...	200	0	0
14.	Parel Settlement	... ..	3,566	8	0
15.	Madanpura Settlement	... ..	1,138	9	3
Total Rs.			18,205	8	3

G. G. GOKHALE,

J. K. PARULKAR,

Joint Hon. Treasurers, S. S. League, Bombay.

## APPENDIX

*Statement of Receipts and Payments of the Working Men's*  
1928 to 31st

RECEIPTS.				Rs.	a.	p.
1.	Rent	...	...	27,726	5	4
2.	Deposits	...	...	384	12	0
3.	Lighting charges recovered	...	...	87	8	0
4.	Mahila Mandal	...	...	2,804	4	0
5.	Travelling Library	...	...	300	0	0
6.	Technical School	...	...	1,909	0	0
7.	Receipts on account of services lent	...	...	1,210	0	0
8.	Co-operation	...	...	1,000	0	0
9.	Interest on Stock certificate donated by Mr. R. H. Patuck for Rs. 10,000	...	...	500	0	0
10.	Amount kept in suspense now recovered	...	...	75	0	0
11.	Other Miscellaneous Receipts	...	...	908	15	0
12.	Bai Bachubai Charitable Dispensary	...	...	2,242	10	0
Total Rs. ...				39,147	6	4

Examined and found correct,

RUSTOMJI MODY & DAMANIA,

Hon. Auditors.

14th December 1929.

B.

*Institute for the year 1928 (i. e., from 1st January  
December 1928.)*

PAYMENTS.				Rs.	a.	p.
1.	Municipal Taxes	...	...	5,476	14	0
2.	Ground Rent	...	...	3,532	0	0
3.	Insurance charges	...	...	912	8	0
4.	Lighting charges	...	...	1,584	1	6
5.	Repairs of buildings	...	...	1,107	7	9
6.	Telephone charges	...	...	300	0	0
7.	Mahila Mandal	...	...	3,990	11	0
8.	Travelling Library	...	...	582	0	0
9.	Reading Room	...	...	69	2	0
10.	Technical School	...	...	4,868	4	6
11.	Co-operation	...	...	3,108	14	0
12.	Postage, Printing & Stationery	...	...	185	14	9
13.	Establishment	...	...	5,899	10	9
14.	Deposits returned	...	...	393	14	0
15.	Propaganda Work	...	...	39	14	0
16.	Other Miscellaneous Charges	...	...	1,184	3	2
17.	Amount paid but kept in suspense	...	...	75	0	0
18.	Bai Bachubai Charitable Dispensary	...	...	5,372	13	7
Total Rs.				38,433	5	0

G. G. GOKHALE,

J. K. PARULKAR.

Joint Hon. Treasurers, S. S. League, Bombay.

## APPENDIX

*Statement of Receipts and Payments and the Opening  
Bombay, for the year 1928, (i.e., from*

Name of the Institution.	Opening Balance.	Receipts.
	Rs.   a.   p.	Rs.   a.   p.
Main Office and Branches ( Appendix A. )     ...	39,004   1   9	15,941   10   9
Working Men's Instituts ( Appendix B. )     ...	—31,484   8   5	39,147   6   4
Total Rs.     ...	7,519   9   4	55089,   1   1

We hereby certify that we have examined the above statement of accounts which is compiled on the basis of the actual receipts and payments, with the corresponding books and vouchers, and have verified the Securities as shown therein, have found the same correct.

The cost of furniture, books and such other capital assets as well as the previous balance of advance account (other than those shown in the previous accounts) as existed on 31st December 1928 have not been brought forward into this statement.

RUSTOMJI MODI & DAMANIA,

Hon. Auditors.

14th December 1929.

C.

*and Closing Balances of the Social Service League,  
1st January 1928 to 31st December 1928.)*

Total.	Payments.	Closing Balance.
Rs. a. p.	Rs. a. p.	Rs. a. p.
54,945 12 6	18,205 8 3	36,740 4 3
7,662 13 11	38,433 5 0	—30,770 7 1
62,608 10 5	56,638 13 3	5,969 13 2

	Rs.	a.	p.
Two Govt. Promissory Notes for Rs. 1,000 and Rs. 500 respectively of 5 per cent. loan 1945-55	...	1,500	0 0
Two War Bonds for Rs. 1,000 and 500 respectively of 5½ per cent. loan of 1928	...	1,500	0 0
One Bombay Port Trust Debenture Bond for Rs. 1,000 of the loan of 1909	...	1,000	0 0
One Govt. Promissory Note for Rs. 1,000 of 5 per cent. loan of 1935	...	1,000	0 0
Balance in the Current Account with the Imperial Bank of India, Bombay	...	440	2 1
Balance in hand	...	529	11 1
<b>Total Rs.</b>	...	<b>5,969</b>	<b>13 2</b>

G. G. GOKHALE,  
J. K. PARULKAR,  
Joint Hon. Treasurer.



## APPENDIX

*Statement of Receipts and Payments of the Opening and  
Sanitation Fund for the year 1928 (i.e., from*

Name of the Institution:	Opening Balance.	Receipts.
	Rs.    s.    p.	Rs.    s.    p.
Miss Florence Nightingale Village Sanitation Fund    ...    ...	18,579    8    9	490    9    0

We hereby certify that we have examined the above statement of accounts which is compiled on the basis of the actual receipts and payments with the corresponding books and vouchers and have verified the Securities as shown therein, and have found the same correct.

RUSTOMJI MODI & DAMANIA,

Hon. Auditors.

14th December 1929.

## D.

*Closing Balances of the Miss Florence Nightingale Village  
1st January to 31st December 1928 ).*

Total.		Payments.		Closing Balance.	
Rs.	a. p.	Rs.	a. p.	Rs.	a. p.
19,070	1 9	302	8 0	18,767	9 9

	Rs.	a.	p.
Twelve Debenture Bonds of Rs. 1,000 each of the City of Bombay Improvement Trust of 4 per cent. loan of 1904-64, 1905-65 & 1906-66 ... ..	12,000	0	0
Two Govt. Promissory Notes of Rs. 1,000 each of 5 per cent. loan of 1935 ... ..	2,000	0	0
One Govt. Promissory Note of Rs. 500 of 5 per cent. loan of 1935 ... ..	500	0	0
Cash Balance ... ..	4,267	9	9
<b>Total Rs. ...</b>	<b>18,767</b>	<b>9</b>	<b>9</b>

G. G. GOKHALE,  
J. K. PARULKAR,  
Joint Hon. Treasurers.

**APPENDIX E.**

*Statement showing particulars of articles of Dead Stock and of amounts paid, but kept in suspense, etc., as it stood on 31st December 1928.*

Name of Institution.	* Amount paid but kept in suspense.	Cost of dead stock articles.	Cost of books and medicines.	Building (c).		Technical School Shed.	Total.
				Damodar T. M. Hall and Bachubai Building.	School Building and Compound wall.		
Social Service League (main office and its branches) ...	4,162	5,963	9,143	.....	.....	.....	19,218
Bombay Working Men's Institute ...	1,904	31,411	527	(a) 1,77,500	(b) 64,411	(a) 14,133	2,89,886
Total ...	6,066	37,374	9,670	1,77,500	64,411	14,133	3,09,154

(a) This represents the amount paid to Contractors for constructing the building.

(b) This is the actual amount spent in constructing the Building departmentally.

(c) These buildings have been insured, the Damodar Thackersey Moolje Hall for Rs. 85,000 and the Bachubai Building for Rs. 1,15,000 and the School Building for Rs. 40,000.

APPENDIX F

LIST OF MEMBERS  
OF  
SOCIAL SERVICE LEAGUE BOMBAY

Patrons (paying Rs. 3,000).

His Excellency the Right Hon'ble Sir Leslie Orme Wilson, P. C., G. C. I. E., D. S. O., (Honorary). Lady Wilson (Honorary). Aga Khan, H. H., G. C. S. T., C. I. E. Fazulbhoy Currimbhoy, Kt., Sir.	Gokuldas Narotamdas Morarji, Esq. Kanji Cursondas, Esq. Mehta, Hamabai J. K., Mrs. Shamji Hemraj, Esq. Shroff, Motilal Dayabhai, Esq. Tata, Dorab J., Kt., Sir.
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Supporters (paying Rs. 100 or more annually).

Abbott, Justin E., Esq. Abdullabhai Lalji Charities. Bombay Municipality, the Cowasji Dinshaw Bros., Messrs. Jehangir Cowasji, Kt., Q. B. E., C. I. E., the Hon'ble Sir. Mathuradas Vasanji, Esq. Patuk, R. H., Esq.	Pearl Merchants' Association. Ratan Tata, the Executors of the late Sir. Thackersey Hansraj Pragjii, the late Mr. Wadia Charities, the Trustees of the N. M.
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Life-Members (paying Rs. 500).

Ambalal Sarabhai, Esq. Bathena, M. D., Esq. Bhat, Mayashankar M., Esq. Bhide, M. V. Esq., I. C. S. Birla, R. P., Esq. Chinoy Rahimtulla M., Esq., J. P. Cowasji Jehangir, Kt, O. B. E., C. I. E., Hon'ble Sir. Cowasji Jehangir, Bart., Sir. Dabholkar, Luxmikant Shantaram, Esq. Dadachanji, K. E., Dr. Dastoor, H. P., Dr., L. M. & S. Dharamai Thakordas, Esq. Desai Markandrai, G., Esq. Dwarkanadas Jaikisondas Gangadas, Esq.	Fernandez, Major, C. M. D., I. M. S Ghia, M. G., Esq. Gokhale, Baban, Esq. Gokuldas Damodardas, Esq. Harnandrai Baijanath, Seth. Heaton, Sir John. Jagjivan Ujjamsi, Esq. Jamschetjee Jasjeebhoy, Bart., Sir. Jayakar, M. R., Esq., Bar-at-Law, M. L. A. Jeejeebhoy, Byramji R. B., Esq. Khan Abdul Ghaffur, Esq. Khatav, M. M., Esq. Khatri, Essa Sumar, Seth. Khote, K. D., Esq. Lalji, Abdullabhoj J., Esq. Lalji, Fazulbhoy Jumabhoj, Esq.
---	--

Lalubhai Samaldas, Sir, Kt., C. I. E.	Petit, Jehangir B., Esq.
Lotwalla, R. B., Esq.	Pradhan, Moreshwar Vishwanath, Esq.
Malvi, T. N., Esq.	Proctor, Sir Henry E., Kt.
Manecklal Ujjamsi, Esq.	Purshotamdas Jivandas, Esq.
Manubhai Rangildas, Esq.	Purshotamdas Thakurdas, Kt. Sir.
Master Ratanchand Talakchand, Esq.	Raghavji Purshotamdas, Esq.
Mavji Govindji, Seth.	Saiboo, Jagannath G., Esq.
Mehta, B. V., Esq.	Saklatwalla, N. B., Esq., C. I. E.
Mehta, C. V., Hon'ble Sir.	Sethna, R. D., Esq.
Mehta, H. M. Esq.	Seth, C. M., Esq.
Mulla, D. F., The Hon'ble Mr. Justice.	Seth, V. O., Esq.
Mulji Haridas, Esq.	Shah, Shantidas Askuran, Esq.
Mulji, Purshotam Karsondas, Esq.	Tata, Dorab J., Lady.
Nadkarni, G. G. Esq., B.A., LL.B., Advocate.	Trikamdas, Dwarkadas, Esq.
Nair, Anandrao L., Dr.	Vaidya, Dattatraya Luxman, Esq., Solicitor.
Nanabhai Talakchand, Esq.	Vasanji Mulji, Esq.
Napoo, Velji Lakhamasi, Sheth.	Velinkar, S. G., Esq., Bar-at-Law.
Narsidas Jaikisondas, Esq.	Vithaldas Liladhar, Esq.
Nasar, O. H., Esq.	Wadia, J. A., Esq.
Pathak, L. B., Esq.	Walchand Hirachand, Esq.
Pattani, Sir P. D., Kt.,	

### Paying Rs. 75 annually.

Proprietors of the Times of India.

### Members paying Rs. 50 annually.

Cowaji Jehangir, Lady.	Lalji, Jafferbhoy A. Esq.,
Dawood Haji Nasur, Esq.	Mathuradas Vasanji, Esq.
Desai, Bhulabhai, J., Esq.	Rabimtulla Hussainally M., Esq. M. L. C.
Dubash, Jehangir Ruttonji, Esq.	Reed, Stanley, Dr. Sir. Kt. LL. D.
Dwarkadas Tribhuvandas, Seth.	Surajmal Lalubhai, Esq.
Jones, Henry Edwin, Esq.	Vakil, Chhotabhai A., Esq.
Kanji Dwarkadas, Esq., M. A.	Wadia, F. R., Esq. Solicitor.
Lalji, A. N., Esq.	
Lalji, Husseinbhoy A., Esq., M.L.C.	

### Paying Rs. 25 annually.

Batlwalla, D. H. L. Dr.	Gunjiker, K. R., Prof., M.A., B. Sc.
Bhagwanlal Pannalal, Esq.	Gupte, Prabhakar Vithal, Esq.
Rhaji Abdul Rahaman, Esq. B. A.	Jheveri, Devji Raisi, Esq.
Contractor, D. A., Esq.	Jhaveri, Krishnalal M., Dewan Bahadur M. A., LL. B.
D'jos Charles Henry, Esq.	
D'monte, D. A., Dr. M. D., F.R.C.S.	

Kadam, Sadashivrao Bhawanrao,  
Esq.

Kanga, F. M., Esq., Solicitor.

Khatri, A. H. S., Esq.

Meklai, Allimahomed, R., Esq.

Mehta, Hansa Mrs. B. A.

Mehta, Maneklal L. Esq., Solicitor.

Mehta, S. P., Dr. B. A., L. M. & S.

Merwanji Dadabhoy, Esq.

Nariman, K. F., Esq., B. A., LL.B.,  
M. L. C.

Narotam Vitaldas, Esq.

Nopper, C., Esq.

Patkar, Sitaram S., Hon'ble Mr.  
Justice, B. A., LL. B.

Poonawalla, Haji Essa, Esq.

Ranchohoddas Narandas, Esq.

Salvi, R. M., Esq., J. P.

Sheikh, Abdul Kadir Ahmed, Esq.

Sheikh Ahmed Md. Ismail Khan  
Saheb, Dr.

Vithaldas D. Govindji, Esq.

Wadia, Nowroji Rustomji, Esq.,  
Architect.

### Paying Rs. 20 annually.

Mrs. Mithibhai M. P. Sethna.

### Paying Rs. 15 annually.

Mr. V. Robottam.

### Paying Rs. 12 annually.

Ajinkya, Narayan Vinayak, Esq.

Ajrekar, Shripad Luxman, Prof.

Asavale R. S., Esq. M. L. C.

Athavale, C. R., Dr., M. B. B. S.

Bal Narayan K., Dr. I. M. S.

Bhandarkar, Ahilya S., Miss.

Bilimoria, Ardeshir R., Esq.

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# THE SOCIAL SERVICE LEAGUE, BOMBAY.

(Registered under Act XXI of 1860).

## Constitution.

1. The League shall be called "The Social Service League, Bombay."

2. The aims and objects of the League are:—

I. The collection and study of social facts; the discussion of social theories and social problems with a view to forming public opinion on questions of social service.

II. The pursuit of social service generally and specially with a view to ameliorate the physical, moral, mental and economic condition of the people by

(i) endeavouring to secure for them better and reasonable conditions of life and work and taking necessary steps for the accomplishment of this object;

(ii) providing for them education by means of day and night schools and continuation classes for literary and industrial education, lecture series, lantern demonstrations, reading rooms and libraries;

(iii) providing for them medical relief;

(iv) spreading amongst them co-operative movement in the form of co-operative credit societies, co-operative stores, co-operative housing, co-operative insurance, etc.;

(v) providing for them means of recreation such as social clubs, gymnasia, open spaces, week-end excursions, etc.;

(vi) promoting sanitation and hygiene—personal, domestic and public;

(vii) combating actively the evils of intemperance, gambling, prostitution and other vices;

(viii) taking measures for the education and reclamation of convicts and criminal classes;

(ix) endeavouring to relieve poverty and distress.

III. Adoption of measures for the training of social workers.

IV. Adoption of measures for organization of charities and social work.

3. The League shall have its principal office in the City and Island of Bombay with branches in such parts of the City and of the Presidency as the Managing Committee may, from time to time, decide.

4. All persons over 18 years of age, irrespective of caste, creed or sex, who sympathise with the aims and objects of the League, are eligible for membership of the League.

5. The members of the League will include Patrons, Supporters, Life Members, Ordinary Members and Life Workers.

- (a) Persons contributing at least a sum of Rs. 3,000 at one time or within a period of 6 years in not more than 6 instalments are eligible to be elected Patrons.
- (b) Persons contributing at least Rs. 10 a month or Rs. 100 annually are eligible to be elected Supporters.
- (c) Persons contributing Rs. 500 at one time are eligible to be elected Life Members.
- (d) Ordinary Members will be of five classes :—
  - 1st class of those who pay Rs. 50 a year.
  - 2nd class of those who pay Rs. 25 a year.
  - 3rd class of those who pay Rs. 12 a year.
  - 4th class of those who pay Rs. 6 a year.
  - 5th class of those who pay Rs. 3 a year.
- (e) Persons who bind themselves to serve the League for a period of not less than 20 years on conditions of pay or otherwise, fixed by the Managing Committee of the League, are eligible to be elected Life Workers of the League.

6. The affairs of the League shall be conducted by a Managing Committee consisting of 21 members, exclusive of office-bearers. Out of these 21 members, 7 shall be elected by the Life Workers from amongst themselves and 14 by the other classes of Members. The office-bearers will include the President, Vice-Presidents not more than 4 in number, the General Secretary, Secretaries not more than 5 in number and the Treasurers not more than 2 in number. All office-bearers shall be ex-officio members of the Managing Committee. (In case the number of Life Workers be less than 7, the vacant seats on the Managing Committee will be filled up from amongst the members of the League by the other members elected to constitute the Managing Committee.)

The President, Vice-Presidents, the General Secretary, the Secretaries, the Treasurers and the 14 members of the Managing Committee will be elected at the Annual General Meeting every three years. The representatives of the Life Workers on the Managing Committee will be elected triennially at a special meeting of the Life Workers called for that purpose.

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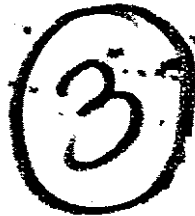
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# VAISHNAVISM

(A History of the origin and development of the  
Vaishṇava Religion in India.)

By



*Akhoury Basdeo Narayan Sinha,*  
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*etc. etc.*



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# VAISHNAVISM.

## ILLUSTRATION.

Portrait of Shri SITA RAM, opposite page

## PREFACE.

A well-known English daily reviewing my last book suggested the publication of a volume containing the origin and development of the Vaishnava religion. This was some years ago. Enough of official work and still more of domestic worries, however, made it impossible for me to make any systematic effort to get on with the writing. Naturally therefore intervals of business had to be utilized and that is why repetitions may be detected at some places.

An attempt has been made to trace the Vaishnava religion from the Vedas. All available materials have been collected together to prove that the religion existed during the pre-Buddhist, the Buddhist and the post-Buddhist periods. The life and teachings of the principal Vaishnava reformers are given. The radical reforms introduced by Chaitanya in Bengal and Ramanand in the United Provinces and Bihar are thoroughly discussed. An introduction to some Maharashtra saints follows. Some of the living Vaishnava leaders are also described.

It is not claimed that any source hitherto untapped has been tapped, nor is it contended that an original interpretation has been put on any text. The author has only collected together the existing materials and presented them in his own way.

## VAISHNAVISM.

If the presentation has not been faithful or if the description has not been accurate, the fault is entirely his.

Each chapter begins with a Sanskrit or vernacular quotation. In selecting these an effort has been made to get together popular poems appropriate to the subject-matter of the chapter. An English translation of these is invariably given. In one chapter the text has been left out and only the translation given.

A Vaishnava is a worshipper of the Lord. He requires the assistance of forms to meditate on his Lord. These forms are different with the different schools and are described at the proper places. A three-coloured picture of Shri SITA RAM—the form in which the Lord is popularly worshipped in Bihar and Oudh—is given in the book.

I am grateful to a number of friends who have very kindly assisted me in the collection of materials for the book and I would take this opportunity of thanking each one of them for the assistance so ungrudgingly rendered. I would, however, make a special mention of two of my friends: Babu Braja-behari Sahay, B. A., Peshkar of the Patna High Court and Babu Depkinandan Lal, B. A., B. L., of the office of the Hindi and Urdu Translator to the Government of Bihar and Orissa, Patna.

Shri Rupkālā Kutir,  
Mithapūr, PATNA.

July 30, 1929.

A. B. D. Sinha.

VAISHNAVISM.



Shri Sita Ram,

# Ancient Vaishnavism.

## CHAPTER I.

शान्ताकारं भुजगशयनं पद्मनाभं सुरेशं ।  
विश्वाधारं गगनसदृशं मेघवर्णं शुभांगं ॥  
लक्ष्मीकान्तं कमलजयनं योगविद्विद्यानगम्यं ।  
वन्दे विष्णु भवभय हरणं सर्वलौकिक नाथम् ॥ १ ॥

Prostrations to Thee—the Lord of lords, the one Master of the entire Universe, the sole Stay of the world, the Dispeller of worldly fears: Thee, the Consort of the divine Lakshmi,—on the divine serpent reclining art Thou, the boundless and infinite, the grand and grave, cloud-coloured, lotus-eyed and auspicious-bodied: Thou, whom by meditation alone can the Yogi perceive!

The above represents in general the Vaishnava conception of the Lord of the Universe. It embodies no physical directory to His abode; it is no topographical account of heaven; it does not pretend to be a guide to the terrestrial explorer. It aims at being a homely hint to the Vaishnava in the meditation of the Lord. The Vaishnava certainly is no idolator; for even in these lines he explicitly asserts that He—the Lord of the Universe—can be perceived by meditation alone and is thus far above all physical environments.

Vaishnavism is no medieval cult; it is not a later-day belief. It sprang not from the fortuitous concurrence of different religions, of various teachings and of diverse dogmas. It is no adaptation of the

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order to make this Universe more fitted for good beings to live in. Bhāgā is another name by which Vishnu was known to the Vedas.

Another independent authority is the celebrated grammarian Panini. In one of his Sutras the word Vasudeva is used. Commenting on this Patanjali distinctly states that the Vasudeva referred to therein is the name of the worshipful or of one who is preeminently worshipful such as God. Panini is said to have flourished at least four centuries before Christ. Again the various religious systems and superstitions prevailing in the fourth century before Christ are given in the following passage occurring in the Niddesa:—"The deity of the lay followers of the Ajivakas is the Ajivakas, of those of the Nighanthas is the Nighanthas, of those of the Jatilas is the Jatilas, of those of the Paribhajakas is the Paribhajakas, of those of the Avaruddhakas is the Avaruddhakas, and the deity of those who are devoted to an elephant, a horse, a cow, a dog, a crow, Vasudeva, Baldeva, Punnabhadda, Manibhadda, Aggi, Nagas, Supannas, Yakkas, Asuras, Gandhabbas, Maharajas, Chanda, Suriya, Indra, Brahma; Deva, Disa is the elephant, the horse, the cow, the dog, the crow, Vasudeva, Baldeva, Punnabhaddo, Manibhadda, etc., respectively". The extract is from a book which though in the nature of a commentary is regarded as one of the books of the Pali Buddhistic canon. It is not certainly surprising that this Buddhist commentator placed the worshipers of Vasudeva on the same level with those of fire, sun, moon, Brahma

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and even of elephants, dogs, crows, etc. Even to-day Vaishnavism is as little understood by the followers of other religious beliefs as it was during the time of the commentator of the 4th century B. C. But Vaishnavism was a recognised religion even at the time Buddhism was the accepted religion of the majority in India.

Another unimpeachable authority Megasthenes states that Vasudeva Krishna was specially worshipped by Surasenias—an Indian clan—in whose land are two great cities, Methora and Kleisobora and through which flows the navigable river Jobares. Methora is the modern Muttra and Jobares is Jumna. Certainly then if the Vasudeva Krishna worship prevailed in the time of the first Maurya it must have originated long before the establishment of the Maurya dynasty and before the rise of Buddhism. It is on record that Buddhism in its early years carried every thing in its own way and the only possibility that this fact points to is that Vaishnavism was founded and had become an established religious belief long before Buddhism eclipsed the religious horizon of India. Referring to the Besnagar inscription in which Heliadora represents himself to have erected a Garudadhvaja or a column with the image of Garuda at the top in honour of Vasudeva, the God of gods, Sir R. G. Bhandarkar remarks:—"Heliadora calls himself a Bhagwata, was the son of Diya, was a native of Taksasila and is spoken of as an ambassador of the Yavana and as such came on a political mission from

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Amtalikita (to Bhagabhadra, who must, have ruled over Eastern Malwa. In this inscription occurs the name Amtalikita which is in all likelihood, the same as Antialkidas of the Bactro-Greek coins. This name as well as the form of the characters show that it belongs to the earlier part of the second century before Christian era. At that time Vasudeva was worshipped as the God of gods and his worshippers were called Bhagwatas. The Bhagwata religion prevailed in the north-western part of India and was adopted even by the Greeks.\* In the second century before the Christian era, therefore Vaishnavism was a recognised institution. Another important fact that should be noted is that it was a proselytizing religion admitting within its fold not only men of different faiths but also foreigners.

Let us now turn to Valmiki. According to Professor Monier Williams, the Ramayana of this first Sanskrit poet was originally composed about 500 B. C. This epic poem consisting of about 24,000 stanzas, arranged in seven books, relates the story of Shri Ramchandra and his spouse Shri Sitaji. A perusal of this masterpiece of Valmiki is enough to convince anyone, that the hero of this poem is not merely the son of Maharaja Dasratha, not merely an ideal householder and an adorable sovereign, these he undoubtedly is, but he is also an incarnation of the Lord—the Lord himself in human flesh and blood. Another fact that deserves prominence in this connection is that like Vishnu, Vasudeva and Narayan, Ram also, as a name of the Lord, must have been



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well known to the people of India before the commencement of the Christian era. It is, however, not possible to scrap together anything more than mere fragmentary evidence in support of this theory inasmuch as the official chroniclers of the time were mainly Buddhists, who could not naturally be expected to be partial to Vaishnavism.

Turning to another equally important epic, the Mahabharata, probably by far the biggest epic poem that the world has ever produced, we find ample evidence of the prevalence of Vaishnavism in pre-Buddhist period. It is called an *Itihas* or sacred history, but is really a collection of *Itihases*—a vast cyclopædia or thesaurus of Hindu traditions, legendary, history, ethic and philosophy which afterwards become the source of many of the Purans. The entire work consists of about 2,20,000 lines divided into eighteen books called *Parva*. These are *Adi*, *Sabha*, *Vana*, *Virata*, *Udyoga*, *Bhishma*, *Drona*, *Karna*, *Salya*, *Sanptika*, *Štri*, *Santi*, *Anusasana*, *Asvamedhika*, *Asramavasika*, *Mausala*, *Mahaprasthanika* and *Svargarohanika*. Throughout this work are frequent references to Vishnū and Vaishnavism and Bhagwat and Bhakti. Krishna is often referred to as the incarnation of the Lord, and the Lord himself taking birth for upholding righteousness and punishing the wrongdoer. According to Professor Monier Williams, the Mahabharata was composed about 500 B. C. Both in this work as well as in the Ramayana there are internal and external evidences to show that they must have been composed before

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the rise of Buddhism in India; but it would obviously be impossible in a book of this nature to discuss these. I shall therefore for the present take for granted the dates given by well-known oriental scholars, who cannot be accused of any partiality for Vaishnavism.

According to so eminent a scholar as Sir R. G. Bhandarkar Vishnavism appeared first about the fifth century before Christ as a religious reform like Buddhism and Jainism, but based on theistic principles. Its early name was *Ekantik Dharm*, or the religion of a simple-minded love and devotion to one. In its background stood the Bhagwada Gita, a discourse given by Lord Krishna on the eve of the war of Kurukshetra. If we admit that the Mahabharata and the Ramayana were composed about 500 B. C., we will have to admit that Vaishnavism must have existed for centuries before, as the religion referred to in these works appear neither to have emanated with them nor to have been propagated by them. It is abundantly evident that Vaishnavism must have been a well-developed and well-established religion at the time the two great epics were first composed. Valmiki merely rendered into verse what must have been known to the people from before, for no great poet has so far sung of characters unknown to his race. Similarly in the Bhagwada Gita the three paths of *Bhakti*, *Gyan* and *Karma* are described at some length. The conception of Bhagwat as the supreme Being to whom ultimately all *Jivas* have to go must have been familiar before there could be

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talk of the ways and means of attaining to that Bhagwat. In Valmiki there is not the least allusion to Buddhism—a fact which would have been impossible if that religion had been in existence or had attained to the position of a state religion. Besides Megasthenes with his great partiality for Buddhism would not have gone out of his way to mention this religion as being professed by people of a certain part of the country. The only evidence about the existence of Buddhism is alleged to have been found in the Mahabharata where the ten incarnations of Vishnu are mentioned. Personally I have grave doubts as to whether some of these incarnations are not interpolations. I have never been able to reconcile myself to a belief in the ten incarnations. In the Santiparva Narad is reported to mention only six incarnations of the Lord. These are:— (1) Varaha, (2) Narasimha, (3) Vaman, (4) Parasu Ram, (5) Ram and (6) Krishna. At any rate even assuming that Buddha is also mentioned in the Mahabharata as an *Avatar*, can it possibly be true that during the first four or five centuries of Buddhism when it carried on such an ecclesiastical warfare against Hinduism, when Vaishnavas were regarded as no better than the worshippers of dogs and crows, any Vaishnava book of recognised authority would have elevated the very person who kicked at Vaishnavism to the exalted position of an incarnation. It would have been more natural to have compared such a personage with Ravana or Kansa. If human nature in those days was not very different from what it is now,

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surely no Vaishnava could have given that honour to the founder of the faith whose adherents reviled Vaishnavism. Therefore the theory about Buddha being an incarnation was possibly put in by some subsequent writer by way of consolation at the time Buddhism had ceased to have any considerable following in this country. It would be uncharitable to suppose that the interpolation was the work of some Buddhist scholar. Any way if we leave out this reference to Buddhism, there is nothing else in the Mahabharata to denote that it was composed during the time of the early Buddhists. On the other hand there is enough evidence to justify the conclusion that Mahabharata or at any rate the greater portion of it was composed before Buddhism was founded and that therefore Vaishnavism was a recognised religion of no mean repute before Buddha was born.



# Later Vaishnavism.

## CHAPTER II.

यशेशं यज्ञपुरुषं यज्ञपालनतत्परं ।

The God of *Yajna*, the Lord of *Yajna*, ever ready to protect *Yajna*.

With these words was Lord Vishnu invoked in the post-Vedic age. The most important ceremonial was the *Yajna* or sacrifice and Vishnu was not only the Lord of sacrifice but also the protector in its performance. It was with this object that the sage Vishwamitra took away Shri Ranichandra from Ajodhya.

Even during the time when the history of India is practically the history of Buddhism, Vaishnavism did exist and continue to be the belief of millions in this country. Having discussed the evidence in regard to the existence of Vaishnavism in the Vedic and subsequent periods prior to the commencement of the Christian era, we shall now refer to the available evidence in respect of the early centuries after the commencement of the Christian era. These evidences may roughly speaking be divided into three classes:— (1) coins, (2) inscriptions on stones or metals, and (3) contemporary books. We find that the coins of the Gupta monarchs, specially of Chandra Gupta II, Kumar Gupta and Skanda Gupta contain the words *Parma Bhagwata*. Now a *Parma Bhagwata* is an

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ardent worshipper of *Bhagwad* or the Lord Vishnu. The Guptas are said to have flourished about the fourth and fifth century after Christ. Their coins therefore clearly show that Vaishnavism was the accepted religion of the court in those days and that it was with a sense of pride that the Gupta kings proclaimed their following of the Vaishnava religion.

At Udayagiri there is the figure of a God with four arms mounted on a panel. The date of the inscription is given as 400 A.D. This figure is evidently that of Vishnu. It is difficult to say what the panel represents. Udayagiri is a place where Buddhism had made considerable headway. Does this panel, then, represent the reconversion of the people from Buddhism to Vaishnavism? Or, is it merely the symbol of the sovereignty of a certain Vaishnava king over that area? At any rate this much is certain that the panel with the figure at the top is an evidence of the wide-spread influence of Vaishnavism in 400 A.D. At Bhitari in the district of Ghazipur in the United Provinces there was discovered a few decades ago a pillar containing a long inscription. This inscription records the grant of a village for worship of Krishna installed in a temple in that village. The grantor is King Skanda Gupta and the date of the grant is 460 A.D. It is clear that this was not the only village whose income was, by a royal mandate, dedicated to a temple. Again, it is well-known that Chakrapalita as Viceroy of Kathiawar erected a temple of Vishnu in 456 A.D. That takes us practically to the other end of India

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and proves that Vaishnavism even in those days had a following in the Bombay presidency. Long before Ram Das delivered his inspiring message to Shivaji, long before Jnaneswar composed his *Abhangs* and long before Ekanath sang of the ninefold path of *Bhakti*, the Bombay presidency already knew of Vishnu and worshipped Him in one or other of His manifestations. Even in the metropolis of modern India, and the capital of the great Moghuls, Delhi, there is an iron pillar near the Kutub Minar. The inscription on it refers to it as the flag staff of Vishnu erected by a great king of the name of Chandra, who enjoyed universal sovereignty and was a great devotee of Vishnu. The inscription bears no date. But judging from the description given in the inscription, as also from the language employed and other external evidence available, it would not be wrong to suppose that the reference is to a king of the Gupta dynasty, Chandra Gupta II, by name. If this presumption is correct, the pillar was erected sometime about the end of the fourth century or the beginning of the fifth century A.D. These inscriptions, meagre though in number, prove conclusively that Vaishnavism was a very widely followed religion in the fourth and fifth centuries. It is not the purpose of the writer to enumerate all the inscriptions hitherto discovered on the subject. Those in quest of these would do well to refer to the original sources. Suffice it to say that sculptural traces of the existence of Vaishnavism have been found in different parts of India, right up to the

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ninth century after which we have something more substantial to construct our narratives upon.

Turning now to the third class of evidence it may be noted that Kalidas in his *Meghidutta* has frequently referred to Vishnu. The history of the family of Shri Ramchandra is to be found in another equally well-known book by the same author. The poet commences canto X of *Raghuvansam* with an invocation to Lord Vishnu or Narayan reposing on the great serpent with the Divine Lakshmi champooing his legs in the milky ocean and the Lord's promise to be born as a son to Maharaja Dasratha for the destruction of the demon Ravana. Now this poet flourished during the time of the great Vikramaditya, the nine gems of whose court have almost passed into a proverb. It is difficult to say which Vikramaditya it was. If it was the one after whom the Samvat era is named, we shall go back to a period before Christ. But Sir R. G. Bhandarkar is of opinion that Kalidas flourished during the reign of Chandra Gupta II or about 400 A.D. Another book, the *Vayu Purana*, believed to have been written about the fifth century before Christ refers to Shri Ram as an incarnation of Vishnu. There is thus no doubt that Vaishnavism never ceased to have an existence and a following even when Buddhism had succeeded in partially monopolising the whole of India. On the other hand there is evidence to show that with the growth of Buddhism, the enthusiasm of *Bhagwatas* went up considerably and the Alvars at any rate are found to



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be making a passionate display of religion about the time Buddhism was at its highest. It is not possible to give the exact period when the Alvars flourished. It is claimed by some that they represent a period between 4203 B.C. and 2706 B.C. These dates have been discarded by competent authorities as fanciful and it is asserted that they flourished after the birth of Christ. Be that as it may, there is no doubt that the Alvar songs are the earliest of which we have any record. The influence of these writers on Tamil literature is admitted. From the early years of the Christian era Vaishnavism flourished under the strong impetus given by the Alvars, who by their Tamil *Bhajans* inculcated *Bhakti*. These saints belonged to various castes and were unique in their devotion to God, leading a life of remarkable religious fervour and strong indifference to worldly pleasures. The Alvars speak with respect of the Vedas but their chief teachings are three, namely (1) recitation of the Lord's name, (2) service at the temples, and (3) contemplation of the personal forms of the Lord. They laid stress on the doctrine of *Bhakti* as a means to the attainment of salvation. The Alvars are twelve in number:— (1) Poygai, (2) Bhufattar, (3) Pey, (4) Tirumalisai, (5) Namma, (6) Madhura Kair, (7) Kulasakhara, (8) Periy, (9) Andal, (10) Tondaradippodi, (11) Tiruppan, and (12) Tirumangai. The most revered of these is Namma or Satakopa. It may be mentioned that Kailasekara's favourite deity was Shri Ramchandra, while the rest worshipped the Lord as Narayan, Vaman or Shri

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Krishna. The *Prabandhas* or devotional songs of the Alwars occupy the same place among the Tamil speaking Vaishnavas as the Tulsī Ramayana and the Nabha Bhaktmal do among the Hindi-knowing Vaishnavas.

The Alwars were the earliest missionaries to the south. They propagated, as we have seen, the devotional aspect of the Vedanta in the Tamil land and used the language of the people with great effect. The literature of the Alwars presupposes a thorough knowledge of the Krishna and Rāma stories, as well as the stories of some of the earlier incarnations of Vishnu and the frequent impassioned references to such stories even in the songs of the earliest Alwars show that the south at any rate must have been flooded with these marvellous legends at a very early period. The story goes that Nathamuni while worshipping at the Vishnu temple of his native village heard some Brahmans from the southern end of India recite Tamil verses of Satakopa addressed to Vishnu and was charmed with their sense and diction. He also found that these verses generally ended thus:—"These ten out of the thousand composed by Satakopa." Nathamuni thus placed in the track of research, seems to have finally recovered the whole of Satakopa's works, and to have arranged them along with the extant works of the other Alwars into four collections of about a thousand stanzas each. It must be said to the credit of Nathamuni that he introduced the system of regular recitation of these texts during the festivals at Srirangam and it is said

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that the system obtains even to this day in most ancient temples dedicated to Vishnu.

The next group that followed in unbroken succession is known as the Acharyas (or preceptors). This orthodox succession of apostles include six names before Ramanuja of which the two most important are Nathamuni and his grandson Alavandar. The great grandson of this latter through one of his grand daughters was Ramanuja.

Ranganathacharya, more usually called Nathamuni or the sage Natha died about 920 A.D. He was descended from a family of early Vaishnava immigrants from the banks of the Jamuna and other parts of northern India, who carried the *Bhagvata* or *Pancharatra* cult to the south and laid the foundation for the spread of Vaishnavism in Madras during the second to the seventh centuries of the Christian era which were the palmy days of the Pallava rule. Nathamuni's great contribution to the spread of Vaishnavism was furnished by his introduction and recognition of Tamil as the language of prayer to God in the greatest Vaishnava temples. In that respect he was the fore-runner of the Vaishnavite reformers of northern India. Prayer to be effective must proceed from the heart; and this cannot certainly be possible if the devotee recites *Slokas* without understanding their meaning. If religion is intended for the masses and not for the learned few, prayers must be conducted in the language of the people. Sanskrit had long ceased to be the spoken language of the people; but the conservative priest-

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hood insisted on retaining the language for all rituals and worship. The Alvars were the first to throw off the yoke of the priesthood and though their songs had become very popular, Tamil had not been recognised as the language to be used by priests in big temples. It was left to Nathamuni to inaugurate this change. It is not possible to ascertain whether Nathamuni was a complete follower of all the doctrines that now go by the name of Ramanuja School; but as he is traditionally considered the founder of that school, it is to be presumed that he was. At any rate there is ample evidence to show that his grandson Yamunacharya really laid the foundation for all the doctrines that now go under Ramanuja's name. In accordance with the custom of the times Nathamuni went on a pilgrimage to Badrinath, Dwarka and Jagannath. While at Muttra a grandson was born and was named by him Yamuna—after the name of the well-known river there. This was in 916 A.D. The story of the manner of Nathamuni's death is worthy of the ardent devotee that he was. One day a party of huntsmen headed by the Chola king, rode past the residence of the sage, who interrupted in his meditations by the attendant bustle, opened his eyes and construing the party to be the divine Rama and his brother, on whom his thoughts were wholly bent. in meditation, followed the track of the party and walked with weary steps up to the very gates of the Chola capital and there dropped down dead through sheer fatigue.

While yet a student, Yamuna made a name for

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himself as a great scholar. His teacher who was a Doctor of Grammar used to pay an yearly tribute to one Akki Alwar, the court Pandit of the Chola king. The collector of the tribute once came to the school when the teacher was away and young Yamuna in a spirit of bravado replied that no tribute would henceforth be given. The enraged Akki sent a challenge to the teacher to stand a contest of disputation. Yamuna quieted his trembling teacher, who was all for submission to the court Pandit by composing and sending the following spirited verse to the Pandit:—

न वयं कवयस्तु केवल न वयं केवल तन्त्रपारणाः ।

अपितु प्रति वादिवारण प्रकटाटो पविपाटन क्षमाः ॥

Yamuna was duly escorted to the royal presence and took the place assigned to him. A Vedantic disputation then commenced in which Yamuna gained a complete victory and Akki had to accept a public defeat. The gracious Chola Queen in great pleasure hailed Yamuna as 'Alavandar' (meaning in Tamil, the victor); while the King granted him a portion of his territories to rule and enjoy. Yamuna next entered upon a householder's life and had four sons by his wife. At last the awakening came. He became a Sanyasi, pledged to a wholly spiritual life. He took up his residence at Srirangam and composed philosophical works and expounded the doctrines of Visistadwaitic School. In his time Srirangam became a stronghold of Vaishnavism. Worship at the temple and participation in the regular services both

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in and out of the temple precincts furnished occupation for a large number of the ardent devotees, while the lectures of Alayandar and the frequent discussions held in his presence gave great impetus to Sanskrit study in general and that of the Upanishads and the Sutras in particular. The Upanishads, the Gita and Vedanta Sutras, had long before this established their claim to pre-eminence in Hindu philosophy and had been styled 'the three *Prasthanas*' or primary works on philosophy. Every offshoot of Hinduism from the time of Sankara downwards based its main doctrines on its own interpretations of these three important works: and the pioneers of Vasistadwaitism naturally turned their energies towards the task of textual interpretation of the same three works. In Yamuna's time the work of oral interpretation was proceeded with while the formal composition of text books on the subject was reserved for the next generation under the guidance of Ramanuja. The personal life of Yamunacharya at Srirangam was simple and without any stirring incidents. One trip which Yamuna undertook, late in his life, was to Conjeevaram, whither he went to see the rising young scholar Ramanuja. Yamuna was accompanied by his Sudra pupil Kauchipurna, who has since become canonised and has at present a special idol and shrine erected in his honour in the modern town of small Canjeevaram. Yamuna lived to a good old age and is said to have died about 1040 A.D.

# The Vaishnava Religion.

## CHAPTER III.

In the beginning there was neither nought nor aught ;  
Then there was neither sky nor  
atmosphere above.

What then enshrouded all this teeming universe ?

In the receptacle of what was it contained ?  
Was it enveloped in the gulf profound of water ?  
Then there was neither death nor immortality ;  
Then there was neither day nor night nor light  
nor darkness,

Only the Existent One breathed calmly,  
self-contained.

Nought else but He there was—naught else above,  
beyond.

Then first came darkness hid in darkness,  
gloom in gloom ;

Next all was water, all a chaos indiscrete.

In which the One lay void, shrouded in  
nothingness.

Then turning inwards, He by self-developed force.

Of inner fervour and intense abstraction grew.  
First in His mind was formed Desire, the primal germ.  
Productive, which the Wise, profoundly  
searching, say,

Is the first subtle bond, connecting Entity  
With Nullity. \_\_\_\_\_

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The above is the translation of a hymn (Mandala X, 129) of the Rig Veda by Sir Monier-Williams and sets out the origin of the creation as understood by the Aryans of old. In this hymn the Existent One is Vishnu and the Desire is Lakshmi. We perceive here the first outline of the remarkable idea that the Creator willed to produce the Universe through the agency and co-operation of a female principle—an idea which has now acquired a definite shape in the worship of Shri Sita Ram, Radha Krishna, Lakshmi Narayan, etc. We have already seen how the Veda assigned the highest place among the Gods to Vishnu. He had two attributes:— (1) that of giving life and light to the Universe, and (2) that of preserving it. At the dawn of the world, we can quite believe that the two problems that confronted the living beings were how to live and how to have more energy and light—physical and mental. That is why to the Vedic Vaishnavas only the above two attributes appealed as absolutely necessary. The worship during the Vedic period consisted of *Mantra* and *Yajna*. Recitation of *richas* from the Vedas and the performance of *homa* were the two necessary things for worship. But there is a difference in the form of the prayers offered in the Vedic times and those offered subsequently. The worshipper prayed for wisdom and strength, for the light of heaven and for such assistance as might make a person daring and optimistic. With the modern Vaishnava the prayer is for the work being done by the Lord himself. In the first case the worshipper was anxious to accomp-



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lish the work himself and in the latter the devotee wants his Lord to do it for him. The Vedic sacrifices consisted mainly of *homa* which later seemed to have degenerated into a regular slaughter of animals and even of men. There is yet another attribute of Vishnu noticed in the Vedas. This is the punishment of evil-doers.

During the post-Vedic period Vaishnavism developed into *Ekantic Dharma* or the religion of a single minded love and devotion to the One. When Narad enquired of the Lord what this religion was, the Lord replied:—"I am one, absolutely one without a second. I am the supreme soul—the internal soul of all souls. I am the supreme creator. All living beings are represented by *Samskarsana*, who is a form of Mine. From *Samskarsana* sprang the mind and self-consciousness. All these four are my forms. I create the Gods, men, etc., and all these ultimately find their final dissolution into Me". To Narad's query how to realise this *dharma*, the Lord replies:—"Those who are devoted to Me, enter into Me and are released from the bondage of births and deaths".

In the *Santiparva* of the *Mahabharata* is related a story which goes to show how even at that early period very great importance was attached to the devotional worship of the Lord. Once upon a time Narad went to *Badarikasrama* to see *Narayan* and finding him engaged in the performance of religious rites, enquired as to whom did He, the supreme Lord of the Universe, worship. *Narayan*'s reply was that he worshipped His original form. Narad fled into the

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sky and in his attempt to see this original form alighted upon the peak of Meru. There he saw white men without senses, not eating anything, sinless and devoted to Bhagwat. Yudhishtra asked Bhisma who those people were and how they came to be what they were. Bhisma replied.— There was a king named Vasu Uparicara who worshipped the Lord according to the prescribed rituals. He was a glorious king devoted to truth and was holy and honoured by Indra. He was the disciple of Brihaspati and learned in the Shashtras. At one time he brought forward an extensive horse sacrifice, though no animal was killed on the occasion. The oblations were devised in accordance with the words of the Aranykas. The Lord of all lords showed Himself to Vasu and accepted his oblation, but was unseen by anybody else. Since the oblation was taken away by the Lord without Brihaspati having a look at Him, the former got angry and dashed upwards the sacrificial ladle. Some of the *rishis* present at the sacrifice expressed their opinion that the great Lord was not to be seen by anyone at random, but by one who was favoured by His grace. In support of this three of the *rishis* related a story which is thus set down by the Sir R. G. Bhandarkar:— “One one occasion we went to the north for the attainment of eternal bliss near the milky ocean and practised austerities for four thousand years and at the end a voice in the air declared: ‘Well, how can you see that great Lord? In the milky ocean there is a white island where there are men possessing the lustre of the moon, who

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are devotees of the Lord, possess no senses, do not eat anything and being devoted solely to Him are absorbed in Him, who is bright like the Sun. Go to that island; there shines my soul.' Accordingly we went to the White Island and dazzled by the light of that Being were not able to see Him. Then the truth flashed upon us that the Lord cannot be seen by us unless we have gone through austerities. After further austerities for a hundred years we saw the men of the lustre of the moon with their minds fully absorbed in the contemplation of the Lord. The refulgence of each man was like that of the sun on the last day. Then we heard a sound: '*Jitam te Pundarikaksa,*' etc. (Triumphant art Thou: lotus-eyed one). A short time after a voice in the air declared: 'Go you away as you came. That great Being is not to be seen by anyone who is not devoted to Him.' Then we returned without being able to see Him." In the Santiparva the story of Narad's visit to Swetadwipa is thus continued. Narad sings about the Lord, uttering names expressive of His purity and grandeur. The Lord manifests Himself to him saying that He was not to be seen by one who was not devoted solely to Him and that as Narad was such a one He showed Himself to him. In this story from the Santiparva there are four important points that deserve to be noticed. These are:—(1) A Vaishnava did not kill any animal at his sacrifices; (2) the oblations were devised in accordance with the teachings of the Aranyakas which include the Upanishads; (3) there is only one Lord who is the Lord of all lords;

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and (4) this Lord is not to be seen by one who follows the sacrificial mode of worship, such as Brihaspati did, nor by persons who practise austerities for thousands of years such as did the three *rishis* in the above story, but by one who worships with devotion. Here then is the broad difference between Vaishnavism on the one hand and Buddhism and Jainism on the other. The repudiation of the slaughter of animals and the inefficacy of sacrificial worship and austerities are common to the three religions. But that the supreme Lord is to be worshipped with devotion, and can and does manifest Himself only to His devotees are doctrines which are peculiar to Vaishnavism,

It will thus be seen that even in those early times when Christianity had not even been heard of in India, when the founder of Islam had not even been born, this great doctrine of devotion to the Lord was a well-recognised principle of the Vaishnava religion. Even to-day when there is no dearth of religions and religious preachers claiming superiority for their respective religions, this characteristic trait of Vaishnavism gives to it a distinct position of vantage over all the rest. Not by riches, not by powers, not by sufferings and sacrifices and not by rites and ceremonies can the great Lord of the Universe be seen. There is only one key to this and that is devotion, which is supplied by Vaishnavism. It is not necessary to undergo a certain ceremony in a Church; it is needless to believe in any particular individual as the prophet of the Lord; you need not rush to a jungle to meditate under a tree; your veneration for animal

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life should not stop you from bathing: all that is necessary for you is to be devoted to the Lord,—by whatever name you may call Him. This is Vaishnavism of the fifth century before the birth of Christ and this is the Vaishnavism of to-day as well.

This *Ekantika Dharma* as revealed by Narayan is represented to be the same as that which was later communicated to Arjun on the battlefield of Kurukshetra. At the creation of each Brahma it is revealed by Narayan himself and then at the end it is lost. The narration proceeds till we come to the present or the seventh Brahma. In this it was first revealed to Pitamaha and from him it passed in succession to Daksha, his grandson, the eldest Aditya, Vivasvat, Manu and Ikshvaku. We find it stated explicitly that this is "the original great eternal Dharma, difficult to be realised and to be followed".

About the 5th century before Christ it had assumed a different form and was known as *Pancharatra* or Bhagwat religion. According to Megasthenes, this religion was professed by the Satvata tribe of Kshatriyas about the end of the fourth century before Christ. At about this time special importance was attached to the emotional side of Vaishnavism and Shri Krishna and the Gopis, Shri Rama and the Mithila maids wonderfully attracted the minds of the masses and left a lasting impression on the religion itself. From philosophic dissertations so common to a religion, Vaishnavism had passed to the stage of a living religion appealing to the people more by its tears and sobs, laughter and mirth than

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by the soundness of its logic or the force of its philosophy. Eternal truths are one whether they are preached on the fertile plains of India or in the arid deserts of Arabia, whether they emanate from Jerusalem or from under the Bodhi tree. What distinguishes one religion from another is not so much its truths as its dogmas. The Vaishnavas of the early pre-Christ age realised this and therefore laid greater stress on the realization of religion than on its philosophy. That is how a personal God came in— a God taking part in our joys and sorrows, in our sports and festivals, in short a God who like any of His creatures had lived in the world toiling as any of us do. That evidently is the genesis of the incarnations of God.

It must be said to the credit of the Alvars that they were the first to bring down religion from its high level and spread it among the masses. Sanskrit had ceased to be the language of the masses while sacrifices were not within the easy reach of the poor. The Alvars therefore composed and popularised simple Tamil songs preaching love of the Lord. One Alvar sang of Mithila sweet with its sweeter maidens. Some sang of dear Radha and one of the *Vaman* form of the Lord. The whole of the Tamil land began soon to overflow with the music of the Lord, which had penetrated into every nook and corner. But it was not till the time of Nathamuni that the Tamil *abhāngs* received a formal recognition for being recited in the great Vaishnava temples of Southern India.

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Later on when Buddhism had begun to disappear and the Brahmans were anxious to convert all Buddhists to their faith, they made Hinduism all-tolerant, all-compliant, all-comprehensive and all-absorbing. The Vaishnava school, instead of starting with a daring new philosophy collected the forces of conservatism by accentuating a life of purity and high morality and gave the deathblow to sacrificialism which had outgrown its original purpose and begun to deny God; while the monism of Sankara won the sympathy of the intellectual among the community by its all-embracing subtlety and covert denunciation of mere Karma and Vedic ceremonial under the guise of the doctrine of illusion. It is difficult to say from the evidence so far available whether the subordinate place assigned to *Karmakanda* was the result of an unconscious adjustment to the state of things that had been created by the sustained attack of Buddhism on the sacrificial system generally or whether the original founders of the Adwaitic and Vasishtadwaitic schools perceived the philosophical absurdity of inculcating the worship of the forces of nature simultaneously with the doctrine of '*Ekam eva advitiam*'. Now Vaishnavism enjoined upon its votaries not to worship any deity but the great God Vishnu, of the Vedas or Narayan of the Upanishads or any of the incarnations of the Lord. Another restriction that was placed on the worshipper at this time was that there should be no prayer for worldly benefits.

Another notable feature of the Vaishnavism of

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the time that should be noticed is the rapid conversion of a large number of people, some of whom were neither Hindus nor residents of India, to Vaishnavism. While the Brahmans strove to brand non-Aryans as 'dasyus' or thieves and kept them at a distance, the Brahmanism of post-Buddhist period improved upon this by making a monopoly of religious instruction and keeping Sudras and the lower order generally outside its pale. The Smritis have prescribed choice punishment for the Sudra who broke this rule or even listened to a Vedic text while being chanted. In the face of this strict monopoly it must be said to the credit of Vaishnavism that it opened wide its doors to all seekers after God and enjoined upon its votaries not to distinguish between one caste and another. Some of the Alvars were Sudras. Yamunacharya had a Sudra disciple.

The Acharyas who followed the Alvars represent a different phase of development. While the Alvars symbolised the emotional side, the Acharyas stood for the intellectual. A construction of philosophy which could be placed before the best intellects and which at the same time gave room for the absorption of the teachings of the Alvars and the doctrine of *Bhakti* was the chief feature of this order. The Acharyas may be compared to the Christian Puritans. Ramanuja represented the climax of these teachings and in him we find the philosopher and the devotee combined. The philosophy is as healthy and sympathetic as the devotion is free from irrational worship. It has been said that Ramanuja was un-



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compromising in denying the privilege of the study of the Vedas to Sudra and woman and the latter were never permitted to assume the character of nuns. To understand this position fully, we have to take into account the period when these restrictions were imposed. Ramanuja was anxious for the purity and exemplary character of the lives of the Vaishnava teachers. He was anxious that there should not be even a shadow of suspicion against the Acharyas. A puritan as he was he believed that the admission of women into the religious order might give rise to some immorality. He had seen some of the commentaries on the Vedas and he believed that those commentaries were strong enough to entice away any women to the evil path. It had become a fashion in those days to recite the Vedas and give to the hymns a meaning implying sensuality of a low order. Ramanuja in his anxiety to guard the Indian womanhood from listening to these preposterous interpretations interdicted their study altogether. Similarly he denied this privilege to the Sudras, as he did not like non-Aryans to know that our most sacred book could be so read as to become worse than the worst novel. Except on the above supposition, it would be difficult to justify this action of Ramanuja: Even among the Acharyas, Nathmuni paid due reverence to the Sudra Alvars; while Yamuna—the great grand-father of Ramanuja, and one who is said to have laid the foundation for Ramanuja's philosophy—had a Sudra disciple. Ramanuja himself at least in his younger days was not such a staunch believer in

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caste system, as is known to all those who have read the story of his separation from his wife. Andal, daughter of Vishnuchitta, was a lady devotee.

Why then did Ramanuja impose these restrictions? The answer to our mind is obvious. He chalked out two paths for salvation, one through *Bhakti* which could be followed by anyone irrespective of caste or sex, and another through knowledge. This latter was not to be followed by Sudras and women. Here Ramanuja appears to have shown due regard to the views of the Brahmans and the Shastras. Ramanuja's cult had a very large following during his century and for about two centuries later. About the beginning of the 15th century there was a general protest against his doctrine from the whole of India. In the South Mahamuni Manavala laid emphasis on the spiritual equality of the Brahman and the Sudra *Bhakta*. In the North Ramanand led the way and was followed by several reformers in the different provinces of northern India.

The recitation of the Lord's name accompanied by songs and demonstrations that were introduced by the Alvars ceased to be in favour during the time of Ramanuja. The grace of the Lord was compared to the act of the monkey. Thus while the mother monkey jumped from tree to tree, the young monkey remained firmly attached to her. The other school that developed later believed that God's grace acted like the cat whose young one did nothing and the mother cat had to lift up the kitten and take it from place to place. Another doctrine that emanated with

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one of the Alvars Madhura Kair, namely the deification of the immediate preceptor seems to have grown in vogue at this time.

Vaishnavism had ceased to be a code of morality or a compendium of principles. It was not confined to the educated few. It had become the religion of the masses, and had proclaimed for the first time the fatherhood of the Lord of the Universe and the brotherhood of all living beings. The Vaishnava God lived, moved and had His being in His creations. He was the best friend of men and their wisest guide. He delighted in helping the misguided and in punishing the evil-doer in the interest of mankind. This naturally led to the theory that he must come to the world from time to time to do away with vice and to establish the reign of virtue. The theory was the origin of the belief in the incarnation of the Lord. We read in the Gita :—

यदा यदाहि धर्मस्य ग्लानिर्भवति भारत ।  
अभ्युत्थानमधर्मस्य तदात्मानं सृजाम्यहम् ॥

In the Santiparva of the Mahabharata Narad mentions the six incarnations of the Lord. These are —

**Varaha.**—In this form (lit. boar), Vishnu descended to deliver the world from the power of a demon called Hiranyaksha, who had seized the earth and carried it down into the lowest depths of the sea. Vishnu, as a boar, dived into the abyss, and after a contest slew the monster and raised the earth. In earlier books the Universe is represented as a mass of

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water and the earth being submerged was up-heaved by the tusks of the divine boar.

**Narasimha.**—In this form (lit. man-lion) Vishnu assumed the shape of a creature, half-man and half-lion, to deliver the world from the tyranny of a demon called Hiranyakasepu—who had obtained a boon from Brahma that he should not be slain by either God or man or animal. Hence he became so powerful that he usurped the three worlds and appropriated the sacrifices made to the Gods. He had a son Prahlad—a true devotee of the Lord—whose devotion was put to severe tests by his demon father and it was to save this devotee that the Lord took this form.

**Vaman.**—This form (lit. dwarf.) the Lord assumed to rid the world of the domination of the demon Bali. In one of his fits of charity Bali promised to give to the Vaman form of the Lord land measuring three spaces. The Lord strode in two steps over the heaven and the earth and out of compassion left Bali in possession of the lower world.

**Parasu Ram.**—This form was assumed with the object of teaching the warrior classes a lesson. In their pride of prowess they had ceased to render due homage to the Brahmans and to sacrificial rites. This naturally threatened to spread vice and check the growth of virtue. The Ram of the axe—as the word literally means—appeared to rid the world of the Kshatriya, and it is alleged that twenty one times did He succeed in doing so.

**Ram.**—The ideal conception of the Lord. In

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this form is held out the ideal son, the ideal brother, the ideal friend, the ideal husband and the ideal master. Sweet in temper, gentle in disposition, kindly in temperament, wise in counsel, brave on the battlefield, obedient to his elders, loving to his dependants and youngers, Shri Ram is certainly the ideal man ever depicted in books or on canvas. No better ideal has ever been placed before the world—an ideal which would suit all, young and old, rich and poor, king and subjects. To the left of Him is His divine spouse—Shri Sitaji, who embodies in herself all that is noblest and best, chaste and sweet, simple and modest in the womanhood of the world.

**Krishna.**—In this form the Lord is all love—love for his mates, love for beasts, love for the trees, love for friends, love for the devotee and love for all those who pray for it. Could there be a more loving picture than that of Brindaban? What could be more sweet than the gram of poor Sudama? How noble it was to condescend to serve as the charioteer of a friend! How unselfish to raise the drooping spirit of Arjun and to make him fight the righteous war! And those words of deep philosophy uttered on the occasion! Yet Krishna is love all over. One loves him not for his philosophy or miracles, but for his sweet unassuming love.

There were some who believed that while the Advaita of Sankara was a very philosophical doctrine, it fell far short of being a practical religion. In a code of morality, Advaita has a very high place; but if religion is to descend from the idealistic height of

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philosophy to the region of the common people and if religion is not to be a mere intellectual treat for evening lectures, it must embody something of the physical in it. In its attempt to be a universal religion, the Vaishnavism of Ramanuja combined with its high philosophy an appreciation of the doctrine of love of God. The Vishestadwaita of Ramanuja with its *Bhakti* cult represents the other half of Advaita, a reaction of the soul, a feast of that heart which Advaita had starved. It is the deliberate choice, after long loneliness of the companionship of God and His devotees; after the silence of meditation, of song; after intellectual austerity, of the rich colours of affection. While the intellect can conceive of the theory of the One, unperceivable, unknowable and so forth, it can hardly picture anyone like that much less can meditate on Him. The Advaita would appear to ignore this aspect of things. Sankara is all reason; the Vaishnavas are all emotion and though during Ramanuja's time this emotion was sought to be kept fully under the control of reason, subsequent reformers have given the go-by to that control. But the value and significance of the *Bhakti* school lie in its affirmation of the claims of the human heart and in the moral and religious consequences that follow from that affirmation. These are the elements in it that give to it its power and enable it to make an appeal so far-reaching and so profound. The heart and its emotions are much the same in all men, high or low, and the road to God along which affections lead the way is an open road. That is why Rama-

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nand discarded caste distinctions and had even a Mohammadan follower. That is why they sang of Chaitanya as one who did "not believe in caste". It is well-known that the Mahratta saints were from all castes, from Brahmans to outcastes.

Now what is this *Bhakti*. In Vishnu Puran we find the following :—

या प्रीति रविवेनानां विषयेष्वनयायिनी ।

त्वमनुस्मरतः सामे हृदयान्मापसर्पेतु ॥

That undying love which the unknowing have for the fleeting worldly objects, may that sort of love never depart from my heart as I keep meditating on Thee. In Shandilya Sutra *Bhakti* is described as सा परानुरक्तिरीभवे or the intense love of God. In the Narad Sutra also *Bhakti* has been similarly described as ओं सा कस्मै परम प्रेम रूपा. Ramanuja interpretes *Bhakti* to mean constant remembrance of the Lord, flowing like an unbroken stream of oil poured out from one vessel to another. The following lines aptly describe the frame of mind of a Bhakta :—

त्वमेव माता च पिता त्वमेव,

त्वमेव बन्धुश्च सखा त्वमेव ।

त्वमेव विद्या द्रविणं त्वमेव,

त्वमेव सर्वं मम देव देव ॥

In these lines the devotee asserts his belief that the Lord is his father, mother, brother and friend ; He is the knowledge to be acquired ; He is the wealth to be collected together ; in fact He is the devotee's all, the Lord of all lords. Tulsidas goes one

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step further and prays for the Lord's *Bhakti* not only in this life; but also during other rebirths. Tukaram thus describes himself:—

A beggar at thy door,

Pleading I stand:

Give me an alms, O God,

Love from thy loving hand.

While Shri Rupkalaji would bid adieu even to the joys of heaven, if those joys meant separation from the Lord. During the time of the Alvars the Vedic sacrifices had disappeared and all that the devotee had to do were,—(1) recitation of the Lord's name, (2) service at the temples, and (3) contemplation of any of the personal forms of the Lord. In one ancient book, six modes of adoring Vishnu are given. These are (1) remembrance of Him, (2) utterance of his name and glory, (3) salutation, (4) resorting to his feet, (5) constant devotional worship and (6) surrender of the self. To these the Bhagwata Puran added three more, viz., hearing His praise, servitude and companionship. The last two are preliminary to the surrendering of the whole soul. During the time of Ramanuja eight more modes of worship were added. These were:—(1) imprinting the marks of the conch-shell and the discus and other weapons of Hari on the body, (2) the making of a vertical mark on the forehead, (3) repeating of *mantras* on the occasion, (4) drinking of the water used in washing the feet of Hari, (5) the eating of the offerings of cooked food made to Him, (6) doing service to his devotees,



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(7) the observance of fast on the *Ekadasi* day, and (8) laying Tulsi leaves on the idol of Hari. During the time of Ramanand bow, arrows and Chandrika were substituted for couchshell, etc. The mark on the forehead is different with the different schools of Vaishnavism.

Tulsidas considerably simplified matters by stating at the end of his Ramayan:—

यहि कलिकाल न साधन दूजा,  
योग यज्ञ जप तप व्रत पूजा ।  
रामहिं सुमिरिय गाइय रामहिं,  
सन्तत सुनिय रामगुण ब्रामहिं ॥



# Ramanuja.

## CHAPTER IV.

सर्वं खल्विदं ब्रह्म, नेह नानास्ति किञ्चन ।

The Lord pervades the whole universe. Nothing exists without Him.

The above interpretation of the Sanskrit text was the cause of a dispute between Ramanuja and his teacher Yadavaprakash. But of this anon. Born in 1017 A.D. Lakshman, popularly known as Ramanuja, made his mark early as a voracious reader and as an erudite scholar of religious and philosophical literature. As a student his fame was so widespread that the great leader of Vaishnavism at the time known as Yamuna is said to have travelled *in cognito* to see him. His difference with his preceptor Yadavaprakash in the interpretation of scriptural passages—one of which is quoted above—made the latter anxious to get rid of him from his academy and even possibly from the world. A secret plot was hatched by Yadava; but it was timely discovered and Ramanuja ran away in time and saved himself. While once he was worshipping in the temple at Kanchi, he heard some one reciting a beautiful verse in praise of the Lord. Turning round he asked the stranger who the composer of the piece was. The reply came that it was Yamuna. Ramanuja next wanted to know if he could see Yamuna. "I will take you to

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him ? replied the stranger, who happened to be the eldest among the disciples of Yamuna. When the two reached Srirangam they found that Yamuna was already dead and that preparations were in progress for the disposal of his corpse. On going close to the body Ramanuja saw three out of the five fingers of the right hand of the dead person folded. Struck with this he enquired whether the defect was natural or was noticed only after death. The reply was that it was not natural. Ramanuja was further told that Yamuna had three of his cherished objects unfulfilled, namely, an easily read and understood commentary upon the Brahmasutra; the giving of the names of Parasara and Shadagopa to suitable persons who would make these names live among the people. As soon as Ramanuja had promised to see these fulfilled, the fingers straightened.

Returning to Kanchi, he resumed his old style of living. After sometime he felt a higher calling in his heart and ascertained from the elderly priest of the temple as to what the Lord's wish was. The reply was in a Sanskrit couplet which ran thus:—

श्रीमान् परम तत्त्वमहम् मतम् मे भेदः ।

प्रपत्तिर्निर्णायः हेतुः ॥

नवस्यक्चिः स्मृतिः द्विअन्तकाले मोक्षः ।

महापुर्णः ख्दुआर्य्यवर्षः ॥

I am the supreme, my conviction is distinction

Devotion is the unfailling cause of salvation

Conscious volition not essential; release in the end;

At present Periyasambi is the highest preceptor.

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In these lines was Ramanuja given the direction for his future work. He was to pin his faith in God and to work out the qualified monastic system of Indian philosophy accepting Periyambal as his guide, and to proclaim the doctrine of devotion to God. Ramanuja now felt the call and started for Srirangam. He halted at Madhurantakam and went to the temple of Lord Ramachandra to offer his prayers. While there he met Periyambal, who had also gone to the temple for the same purpose. On enquiry it was found that each was on the look out for the other. At the importunate entreaties of Ramanuja, Periyambal in the presence of Lord Ramachandra initiated him into the mysteries of the hidden lore of the Vedanta of those times. Periyambal and Ramanuja then returned to Kanchi and both began living together. It appears that Ramanuja was not quite fortunate in the selection of his wife. She had not realised the high ideals of Vaishnavism, and was unduly obsessed with the revived Brahmanical rules of caste. On one occasion Ramanuja invited a friend of a different caste to his house. After he had departed Ramanuja's wife quickly washed the spot on which the friend sat. This was the subject of a long sermon to his wife by Ramanuja who expounded to her the lofty principles of the oneness of God and the futility of making such distinctions between one caste and another. Another incident that annoyed Ramanuja was her disobedience of his orders in the matter of giving alms to a certain wandering Sadhu. Ramanuja this time threatened

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his wife with serious consequences should there be a recurrence of such incidents. But the lady soon found herself brandishing her superior caste. This time unfortunately the victim was the wife of Ramanuja's friend, guest and guide, Periyambadi. It so happened that the two ladies had gone to a well to draw water and while there some water from the pitcher of Periya's wife dropped into that of the other. This roused the fury of Ramanuja's wife and she indulged in a free discussion of the relative social position of the two families. The other lady reported the incident to her husband who rather than offend Ramanuja quietly broke up his establishment and returned to Srirangam. Not long after Periya's departure did Ramanuja find out the cause of this. He again explained to his wife her duties towards her husband but found that she was really inexorable. He therefore availed himself of an invitation from his father-in-law to send his wife to his house and then quietly put on the robe of a Sanyasi. At this time he was approached by the disciples of Yamuna to go and live at Srirangam. But before he could succeed to the Vaishnava *gaddi* there, he had to get himself initiated in every department of learning and philosophy which then constituted the Vaishnavas lore. Ramanuja was once given a secret after the customary promise of not disclosing it except to a very worthy disciple previously tried. Ramanuja thought the secret to be of such efficacy for salvation that he at once proclaimed it to a large number of people. The irate preceptor sent for him and enquired of him the

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reasons which prompted him to break his vow to his preceptor. Ramanuja admitted his guilt and wanted to know the punishment prescribed for it. "Eternal perdition in the life hereafter" was the preceptor's reply. "Don't care if in doing good to so many persons I am sent to hell" was Ramanuja's characteristic retort. The preceptor appreciated the spirit of this remark and condoned Ramanuja. Sometime after, Ramanuja went to Tirupathi and stayed there a year receiving instructions in the Ramayana from his maternal uncle. After acquiring the necessary qualifications Ramanuja ascended the *gaddi* of Yamuna. In his later years he was subjected to persecution by the Chola Kings, in consequence of which he had to take refuge in the dominions of the Mysore prince. This king known as Vithpaldeva became a Vaishnava, assuming the name of Vishnuvardhana.

Ramanuja is the founder of what is called the Shri school of Vaishnavism. According to this *Bhakti* consists in constant and uninterrupted meditation on the Lord. This is to be attained by (1) purity of body and mind—(2) controlling of passion—(3) practice—(4) cultivation of virtues such as uprightness, truth, compassion, etc.—(5) absence of despondency—(6) performance of duty and (7) avoidance of elatedness. According to this school *Karma Yoga* or the performance of actions as well as *Jnana Yoga* or the acquisition of knowledge are of great efficacy for *Bhakti*.

Once while Ramanujacharya was describing to

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his disciples the modes of acquiring *Bhakti*, one of them enquired of him whether it was possible to do away with *Karma* and *Jnana*. Ramanuja replied that in that case he should repeat the *Mantra* given by his preceptor a certain number of times and recite some prayers embodying complete surrender to the Lord. The disciple enquired what should be done if even these could not be done regularly. Ramanuja replied that the only other way in that case was to surrender oneself to his preceptor and to be guided by him in everything.

According to Ramanuja the Lord of the Universe is eternal, pervading all living and non-living beings, and creating, protecting, and destroying the world. He reveals himself in five different modes. These are (1) *Para* in which the Lord is said to be living in *Baikuntha*, (2) *Vyuha* in which the *Para* assumes four different forms for different purposes in connection with the creation; (3) *Vibhava* in which the Lord incarnates himself, (4) *Antarajamin* in which the Lord is said to be in the heart of every individual; and (5) *Archa* in which the Lord is supposed to exist in every idol which a devotee may set up for him. Ramanuja was the first to formulate a systematic opposition to the *advaita* philosophy of Sankara. He agreed with Sankara that God alone exists and all else that is seen or perceived is His manifestation. But whereas the *Advaita* would regard the manifestations as unreal and temporary, Ramanuja and the school to which he belonged regarded them as real and permanent though subject to the control of that One.

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Sankara takes the word *Neti Neti* to mean the negation of all that exists while to Ramanuja this word only implies the incapacity to know fully the Lord through these manifestations. In effect what the Shri school teaches is that it not possible to form an idea of the Lord through his manifestations and that he cannot be ever fully known and properly understood. It is a pity that a religion with such a high philosophy has often been attacked by some people as idolatry. The truth is that while Vaishnavism has sought to be philosophical it has never forgotten that religion is intended not for any particular class or community but for the masses and as such though its teachings may soar high the matter of fact world should never be forgotten. The result is the great inconsistency which we find in the preachings and practice of some other religions. Those who denounce the Vaishnavas for their pilgrimage to Ajodhya or Muttra themselves go to Jerusalem or Mecca and those who cry them down for having a beautiful bronze or stone idol are themselves found to treasure and adore the pictures and paintings of their prophets and saints.

Ramanuja was the worshipper of the Lord in the form of Narayan and Lakshmi. He denied to women and Sudra the privilege of reading the Vedas. He was strongly opposed to women entering the holy order. As to why he laid down these restrictions it is not very clear. Possibly because he laid a very great stress on purity and the controlling of passions, he was opposed to the introduction of the



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fair sex among the Sadhus. In one place speaking about *Bhakti*, Ramanuja, says, "knowing (the Lord) which is the same as repeated worship" has been described as constant remembering. Thus the memory which has attained to the height of what is as good as direct perception, is spoken of in the *Srut* as a means of liberation. This *Atman* is not to be reached through various sciences, nor by intellect, nor by much study of the Vedas. Whomsoever this *Atman* desires, by him is the *Atman* attained, unto him this *Atman* discovers himself. Here after saying that mere hearing, thinking, and meditation are not the means of attaining this *Atman* it is said, "whom this *Atman* desires by him is the *Atman* attained." "The extremely beloved alone is desired, by whomsoever this *Atman* is extremely loved, he alone becomes the most beloved of the *Atman*. That this beloved may attain the *Atman*, the Lord himself helps. For it has been said by the Lord.— "Those who are constantly attached to me and worship me with love—I give that direction to their will, by which they come to me." Therefore it is said that to whomsoever this remembering, which is of the same form as direct perception become of itself very dear, for the reason that it is dear to the object of such memory perception, he alone is desired by the supreme *Atman*, i. e. by him alone the supreme *Atman* is attained. This constant remembrance is denoted by the word *Bhakti*. It will be clear from the above that in Ramanuja's scheme of things, study of the Vedas was not necessary for the realisation

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of God. In fact it was no more necessary to the Brahman than to the Sudra, to the male than to the female. It could not therefore be on religious grounds that Ramanuja interdicted the study of Vedas from women and Sudra. My own opinion is that he was acting in this particular matter more as a social reformer than as a religious preacher. Buddhism had thrown the whole social organisation of India into the melting pot. Sankara by his doctrine of unreality had similarly supported the Buddhistic revolution. It was therefore according to Ramanuja an absolute necessity to revive the old caste system and to place the Hindu society on some form of social stability. Ramanuja is thus found playing a dual role of a religious preacher as well as a social reformer. And it would be ungenerous to him to mix up the two roles together. Ramanuja's religion offered salvation to all and could be adopted by anyone. Ramanuja's reforms were intended only for the Hindu society and had a special bearing on the customs and manners of the time. This latter was not and could not be as the former was, a truism for ever.



# Nimbarka.

## CHAPTER V.

दृष्टिं सृष्टि-रपि नैव सम्मता दर्शनात्तत्र फलं यतः स्मिन् ।  
सार्थको भवति यत्र शब्दकः सर्व एव परदेवताऽत्मनि ॥

This hymn of Nimbarka has been thus translated:— “The theory of (illusion of form) is not reasonable for the meditation (vision) of Thee. (Thy form) bestows the eternal fruit (*Moksha*). The Vedic words become only significant, when they refer to the highest god, the Atman.” Nimbarka, like Ramanuja gave predominance to self-surrender. But unlike Ramanuja his *Bhakti* was not mere meditation as prescribed in the Upanishads but love of God in the sense the Alwars understood it. But the great difference between the two was that while to Ramanuja the Lord was the Narayan and his consorts Lakshmi, Bhu and Lila, Nimbarka gave an almost exclusive prominence to Krishna and Radha.

It is difficult to say when exactly Nimbarka was born or when he died. There are conflicting versions of the period when he flourished; but taking all the available materials into consideration, it can be safely asserted that he lived in the 12th century of the Christian era. He was possibly a Tailanga Brahmana by birth and hailed from Vaidūripatan in the Nizam's dominion of Hyderabad. His father's

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name was Arun Muni and his mother's Jayanti and his day of birth was the full moon day of the month of Kartick. Nimbarka is regarded by his followers as an incarnation of the discus of Vishnu.

Nimbarka wrote several books in Sanskrit. These were the Vedanta Parijata Saurabha, the Sidhanta Ratna, Gita Bhashya (unavailable), Rahasya Khordashi, Propanya Kalvatti, Bhagwat Astotra, Propathi Chintamani and Sadachar Prakash. He believed in worship through the medium of Sanskrit. His Vedantic theory is monistic as well as dualistic. According to him the inanimate world and the individual soul have both independent existence but are both dependant on God for their existence and action. Ramanuja's theory of the Brahma forming with the animate and inanimate world a composite personality and of its being the material cause in so far as the bodily portion of the composite personality becomes developed, is rejected by the school of Nimbarka.

The whole system of Nimbarka is clearly set forth in his Sidhantaratna commonly called the Dasastoti,—a translation of which as given by Sir R. G. Bhandarkar is printed below :—

I. *Jiva*, or the individual soul, is knowledge, independent on Hari, and is in a condition to be associated with, or dissociated from, a body; is an atom; different in different bodies; and is a knower and numberless.

It is called knowledge here to show that it is able to know without the organs of

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sense, and it is not to be understood here that the soul is the mere phenomenon of knowledge, and not a substance, which is the doctrine of Sankara:

- II. The individual soul has his form distorted by its contact with *Maya* or *Prakriti*, or the constituent principle with the three qualities which has no beginning. Its true nature becomes known by the grace of God.

Individual souls are of two sorts: (1) those delivered or in a supremely blissful condition; (2) those tied down to the circle of existences. The first are of two kinds: (1) those who are eternally in a supremely blissful condition, such as (a) Garuda, Visvaksena and (b) the crown, ear-ornaments, and the flute considered as living beings; and (2) those who are freed from the trammels of life. Of these last some attain to the likeness of God and others are content with the preception of the nature of their own soul. Corresponding to the two last are two kinds of Mumukshu, those who seek deliverance of either kind.

- III. The inanimate objects are of three kinds: (1) not derived from *Prakriti*, (2) derived from *Prakriti*; and (3) time. In the things derived from *Prakriti* we have the ordinary material objects having the three colours, viz., red, white and dark.

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The first class consists of those which are spoken of figuratively by the use of the names of objects belonging to the second class, such as the sunlike refulgence of the supreme soul. It is a refulgence not arising from the *Prakriti*. Similarly the body, hands, feet and ornaments of God, as well as all the surroundings, such as garden, palace, etc., belong to the first class and are of an inanimate nature, though they are not made of matter, i.e., not derived from *Prakriti*.

- IV. I meditate on the highest *Brahman*, viz. Krishna who has eyes like the lotus, who naturally is free from all faults, is the store of all beneficent attributes, who has *Vyuhās* for his parts, and who is adored by all.

The *Vyuhās* here mentioned are those usually referred to in the Panchratra and Ramanuja systems. The commentators understand the incarnations, also by this expression. One gives a large number of these, divided into classes on certain principles. Krishna is called *Varenya* or adored by all because he has a holy celestial body and bodily qualities, such as beauty, tenderness, sweetness and charm. All these are of course non-material (*Aprakrita*), though inanimate according to stanza III.

- V. I reflect on the daughter of Vrsabhanu

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(Radhika), who shines with a corresponding beauty on the left side (of Krishna), is attended on by thousands of female friends, and who always confers all desired objects.

VI. This *Parabrahma* should be always worshipped uninterruptedly by men in order to be free from the darkness in the shape of ignorance, in which they are enveloped. So was Narada, who directly perceived the whole truth, taught by Sanandana and others.

VII. All things having *Brahma* for their souls in accordance with the *Srutis* and *Smritis*, the knowledge that (*Brahma*) is all is true. This is the doctrine of those who know the *Vedas* and at the same time the three forms are true as determined from the sacred precept (*Smritis*) and the *Sutras*.

There is laid down the unity of all things in so far as *Brahma* is the inner controlling soul of all and is concomitant with them and their existence and actions are dependent on it, and also pluralism, since there are three distinct substances, which are called forms of *Brahma* in the stanza, viz., the inanimate world, the individual soul and the supreme soul.

VIII. There appears no way to salvation except the lotus-like feet of Krishna, which are adored by Brahmadeva, Siva and others—Krishna, who, at the desire of a devotee,

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assumes a form easy of meditation and whose power is unthinkable and whose essence cannot be comprehended.

- IX. His grace extends itself to those who have a feeling of helplessness, and other qualifications, and by that grace is generated *Bhakti*, or devotion, consisting of special love for him, who has no superior Lord. This *Bhakti* is of two kinds: the highest is one, and the other is that which leads to or is instrumental to it.

By the feeling of helplessness and other qualifications are meant the six modes of *Prapatti* given in connection with Ramanuja's system. The *Bhakti* which is instrumental to that which is the highest, is of the nature of the six or nine modes mentioned in previous sections.

- X. These five things should be known by the devotees: (1) the nature of the being to be worshipped; (2) the nature of the worshipper; (3) the fruit God's grace; (4) the feeling of enjoyment consequent on *Bhakti*, or love; (5) obstructions to the attainment of God.

The first is the knowing of the nature of the supreme being as existence, intelligence and joy (*Sachidananda*), of his possessing a celestial body (non-material), of his dwelling in such places as the cow-settlement (*Broja*) which is called the celestial



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city (*Byomapura*), of his being the cause of all, omnipotent, tender, merciful, gracious towards his devotees, and so forth. The second consists in knowing the worshipper as an atom, possessing knowledge and joy, and as the servant of Krishna etc.. The third is the self-surrender and the giving up of all actions except the service of God, which results in self-surrender. The fourth arises from serenity, servitude, friendliness, affection and enthusiasm. These states of mind are consequent upon the peculiar relation to God of each individual, as affection was the feeling of Nanda, Vasudeva and Devaki, and enthusiasm of Radha and Rukmini. The fifth are such as regarding the body as the soul, dependence on others than God and one's preceptor, indifference to the commands of God contained in the sacred books, worshipping other gods, giving up one's own peculiar duties, ingratitude, spending one's life in a worthless manner, vilification of good men, and many others.

These ten stanzas contain the quintessence of Nimbarka's system, which is known by the name of Sanaka Sampradaya, as opposed to the Shri Sampradaya of Ramanuja, the Sat Sampradaya of Madhava and the Rudra Sampradaya of Ballabhacharya. Nimbarka consistently opposed the *Maya* doctrine of Sankara and helped considerably in the spread of

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Vaishnavism in the north of India. A deathblow had already been given to Sankara's doctrines by the philosophy of Ramanuja. Nimbarka went one step further introduced not the form of a Lord reposing peacefully attended by his wife—as Ramanuja had advocated—but that of a youthful Lord sporting merrily with the Gopis, the chief of whom was Shri Radha. This gave to the Vaishnavism of the north a note of human sympathy which made the religion highly popular and was a distinct improvement on the highly puritanical teachings of Ramanuja. The following *Sloka*, commonly recited by the followers of Nimbarka, describes the Lord :—

ध्यायेत्कृष्णं सुरललले नूलनाम्भोधरासम्, बहीरीडं मधुरमधुरं  
वाद्यन्तंबवेणुम् श्रोवत्साङ्ग नलिन नयनं राधिकांहासयन्तं गो-  
भिर्गोपिब्रजयुवतिभिर्वेष्टितं पीतं वल्लभम् ॥ १ ॥

Meditate on Krishna—the lotus-eyed, the cloud-coloured, with the crown of peacock feathers on the head, the mark of *Shrivats* on the chest, clad in bright yellow cloth, the sweetly-playing flute touching His lips and standing under the *Kalpa* tree—with smiling Radhika by his side and cows, boys and girls of Braja surrounding Him !



# Madhava.

## CHAPTER VI.

सशङ्खचक्रं सकिरीटकुण्डलं सपीतवस्त्रं सरसीरुहेक्षणम् ।  
सहारवक्षः स्थलकौस्तुभत्रियं नमामि बिष्णुं शिरसा चतुर्भुजं ॥

I bow in salutation to the lotus-eyed Vishnu, the four-armed, clad in yellow garments and holding the conch and disc in His hands, with the crown on His head and rings in His ears and garland of *Kaustubh* gem dangling on His chest.

Madhava was another great religious teacher of the middle ages who was uncompromising in his denunciation of the cult of illusion preached by Sankara. We have seen how Ramanuja propounded the doctrine of the Lord's being a composite person having for his body the individual souls and the inanimate world, evidently in his anxiety to reconcile this with the theory set forth in the *Brahmasutras*, on the basis of the *Upanishads*, that the Lord is the material as well as the efficient cause of the world. Even this much Madhava was not prepared to admit. He was of opinion that Ramanuja's doctrine had a tendency to depreciate the independent majesty of the Lord, and he therefore denied altogether that the material cause of the world is the Lord. He has so interpreted the *Sutras* of Badrayana on this subject as to support his contention. As opposed to the pure *advaita* of Sankara and the qualified *advaita* of Ramanuja, Madhava has his *dvaita* or duality.

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According to him there are five eternal distinctions or individualities. These are the distinctions between (1) God and the individual spirit, (2) God and the inanimate world, (3) the individual spirit and the inanimate world, (4) one individual spirit and another and (5) one inanimate object and another. It is through knowledge that these distinctions can be fully understood and appreciated.

Madhava was born of a Tulu Brahman in a village near the small town of Udipi in the district of South Canara. There is considerable difference of opinion regarding the year of his birth. Mr. Krishna-swami Iyer believes it to be 1199 A. D. Mr. Krishna Sastri and Mr. C. M. P. Achar fix it during 1238 A. D. Sir R. G. Bhandarkar is of opinion that Madhava was born about 1254. His parents named him as Vasudeva. Early in life Vasudeva conceived the idea of renouncing worldly life and becoming a Sanyasi. This was no easy matter as the boy happened to be the only child of his parents, who as orthodox people were very anxious to have their funeral rites performed by their son. On the earnest entreaties of the parents Vasudeva is said to have put off the renunciation by a few years; but immediately after the birth of a younger brother, he put on the garb of a Sanyasi and retired from the world.

On his becoming a Sanyasi, he assumed the name of Madhava. He went about from place to place, holding discourses, indulging in disputations and propounding his own doctrines. He was

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generally successful and came out victorious in every disputation. In one, however, he received a bad defeat from one of the followers of Sankara. Madhava seemed never to have forgiven Sankara this defeat from one of his disciples and throughout his life carried on an internecine warfare against the *advaita* school of philosophy.

Madhava was much persecuted by the other religious schools of his time, specially by the followers of Sankara. On one occasion even his library was forcibly appropriated by the head of the Sringeri *mutt*. No authentic record regarding the manner in and the date on which he met his death is available. There is a tradition believed in by his followers to the effect that while he sat teaching to his disciples one day, he suddenly disappeared and nothing further was seen or heard of him.

Madhava is the founder of one of the four *Sampradayas* of Vaishnavism, known as the *Sud Sampradaya*. Being founded on logic and grammar, Madhava's *dvaita* philosophy starts, as we have seen, with a five-fold hypothesis. A belief in the five prime, real and eternal distinctions is what one has to begin with. The *dvaita* philosophy repudiates in unmistakable terms the monism of Sankara and the modified dualism of Ramanuja. The phenomenal world is real and eternal. The supreme spirit is Vishnu or Narayan and is the Personal First Cause, the moral and intelligent Governor of the Universe. Souls are divided into three classes each having its distinctive from. Those belonging to the first class

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are destined for eternal residence in the abode of Narayan. Those of the second class are ever subject to births and deaths; while those classed under the third class are doomed to perdition for ever. The above represents in brief outline the principles of the philosophy of the school founded by Madhava.



# Ballabha.

## CHAPTER VII.

दोभ्यां दोभ्यां ब्रजन्तं ब्रजसदन जनाह्वानतः प्रोल्लसन्तम्,  
मन्दं मन्दं हसन्तं मृदु मधुरवचो मेति मेति ब्रुवन्तम् ।  
गोपाली पाणिताली तरलित बलयञ्चनिमुग्धान्तरालम्,  
षण्दे तं देवमिन्द्रीवर विमल दल श्यामले तन्दबालम् ॥

Salutation to Thee: the Son of Nanda—of the colour of the petals of the blue lotus, moving on His hands and knees, delighting in the invocation of the residents of Braja, now smiling, at another time in lovely sweet voice crying Mother! Mother! and feeling enamoured of the quick and sweet jingling sound of the bangles of the *Gopis* while clapping their hands.

Another great religious reformer among the Vaishnavas was Ballabhacharya. The founder of one of the four schools of Vaishnavism, known as the Rudra Sampradaya, he preached the worship of Vishnu in the form of *Bal Gopal* or the child Krishna. The most unselfish love is that of the parents for the only child; and the exacting care and constant attention that the child requires evidently suggests that the Lord should not be forgotten even for a moment. The noble idea underlying appears to be to make the devotee devote every minute of his life to the service of the Lord. Now waking up the Lord, at another time putting him into the cradle, then taking him out for a walk and again feeding him and so on and so forth; and thus keeping oneself

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ever busy with the Lord : surely this is meditation of a high order. According to Ballabha, Krishna pervades the entire universe, there is no difference between Brahma and Jiva, the *Gopal* form is the sublimest of all forms of Krishna for purposes of worship. His worship alone confers salvation on human beings.

This school traces its origin from Shiva. Later on it was Vishnu Svami who propounded some of its principles ; and he was followed by Gyan Deva, Nam Deva and Trilochan Deva. The school excluded non-Brahmans from being initiated and naturally enough, for others could hardly be expected to do the service that the school enjoins. It was Ballabha who for the first time codified and organised the teachings of this school and gave to these a separate name and existence.

Ballabha saw the light of day in the 16th century, his father being Lakshman Bhatt, a Tailang Brahman. Holding the views that he did he settled at Gokul, the place where the child Krishna spent his childhood. After some time he went out on a pilgrimage and on return stayed at Brindaban, where he is alleged to have a vision of the Lord in the form he loved to dote upon. Ballabha spent his old age in the city of Benares, and it is said that one morning while he was bathing in the Ganges, he suddenly disappeared and was heard of no more. One of the finest temples of Benares belongs to this school and is popularly known as *Bal-Gopal ka Mandir*.



# Ramanand.

## CHAPTER VIII.

नैलाश्रुज श्यामल कोमलाङ्ग सीता समारो पितवाम भागम् ।  
पाणौ महासायक चारुवापं नमामि रामं रघुवंशनाथम् ॥

Salutations to Shri Ram—the Lord of the family of Raghu—who is tender-bodied and of the colour of the blue lotus and who is armed with a beautiful bow and by whose side is sitting Shri Sitaji! This is the picture of the Lord which Ramanand loved to meditate upon. Following on the qualified *advaita* philosophy of Ramanuja in which the Lord was imagined to be peacefully reposing on the back of a hydra-headed snake, with Shri Lakshmi quietly champooing his legs or of Nimbarka wherein the Lord was believed to be ever sporting with Shri Radha, Ramanand propounded what is now called the cult of Rama. In this the Lord is imagined to be a king sitting half kneeling with a bow on His shoulder. The idea evidently is that He is ever ready to run to the assistance of His devotees. By His side sits Shri Sitaji, the tender-hearted Mother of the universe and the fountain head of mercy. Such a lofty conception of the Lord indicates that there is hope even for the worst sinner, for though the Lord is there to mete out justice, the Mother of the universe will not fail to

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have that justice tempered with mercy. The vast majority of the people of the world are householders and it is but natural that their conception of the Lord should readily paint within their mind the picture of an ideal householder with his dutiful wife. What sympathy can a being who has not lived like us feel for us? What assistance can one give us who cannot realize our needs? Then again what love can we have for one who is a mere negation of all attributes such as nameless, formless, abodeless or (unknowable, undiscernable, unperceivable and so forth. The Vaishnava therefore would go to the other extreme. The Lord pervades all; He is everywhere and in everything; He is the possessor of all good qualities; He can be seen, known, perceived and so on. This other conception of the Lord at once brings Him down within our easy reach, and raises in our mind pictures of Him indicative of the attributes we may be willing to ascribe to Him. But what attributes does He not possess? A form therefore must give prominence to the chief of these attributes. Shri Sita Ram contains all those principal attributes that a householder would discern in the Lord of the universe. That is why the Shri Sita Ram cult is becoming more and more popular.

It was no new cult that Ramanand founded. Shri Ram had been regarded as an incarnation of the Lord before the time of Buddha. In the Mahabharata are passages which go to show that the worship of Shri Ram as the divine being was not unknown even in the pre-Buddhist era. Valmiki has written

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his well-known idyll in glorification of Shri Ram and his consort Shri Sita. Valmiki's Ramayan must have been composed before the spread of Buddhism. That is sufficiently clear from a perusal of the book itself. Judging from the writings of the poets in other ages and climes, the principle will have to be admitted that it is only a popular story that a poet sings about. The hero and heroine are generally persons widely known. No one sits down to write an idyll on an imaginary story with characters which are utter strangers to the generation. The worship of Shri Sita Ram must therefore have been popular and the story well-known before Valmiki reduced the latter to poetry. In one of his verses Patanjali describes how certain musical instruments were played in a gathering in the temples of Dhanapati, Ram and Kesava. Two things are clear from the above. The first is that in the days of Patanjali there were temples of Shri Ram. The second thing is that at those temples songs were sung and instruments played upon on festive occasions. Patanjali is said to have flourished about the 4th century before Christ. If no traces of old temples are to be found now, the obvious reason is that Buddhism in its early period levelled down all the existing temples and since Buddhism was the religion of the reigning sovereigns no new temples were raised till the religion of Buddha began to decline in India. That is why few architectural monuments of Vaishnavism of the pre-Buddhist period are now to be found in India. But the Ellora caves contain one three-storied cave with the idol of

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Ram inside. It is significant that the caves contain little traces of Buddhism. Cave structures have never been in general use during the post-Christ period. It is not the purpose of the writer to discuss here the different theories regarding the date of the Ellora paintings. It is however evident to anyone who is familiar with Buddhist period of Indian history, that no such images could have been carved out during the time Buddhism was the predominant religion in India. The Ellora caves with the idol of Ram carved inside must therefore belong to the pre-Buddhist period. Shri Ram was thus worshipped long before Buddha was born. The celebrated poet Kalidas in his Raghuvansa, relates the story of the birth of Ram. Once when the people afflicted with the ravages of Ravan prayed to the Lord to save them, he promised to be born in the world as the son of Dasarath. Kalidas takes us to a period either a century before or a century after the birth of Christ. Among the Tamil poets of the early Christian era Kulusekhar Alwar is found to invoke Shri Sita Ram as the Lord of Universe. Kulu was one of the most celebrated of the Alvars and has left behind quite a number of songs addressed to his celebrated diety. Then again in Vayupurana—one of the earliest post-Christ books—reference is frequently made to the belief in Ram as the incarnation of the Lord. It would be interesting to note how Ramanuja himself worshipped before the idol of Shri Ram. It has been said that while going out in search of Periyambadi he was attracted to a spot where by the side of

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a beautiful tank stood a majestic temple with an image of Shri Ram in it. Ramanuja went inside the temple and for long remained there praying before the idol. This attracted the attention of Periya who had himself gone there to worship the Lord. Subsequently when Ramanuja entreated Periya to give him some lessons he swore by the image of Shri Ram that he would keep the knowledge a secret. If this represents the faith of Ramanuja in the Shri Ram cult another equally historic incident may be cited from the life of the founder of *Sad* Vaishnavism Madhava brought the image of Shri Ram from Badrikasram; while one of his favourite disciples Narharitiratha was sent to Puri by Madhava to bring the original idol of Shri Sita and Shri Ram. It is thus amply clear that the founders of both the *Shri* and the *Sad Sampradayas* were both at least during the first half of their life worshippers of the Shri Ram form of the Lord. As to when the former became a believer in Shri Lakshmi Narayan and the latter in Shri Vishnu Bhagwan it is not possible to say with certainty. A later writer Hemadri describes the modes of worshipping Shri Sita Ram at some length. Any way long before Ramanand appeared on the scene Shri Sita Ram was worshipped in India and had temples, where people congregated in large numbers.

The distinguishing feature of Ramanand's teaching was a spirit of sympathy for the lower castes and classes of the Hindu society. While Ramanuja, Nimbarka and Madhava kept these castes and classes

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into what may be called outer court and imposed certain restrictions on them regarding the modes of worship, etc., Ramanand began a radical reform and abolished all distinction between Brahman and Sudra. According to him a Brahman could easily dine with a Sudra if the latter was a Vaishnava and had been admitted into the fold. This characteristic of the school of Ramanand is being literally followed to-day at Ayodhya. Like the earlier Alwars Ramanand also utilized the vernacular as the medium of his preachings. The Lord could be accessible as much in one language as in another and ignorance of any particular language should be no bar to a devotee anxious to pray to his Lord. In this matter Ramanand received very great assistance from his followers chiefly Tulsidas, Nabha and Kabir. It was the ambition of Ramanand to carry religion to the very doors of the people and it must be said to his credit that his teachings and example inspired quite a number of his followers to carry his torch to the farthest limit as well as to the most degraded of castes. Another characteristic of Ramanand's philosophy is the supreme position that he gives to Shri Sita Ram. It is by this name that he addresses the Lord of the Universe. To him Shri Ram was not a mere incarnation but the Lord himself, much in the same way as Shri Lakshmi Narayan was to Ramanuja. With those three reservations Ramanand may be regarded as a follower of Ramanuja. Of course instead of the discus and conch-shell of Ramanuja were substituted the bow, arrow and *chandi* by Ramanand.

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Ramanand was not a very great believer in the acquisition of knowledge for the purpose of religious advancement. He was not one of those who would go to an orchard to count the number of leaves of a certain tree; he would much rather eat the fruit. To a traveller on the religious path it was, according to him, a matter of very little concern whether the soul was the same as God or different from Him, whether the world was real or unreal, whether life was eternal or ephemeral. These discussions were to him like the counting of the leaves of a tree. His six principal teachings are thus enunciated by Shri Rupkalaji :—

- (1) Physical body and soul are quite distinct; learn to distinguish between the two.
- (2) Man not is independent of the Lord; he is entirely in His hands
- (3) Man should serve and obey Him alone
- (4) Let not the mind and heart rest on objects of the five senses; sensuality is infidelity.
- (5) Be never anxious for protection; the Lord alone can protect you.
- (6) Do not regard anyone as your helper, for He alone can help you.

Holding these views Ramanand naturally laid great stress on the cultivation of *Bhakti*; and for this he prescribed the constant recitation of the name of the Lord as well as contemplation of His divine attributes. Contemplation to be constant requires the assistance of some physical object, for no one

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has ever succeeded in keeping the mind tied on to some airy nothing. Service at the temple, service of the spiritual guide and service of humanity are therefore regarded as material helpers to the Vaishnava in his yearning for *Bhakti*.

Ramanand, according to one authority, was born in 1300 A. D. and lived up to quite an old age, having died in 1411 A. D. There is not any particularly noteworthy trait in his life which deserves to be recorded. It has been asserted in some quarters that he was insulted by the Vaishnavas in the south and he migrated to the north and founded his school. Jealousy has ever dogged the steps of all big men; and it is no wonder if some petty-minded people witnessing the great triumph of Ramanand circulated some cock and bull story about him. Highly tolerant, ever forgiving and extremely devout as Ramanand was, it is utterly impossible to believe that he could have taken any insult from mere men to heart and propagated a faith he did not believe in with the object of spiting others. Ramanand never claimed any leadership for himself; he loved to describe himself as a follower of Ramanuja. That is another reason for holding that he had no ill will against the southern followers of Ramanuja.

Ramanand can fairly be called the founder of a fresh school of Vaishnavism; and it can be rightly urged that there is as little common between him and Ramanuja as between Ramanuja and Nimbarka. His principles are distinct from those of Ramanuja, his philosophy is different, his faith is not similar



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and in fact his school should be regarded as quite separate from that of the founder of the *Shri Sampradaya*. The vast majority of the Vaishnavas in upper India belong to the *Shri Ram Sampradaya* and can by no stretch of imagination be dubbed as followers of Ramanuja.

Ramanand was a radical reformer and his precepts and examples have to this day turned many a wavering Hindu into a devout Vaishnava. In the selection of his disciples he refused to be trammelled by considerations of caste and creed. The names of some of his chief disciples are given below:—

- (1) Anantanand, (2) Sursaranand, (3) Sukhanand,
- 4) Narhariyanand, (5) Yogananda, (6) Pipa,
- (7) Kabir, (8) Bhavanand, (9) Sena, (10) Dhanna,
- (11) Galvanand, (12) Raidas and (13) Padmavati.

Of these Pipa was a Rajput, Dhanna a Jat, Sena a barber and Raidas a cobbler; Padmavati was a woman and Kabir a non-Hindu. It will be seen from the above list that Ramanand violated the teachings of Ramanuja in admitting a woman to the order of monkhood. Another innovation introduced by him was his initiation of Kabir as a disciple. Even now in almost every temple of Ajodhya Kabir receives almost as great honour as his preceptor Ramanand. Raidas confined his preachings to the men of his own caste and even today the absence of the drink habit in a portion of that community is entirely due to his influence.

Among Ramanand's disciples Kabir occupies a very prominent place, both because of his teachings

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as well as of his being a non-Hindu. At one place Kabir strongly condemns the worship of idols. The religion propagated by him is a pure spiritual Theism. His mode of worship consisted in prayers and praises alone. He has said in one of his *Sakhis*:— If you want me (God) give up your desire for every other thing and become mine and then everything will be yours.....in this world all have passed away considering themselves to be Ram but no one actually became Ram. Kabir says that those who know Ram as he truly is attain all their objects.



# Chaitanya.

## CHAPTER IX.

बन्धु तुमि से अमार प्राण ।  
पिरिति रसेते द्वालि तनुमन दियादि तोमार पाय ।  
तुमि मोर पति तुमि मोर गति मम नाहि आन नाथ ॥

—A Bengali Vaishnava.

O my Beloved! You are my life. Overflowing with the milk of human love, I have poured my whole body and mind, at Your feet. You are my husband, You are my source of salvation, I have nobody else.

What Ramanand and his followers did for the Hindi-speaking people, Chaitanya did for Bengal. During his time Hinduism in Bengal consisted mainly of mechanical religious ceremonies with no element of *bhakti* and embittered by rigid distinctions of castes and sub-castes, Chaitanya raised his voice against these, decried the ceremonial side of religion and encouraged the cultivation of the emotional side. Like Ramanand he condemned the distinction of castes and admitted all, including even Muhamadans and the untouchable Hindus to Vaishnavism. His teaching inculcated the doctrine that the easiest and surest way of attaining God was by *bhakti* and that to create this *bhakti*, one has to resort to *kirtans* or the fervent singing of songs about the love of Radha and Krishna.

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. It was on the full-moon day of Phalgun in the year 1407 of the Saka era, corresponding to 1485 A.D. that the boy Nimai or Visvambhar, the future Chaitanya was born in the city of Nabadwip or Nadiya on the Ganges—then a seat famous for its intellectual eminence. His father Pandit Jagannath Misra *alias* Purandhar Misra—a pious Vaidika Brahmin emigrated from Sylhet in Eastern Bengal and settled at Nadiya where he married Sachi Devi, daughter of Nilamber, a learned man of the place. Their first child was Visvarupa who is designated as Nitayananda in the history of Chaitanya. These were the only two sons of Jagannath Misra, and between these were eight daughters who died young. Chaitanya was named Visvambhar. His neighbours gave him the name Nimai (bitter) as a protection against all evil influences. He was also called 'Gouranga' because of his transcendental personal beauty and Gour Hari as he was very fond of the name of Hari, so much so that in his infantile fits of crying, nothing could soothe him except the chanting of that name. He became afterwards Krishna Chaitanya and was considered by his disciples and is even reckoned by modern Goudiya Vaishnavas as the incarnation of Krishna hims-lf.

His early life was frolicsome, mischievous and worrying to his parents. About the ninth year of his age, he was invested with the sacred thread and was placed in the *tol* of Gangadas, a Pandit of the place. Nimai's mental powers were extraordinary.

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He finished his education at a comparatively early age and at the age of sixteen he found himself strong enough to be able to start an independent *tol* of his own. He was the youngest professor then who had ever taken charge of a *tol* in Nadiya. When he was eighteen years of age he was married to Lakshmi daughter of Vallabh Acharya and began to live the life of a householder, taking pupils, and giving them secular instruction.

About this time Nimai came across Iswar Puri, a disciple of Madhavendra Puri, the most pious man of his age, who created in him a liking for Vaishnavism; soon after he conceived the idea of proceeding to the eastern districts. The object of his expedition is not known but it is generally believed that he had gone there with a view to collect donations for his institution. Begging and singing were his occupation during that time and it is said that he left those districts in a state of convulsion. During his peregrinations his wife died and on his return home, he was again married to Vishnupriya, a girl of great gentleness and devotion to Chaitanya.

After sometime in September 1508 A. D. at the age of twenty-three, with some of his friends, he set out for Gaya to make offerings to his manes. He entered the city with devotion and deep emotion. He went to see the foot-prints of Vishnu in the Vishnupad Mandir, his gaze became rivetted thereto and he stood enthralled and motionless there as a statue. He became oblivious of all around him and was about to fall down when Ishwar Puri who

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was there witnessing this scene ran to his support and prevented him from falling on the ground. After this incident Ishwar Puri on an auspicious day finally initiated him in the Vaishnavite faith by breathing *mंत्रा* in his ears.

Soon after he left Gaya for his home but it brought about a great change in him. From this time, he remained in constant deep meditation, apparently unconscious of his surroundings with an expression of inaudible pathos in his face. He would often weep or laugh and pass into trance or swoon and exclaim "where art Thou my Krishna, my Father." When he reached Nadiya he lived there also in total abstraction. His heart was in a state of convulsion owing to fervid emotion. His *tol* suffered; he could no longer be a tutor to his pupils. Whenever he said anything it was Radha and Krishna and their love and sometimes he would fall flat on the floor in a state of complete trance ejaculating 'My Krishna'. At last when the day came when his *tol* would break up he restrained all his emotions and told his pupils to part with a Krishna-Kirtan. There was an open performance and every one taking part in it was surcharged with the love for Radha Krishna and forgot everything for the time being. Thus they parted and the period of Guruship in his life ceased.

From this time onward Nimai lived always absorbed in meditation and abstraction. His mother Sachi was frightened at the condition of her son chiefly owing to the rumours afloat that he had

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become a 'hopeless maniac'. In despair she sent for Sreebas, a friend of her husband, and entreated him to see the condition of her son. Nimai was then in a state of the deepest possible devotion, his cheeks wet with tears and his eyes red with constant weeping. Sreebas—a Vaishnava—was simply astounded with the supernatural love for God displayed by Nimai and consoled his mother that her son had attained to the highest Krishna-*prem*. Sreebas became his *bhakta* and invited him to pass his nights at his place in worshipping Krishna with him. To this he agreed and when his friends came to know of his proposal, they all came to attend the meetings.

So there was a regular party and this party went on increasing in number. The companionship of Nimai infused in his attendants an irresistible flow of *bhakti*. They were electrified by his performance. The *kirtan* in the beginning was only a chanting of the name of Shri Krishna in a musical form. By and by musical instruments necessary to accompany the *kirtan* were introduced. When the *kirtan* began, Nimai would often become overwhelmed with love and would get up and dance with uplifted hands and head turned up. Then they would play Krishna-*leela*, Chaitanya himself taking the part of Radha. At such times he would swoon away and remain for hours in a state of trance. His presence infused *bhakti* and softened the heart of the hardest of those who came in contact with him.

A most notable change in his life occurred in the year 1510. He completely renounced the worldly

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life and became a Sanyasin and was initiated into the order of Keshava Bharati of Katva under the name of Shri Krishna Chaitanya, his future designation. He started for Brindaban to serve Krishna in solitude but three of his followers, Nitayananda Acharya Ratna and Mukunda followed him and instead of directing the path to Brindaban they brought him to the Ganges. Chaitanya was oblivious of his surroundings and apparently unaware that it was the Ganges, took his bath in it mistaking it for Jamuna and sang its praise. But soon he knew that they had played a trick on him. Here he stayed in the house of Acharya Goswami. Endless concourse of people came to have his *darshan*. His mother Sachi along with other people of Nadiya came to see him and was much distracted with grief at seeing her beloved son a Sanyasin but she consoled herself by saying "I count not my own joy or sorrow. What makes him happy is happiness to me." With Goswami Nitayananda, Pandit Jagadananda, Pandit Damodar and Mukunda Datta, he set off for Puri heedless of the cry and lamentation that arose in the house of the Acharya at his departure. He entered the temple of Jagannath in an ecstatic mood and was beside himself with love at the sight of the God and was conveyed by Sarbabhauma to his house in a state of trance. Here ensued a lively discussion about his divinity. Sarbabhauma was a reputed scholar and a master of theology. He belonged to a higher monastic rank than Chaitanya and began a long discourse with him on Vedanta with the avowed



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conviction of his being a superior and experienced scholar, but his logical expositions were all refuted by Chaitanya who established his own. Sarabhauma was filled with wonder at his diverse expositions and with the self-abasing belief that he was Krishna himself and exclaimed, "He is Krishna incarnate, but I in my ignorance have grievously sinned by showing pride to him." Sarabhauma became his disciple. From this place he started alone and wandered about the country for six years preaching his new faith. On one occasion he went to Benares where he is said to have held a long disputation with Prakasananda, a teacher of the monistic Vedanta of Sankaracharya. He condemned the commentaries of Sankara on the Vedanta Sūtras as being mixed with his personal beliefs. He rejected the doctrine of Sankara that the world is illusion (*Vitartabada*) and supported the doctrine of development (*Pari-namabada*). From this place he went to Mathura, Brindaban and other places and then returned to Puri where he spent the last eighteen years of his life and died in Saka 1455, corresponding to 1533 A.D.

Chaitanya was a great teacher who conceived thus "Krishna is the Highest God, the Perfect Being himself, the source of all incarnations, the chief of all causes. He is the source of the eternal Heaven, the external incarnation, the eternal Universe. His body is composed of *Sat*, *Chit* and *Ananda*. Radha is the personation of that supreme emotion (*mahabhava*) which is the quintessence of *prema*.—They can not be gained without

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adoration.—The play of Radha with Krishna is extremely deep and cannot be learnt from the *dasya*, *batsalaya* or other moods. The *Sakhis* alone are qualified for it; from them has this play spread—A *Sakhi* does not long to play with Krishna all by herself; but she feels a keener delight in contriving Krishna's dalliance with Radha—The *Sakhis* do not wish for Krishna's embrace, but they exert themselves to make Krishna embrace Radha. The love of the Gopis is unselfish."

Krishna's votaries are of three kinds: desireless, salvation-seeking and all-coveting. If a man is wise he will adore Krishna even for the realisation of his earthly desires. Unless a man has *bhakti* no pursuit can bring fruit to him; *bhakti* alone has power to achieve all results. If a man adores Krishna for the realisation of his desire, he soon gives up his material desires and cherishes pure *bhakti*. God is gracious; knowing His passion-led *bhakta* to be ignorant, God grants him His feet and thus destroys his desire (of earthly joys). The society of the pious, the service of Krishna and the emotion of *bhakti*,—these three make us leave all things else and incline to Krishna. 'The emancipated in life,' may follow either *bhakti* or knowledge. The former adores Krishna by (his) merits, while the latter is dragged down into sin by his dry knowledge..... The 'invested with Swarup,' gets a celestial body by the force of his *bhakti* and adores Krishna being attracted by his qualities. Illusion causes the sin of aversion to Krishna, while *bhakti* inclining us

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towards Krishna releases us from illusion. There is no liberation save through *bhakti*. Krishna is to be approached and attained by *bhakti* alone.

Chaitanya made proper arrangements for the teaching of his doctrine of Krishna *prem* or love to Krishna. Adwaita and Nitayanand were stationed to work in Bengal and Rupa and Sanātana two other pupils; were sent to Mathura. Chaitanya, Nitayananda and Adwaitananda are called the three *Prabhus* of the sect. The descendents of Nitayanand live at Nadiya and those of Adwaita at Santipur. Nitayananda was appointed by Chaitanya as the head of the Church. His female descendants live at Balesgar and male ones at Khordu near Barrackpur. The adoration of Chaitanya has become a sort of family worship throughout Orissa. there are temples belonging to his followers at Mathura, Brindaban and three principal ones in Bengal; one at Nadiya dedicated to Chaitanya the other at Ambika to Nityananda and the third at Agradvipa to Gopinath. There is a shrine dedicated to Chaitanya in the vicinity of Dhakadaksina in Northern Sylhet. At Khetur in the Rajasahi district a temple has been erected in his honour. In Puri there is a temple specially dedicated to him and many little shrines are scattered over the country. He is generally adored in connection with Vishnu and is at the present time the apostle of the common people in Orissa.



# Tulsidas.

## CHAPTER X.

श्री सहित दिन-कर-वंस-भुषण काम बहु छवि सोहई ।  
नव-अंबु-धर-वर गात अम्बर पीत मुनि मन मोहई ॥  
मुकुटांगदादि बिचित्र भुषण अंग अंगन्हि प्रति सजे ।  
अंभोज नयन बिसाल उर भुज धन्य नर निरखंत जे ॥

Blessed are those persons who have a vision of Shri Sitaji by the side of Shri Ramchandraji—the scion of the family of the Sun—the two resplendent with the beauty of love: His body of the hue of the new-formed cloud, His eyes like the lotus and His chest broad and His arms long, putting on the crown and the armband and other ornaments on His person, dressed in yellow robes: so attractive to the mind of the Sages.

The above lines taken from the Ramayan describe the form of the Lord that Tulsidas loved to meditate upon. In another couplet quoted from the Tulsī Satsai, he further develops this theme:—

जगत जननि श्री जानकी जनकराम शुभ रूप ।

The Mother of the universe is Shri Sitaji and the Father the auspicious form of Shri Ram. In this conception of the Lord of the universe, Tulsidas embodied the highest philosophy with the common phenomenon of the world. The highest tribute of being the creator of the universe is of little value to the average being if this does not include the

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maternal caress and mercy and the paternal sense of protection. To Tulsidas the Lord was as the father and mother. He was even more :—

तू दयालु दीन हौं तू दानी हौं भिखारी ।  
हौं प्रसिद्ध पातकी तू पाप पुंजहारी ॥  
नाथ तू अनाथ को अनाथ कौन मोंसों ।  
मों समान आरत नहीं आरतिहर तों सों ॥  
ब्रह्म तू हो जीव हौं तू ठाकुर हौं चैरो ।  
तात मातु गुरु सखा तू सब विधि हित मेरो ॥  
मोहिं तोहिं नाते अनेक मानिये जो भावे ।  
ज्यों त्यों तुलसी कृपालु चरण शरण पावे ॥

The Lord was to Tulsidas as his Father, Mother, Master, Spiritual Guide and Friend. Tulsidas was a beggar; the Lord a charitable donor; he a notorious sinner, the Lord the condouner of sins; the protector of the unprotected was He and none more unprotected was there than Tulsidas. In fact the one was the complement of the other. What Tulsidas prayed for was complete surrender of the self to the Lord.

Tulsidas belonged to a Brahman family of Rajapur in the district of Banda. His father's name according to some was Murari Misra and according to some others Atmaram Dube. His mother's name was Hulsi. Born in 1589 Sambat, he died in the city of Benares while in his 91st year. He was married in his 20th year and had a son who predeceased him. It is said by some that being taunted by his wife for loving a mere woman, Tulsidas turned

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his affections towards the Lord. Any way whether the credit goes to him or his wife, there is no doubt that in course of time he became one of the greatest devotees of the Lord the world has ever seen. While yet alive he had begun to be regarded as a saint and was once asked by the Emperor to do some miracles. His reply was that he was a simple beggar and possessed no powers whatsoever. The offended Emperor is said to have imprisoned him. The story goes that thereafter the Emperor discerned certain miraculous powers in the saint which led him to set the latter free. Tulsidas is credited with having written 21 books; the most important of which are the Ramcharitra Manas popularly known as the Ramayan and the Binay Patrika.

It is rather difficult to rightly understand the religious and social philosophy of Tulsidas. He is a worshipper of all gods and goddesses. His Binay Patrika is replete with beautiful prayers addressed to several gods and goddesses. In the Ramayan he has offered prayers to scoundrels even—who without any rhyme or reason do evil to others. But there is one prominent thing about these prayers and that is that the prayer is always for the Lord's love. About the name of the Lord also Tulsidas himself has addressed Him by a number of names, but

यद्यपि प्रभूके नाम अनेका, श्रुति कह अधिक एक ते एका ।

राम सकल नामन ते अधिका, होहु नाथ अधस्वर गणवधिका ॥

in the above lines, he distinctly gives preference to the Ram name of the Lord. Where does the Lord

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reside? Is he in Heavens sipping the nectar, careless of mankind? Is He in the milky ocean reclining on the serpent with Lakshmi near Him? Is He in Brindaban sporting with the maids? Is He in Ajodhya reposing in the Kanak Bhawan? Is He in any particular country or place? Did He thrive or will He appear in any particular age? Tulsidas has thus set down his conception of the Lord:—

हरि व्यापक सर्वत्र समाना, प्रेम ते प्रगट होहीं मैं जाना ॥

देशकाल दिसि बिदिशहु माहीं, कहइँ सो कहाँ जहाँ भ्रू नहीं ॥

अगजगमय सब रहित बिरागी, पवन ते प्रगट होहि जिमि भागी ॥

The Lord pervades everywhere alike. I know that he discloses Himself through love. Tell me in what country, in what age and in what direction He is not. Pervading the entire universe, He is yet far above it and is free from attachment. He discloses Himself out of air just in the same way as fire does. In spite of all this Tulsidas has a distinct leaning towards Ajodhya as the most sacred place on earth. The formless Lord never appealed to him, and for the purpose of devotion and worship he took recourse to the Shri Sita Ram form.

जहाँ राम तहँ काम नहि, जहाँ काम नहि, राम ।

तुलसी कबहीं होत नहि, रविरजनी इकठाम ॥

Where there is Ram there is no evil desire;

TULSI! never can the sun and night be together.

Though Tulsidas was an exponent of the *Varanashram Dharma*, he was quite liberal in matters of food and style of living. Once a

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Vaishnava, all social distinctions should cease and a Sudra Vaishnava was as sacred to him as a Brahman Vaishnava. His Lord embraced a poor fisherman and showed him the highest respects. In fact the ideal of the brotherhood of man is nowhere found in a better state than in Vaishnavism. Says Tulsidas:—

तुलसी यह संसार में, सबसे मिलिए धाय ।

न जानौं केहि भेष में, नारायण मिलि जाय ॥

Eagerly embrace everyone in this world; for Tulsī does not know in what form you may meet the Lord. No better incentive to service to mankind can be discovered !

The highest goal of a devotee among the Acharyas and the Ramanandis is not to be one with the Lord but to be near Him and to serve Him. If that goal be not attainable in one life, the Vaishnavā is not unreasonable enough to pray for that all at once. He is quite content to leave the laws of the Lord to have their own course and all that he prays for is:—

जेहि योनि जनमो कर्म बस तेहि रामपद अनुरागऊं ।

Let me be re-born again and again, but pray grant to me in every life love for the feet of Shri Ram. Quite a reasonable prayer one should think which it is not perhaps, open even to the Lord of the Universe to refuse. In another place in the Ramayan Shiva is represented as praying for two things only and these are—(1) love for the Lord and (2) good society for ever.



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These two themes Tulsidas has developed to some extent in his Ramayan. In regard to society he says:—

बस्मल बास नर्क कर ताता, दुष्ट संग जनि देहि विधाता ।

He would much rather remain in hell than in the company of the vicious. Ninefold paths of attaining love for the Lord are given below:— (1) श्रवण (hearing the Lord's praise), (2) कीर्तन (singing the Lord's praise), (3) स्मरण (remembering the Lord), (4) पाद-सेवन (serving the Lord's feet), (5) अर्चन (worshipping), (6) बन्दन (prayer), (7) दास्य (service), (8) सख्य (friendship, considering the Lord to be the best and sincerest friend) and (9) आत्म-निवेदन (self-surrender). But Tulsidas considerably simplified matters by stating that anyone of these was enough to constitute a *bhakta* and in fact the simplest and best is the constant recitation of the name of the Lord.

The verses of Tulsidas are well-known even in distant villages and the Ramayan may be described as the one book which has helped to give a religious tone and improve the morals of the vast bulk of the Hindi-knowing population of India. So long as Hindi continues to be spoken and written, so long as Vaishnavism is recognised as a religion and so long as Hinduism exists, so long will the Ramayan and the Binay Patrika of Tulsidas continue to be the solace of many a distressed soul.

**Nabha.**—Another great Vaishnava of the time, Nabha, compiled the Bhaktmal, which contains

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the lives of about 200 saints. Written in a terse style, with a paucity of details and references not easily understood, the book would have remained a sealed document to the world in spite of the endeavours made by Priyadas. Thanks, however, to the Vaishnavaratra Shri Sita Ram Sharan Bhagwan Prasadji Rupkala of Ajodhya, the book has been made available to the public by means of an exhaustive and erudite commentary in Hindi. The simplicity, the devotion and the self-sacrifice of a large number of Vaishnava saints are now known to and can be studied by any student of Hindi literature.

Nabha in his search of the Lord went a step further than Tulsidas and not content with His mere attributes or His images, he saw Him in the devotees of the Lord, in his spiritual preceptor and in love itself.

मक्त भक्ति मगवंत गुरु चतुर नाम वपु एक ।

The devotee, love, God and the spiritual guide, are but four names of one body. In this way Nabha laid very great emphasis on the service of God-intoxicated souls. A saintly man, according to him, was God incarnate and so was love. It must be said that Nabha made it possible for every human being however high or low, to realise religion by loving saintly men and through them the Lord.

About the Bhaktmal it is said in the Hastings Encyclopædia of Religion and Ethics:— The importance of study of the sacred stories contained

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in Bhaktmal for a just comprehension of the religious attitude of modern Hinduism cannot be overrated. Bhaktmal may be called the *acta sanctorum* of the four churches. It is a store house of legends regarding the saints, ancient and modern, of the Bhagwat (Vaishnava) religion.

**Surdas.**—Two other Vaishnavas of the time who deserve to be mentioned are Surdas and Mira Bai. Surdas was born in a village near Delhi. A disciple of Ballabha he was an ardent worshipper of Shri Krishna. He is the author of the (1) Sur-sagar, (2) Sur Saravali, (3) Sahitya Labri, (4) Beah lo and (5) Nal Damyanti; of which the Sur Sagar is decidedly his best composition. A deep love for Krishna pervades the whole of his poetry and it is strange how though blind he could give a vivid reality to his paintings. Here is a description of Shri Krishna playing on the flute:—

श्याम कर मुरली अतिहि बिराजत ।

परसत अधर सुधारस प्रकटत मधुर मधुर सुर बाजत ॥

लटकत मुकुट भौंह छबि मटकत नैन सेन अति छाजत ।

श्रीव नवाय अटक बंसी पर कीटि मदन छबि लाजत ॥

लोल कपोल झलक कुंडल की यह उपमा कहु लागत ।

मनहुं मकर सुधासर क्रीडत आपु आपु अनुरागत ॥

वृन्दावन बिहरत नन्द नन्दन ग्वाल सखन संग सोहत ।

सूरदास प्रभु की छबि निरखत सुरजर मुनिमन मोहत ॥

A simple yet enchanting description of the Lord sporting amid the lovely scenery of Braja with the loving maids! A story is related as to how Surdas

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was once helped by the Lord Himself in human form. When he was on his deathbed one of the attendants reminded him that he had not written anything in praise of his spiritual preceptor. The reply was he had never differentiated between his preceptor and the Lord, which was followed by the following verses.

मरोसो हृद इन चरनन केरो ।  
 श्री बल्लभ नखचन्द्र छटा बिनु सब जगमांभ अँवेरो ॥  
 साधन और नहीं हो कलि में जासों होत निबेरो ।  
 सुर कहा कहि दुबिध माँघरो बिना मोलको चेरो ॥

These were the last verses composed by Surdas.

**Mira Bai.**—A singular instance of self-surrender to the Lord is furnished in the person of Mira Bai. The daughter of a great Rajput chief and married to a greater chief, she preferred the toils and privations of the life of an ascetic to the comforts and pleasures of a royal life. Early in her life she had realised that the world was transient and had fixed her love upon the undying, unchanging and ever-present Lord of the Universe. Married she was in the usual course, but she refused to become the wife of any earthly being. Never did she bow before any god or goddess and once at the earnest entreatie of her mother-in-law to worship Durga, her reply was:—“This head has already bowed to Lord Krishna and will never bow before any other lord or lordling.” Old mother-in-law, could not make Mira do otherwise. In the following verses she describes her religion:—

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मेरो गिरिधर गोपाल दूसरो न कोई ।  
तात मात बन्धु भ्रात आपनो नाहि कोई ॥  
जाके सिर मोर मुकुट मेरो पति सोई ।  
अबता बात फैल गई जानै सब कोई ॥

Lord Krishna alone is mine, none else ;  
Father, mother and brother, none of these are ours,  
He is my husband who wears the crown of  
peacock feathers.

This has now become public ; every one knows it.

The orthodox Rajput chieftain in whose family Mira Bai was married tried to put every possible obstacle in the way of her renouncing the world ; attempts were even made to put her to death. She however survived all these and in the end started for Brindaban after having put on the garbs of a Sanyasin. On reaching there she exclaimed :—

इन आंखिन में फिरत रहैं की वृन्दावन कुञ्ज ।  
की इनमें मैं फिरति हुं धन्य पुण्य के पुञ्ज ॥

It was when she was living in Brindaban that her husband realised how in abandoning such a religiously-inclined wife, he has brought upon himself worldly troubles and miseries. He thereupon approached her with a prayer for forgiveness. The good lady, at the earnest entreaties of her husband went for six months to Chitour, returning again to Brindaban. Some years after a number of Brahmans went to her with request to return to Chitour. Upon her refusing to accede to their request they said that they would starve themselves to death at her

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doors. She was in a fix. On the one side was her determination not to go to Chitour; on the other was the equally strong determination of the Brahmins to take her there. Placed in this predicament she told them that she was going to her Lord to take permission. It is said that she died there and that her soul is still present in the physical form of the Lord she worshipped. The following translation of Mira's verses by Edwin Russel deserve to be quoted:—

If to be immersed in water gives salvation

Then the fish must get it;

If vegetable diet gains,

The monkeys and birds have it,

If eating grass,

The deer and goats are on the way;

MIRA says nothing

But the love of God can attain it.



# Ramdass.

## CHAPTER XI.

कष्टें विण फल नाही कष्टें विण राज्य नाही ।  
आधीं कष्टाचें दुख सोसिती ने पुढें सुखाचें भोगिती ॥

No troubles, no fruits; no sovereignty without troubles; he who suffers troubles in the being enjoys happiness afterwards.

It was reserved for the Maharashtra to witness the greatest religious renaissance of the sixteenth and seventeenth centuries and to put up the strongest embankment against the surging tide of Islamic conversion. At a time when the wise state policy of Akbar had been abandoned, when little minds held the reins of the Moghal Empire, when those in authority cared less for Empire and more for the spread of Islam, when the highest reward of an administrator appeared not to be the contentment of the ruled, but a few conversions to Islam whether by persuasion or coercion, India produced a number of religious reformers who strengthened the rather tottering foundation of the old religion and imparted to it a new life. In the Maharashtra in particular Eknath, Ramdass, Tukaram, Jairam, Ranganath, Keshava and Anandmurti helped to revive the Hindu religion and created a zeal for the religious tenets that successfully withstood the Muhammadan

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onslaught. The two most important of these were Ramdas and Tukaram.

Ramdas was born on the Ramnavani day in 1608 A. D. at Jaun, a small village on the banks of the Godaveri. His father Surya Punt and his mother Runabai were pious Brahman Vaishnavas of the Shri Ram school. It is said that even as a child Narayan, popularly known as Ramdas, attracted the attention of the greatest Maharashtra Vaishnava of the time, Eknath, who predicted a glorious future for the boy. Having acquired all the learning that he could get in the neighbourhood he turned himself towards religious meditation. For long would he remain rapt in meditation in the village temple, and at one time it is said he had a vision of Shri Hanumanji who charged him with the noble mission of reviving religion and righteousness in the land and of punishing the evil-doers. It was at this time that he was initiated into the sacred *mantra* of Shri Ram.

As his indifference to the world grew, his parents began to get alarmed. They hurriedly settled his marriage and took him to the house of the bride in spite of his protests. In the *mandap* sat Ramdas with the bride and her father. The ceremonials began and all went on merrily till the priest commenced reciting the sacred *mantra* of marriage. The word *savadhan* (attention) immediately turned his attention away from the world and before the *mantra* was over, he stood up and ran away from the *mandap*. He was now awake to his spiritual



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responsibilities and all attempts to bring him back to his family failed.

Away from his home he began living in a small hut at some distance from a village called Takli on the banks of the Godaveri. Standing in the river from early dawn to noon, visiting in the afternoon seven different houses every day with the cry of जय जय श्रीगुर्वीर समर्थ (victory to the all-powerful Shri Ram ! ) and living on such food as were given to him by the inmates of these, and spending his evening and night in the chanting of prayers and in meditation : thus did Ramdas pass twelve years of his life.

The next twelve years of his life he spent as a pilgrim. He traversed the whole of India maintaining himself by begging and studying the condition of life in the different parts of the country. He visited all the important religious centres of Hinduism and mixed freely with all those he came in contact with. An ardent Vaishnava Ramdas had respect for all religious beliefs. At Srinagar in Kashmir he met several Sikh saints, some of whom were so impressed with him as to request him to initiate them into Vaishnavism. To this Ramdas replied in his characteristic manner :— “Renounce not your faith, for one religion is as good as another. Guru Nanak was a great man as he had made even Muhammadans utter the holy name of Ram.” Verily he was one of those who निज प्रभुमय देखहि जगत, का सन करहि विरोध । All true religions were to him alike. He had no ill will against any individual simply because the latter

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belonged to another religion. On returning from his extensive pilgrimage he appeared before the image of Shri Ram at Panchbati, and prostrating himself dedicated the fruits of his pilgrimage to the Lord.

A story is told as to how he went once to his mothers' house and shouted his usual cry of जय जय श्रीगुर्वीर समर्थ. His mother directed her eldest daughter-in-law to give some alms to the beggar. "This beggar will not let you off so easily, mother," exclaimed Ramdas. "Is it Narayan who is speaking," was the question. Ramdas prostrated himself before his mother and replied in the affirmative. The old lady who had become blind with weeping felt the body of Narayan and said:— "You have become prematurely old, Narayan. I wish I could know how you look in your changed attire." Ramdas, it is said, touched the eyes of his mother and they opened wide. The delight that she experienced at the restoration of her sight was only equalled by her happiness in beholding her son standing before her. "Where have you got this demoniac knowledge from?" enquired the mother of her son. "It was an act of the grace of the Lord—He who had come down from the heavens to reside in Ayodhya, the son of Shri Kausalya. He whose touch alone turned a stone into a beautiful lady, the Lord of all lords, the fountain of love and joy, the giver of all bounties."

In the Bhabhishya Puran we read:—

कृतेतु मास्ताभ्याश्च, त्रेतायां पवनात्मजः ।

द्वापरे भोगसंज्ञश्च, रामदासः कलौयुगे ॥

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The English translation is given below :—“The manifestation of Hanūman would be known as Marut in *Satyuga* as the son of *Pawan* in *Treta*, as Bhim in *Dwapur* and as Ramdas in *Kaliyuga*.” It is the general belief that the reference in these lines is to the well-known Maharashtra saint Ramdas.

By the time Ramdas had completed his thirty-sixth year he had become a popular saint known for his purity of life and great supernatural powers. He realised that the mission entrusted to him could not be accomplished single-handed and he therefore trained a band of selfless workers on his own lines and having tested them put each in charge of one centre called *math*. Such *maths* he established over a large portion of India and installed the image of Shri Ram or Shri Hanuman in every temple attached to such *maths*. His *mahanths* were taught to live a life of absolute purity, selflessness and abstinence and to preach polity and religion to the people. Among his disciples there were several women who were entrusted with the work of reviving religion among the womenfolk.

The credit therefore of having successfully withstood the Islamic invasion must be given to Ramdas and to the band of selfless workers that he collected around himself. These itinerant Vaishnava preachers by their life and precepts revived the old religious spirit and thus made the work of conversion more difficult. The Sikhs had demonstrated how they would much rather agree to fatal tortures than to giving up their religion. Ramdas illustrated how

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even the old Hindu religion when properly organised was strong enough not to be entered into by any outsider. The history of the rise of the Mahratta power is closely associated with the history of religious revival in Maharashtra. It was due to the religious leaders, chief among whom was Ramdas, that the people of Maharashtra under the wise command of their King Shivaji showed the world what they could do against a foreign aggressor.

Ramdas was a saint. His self sacrifice was admirable. Even as a youth when most of us are not ashamed of our anger and regard it as a cowardice not to retaliate, Ramdas stood with half his body immersed in water. Tortoise would bite him and even eat a portion of his flesh but Ramdas never thought of punishing it. It is related how at one time he was severely beaten by a certain cultivator; but the spirit of forgiveness in him not only secured for the cultivator the pardon of the king but also some *jagir* land. Yet it was this very Ramdas who was the power behind the throne during the time of Shivaji. Ramdas was a true Vaishnava. His spirit of self sacrifice deterr-d him not in the discharge of his duties. His disciple Shivaji was a king and he always insisted that the king should discharge his duties conscientiously and justly. Once when Ramdas with the beggar's bowl was going round Shivaji observed him and hastily scribbling down something on a piece of paper dropped it into the bowl. "What is it, Shiva?" asked Ramdas. "Surely a handful of grain or a potful of water

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would have been more welcome to me." Saying this Ramdas took out the paper and laughed on reading it. "What would you do after I have accepted this gift of your whole kingdom from you," enquired Ramdas. "Sit at your feet," came the prompt reply from Shivaji. "Well then," said the saint, consider Shri Ram as the king of this kingdom and you rule here as his vice-regent." Shivaji prostrated himself before his preceptor and thereafter ruled in the spirit dictated to him by Ramdas. Shivaji has been credited with being the author of several mean and atrocious acts. It would be beyond the scope of this book to enter into any detailed examination of what Shivaji actually was. But it would be difficult to admit that he was a Vaishnava, a true disciple of Ramdas and a selfless devotee of high character: all these undoubtedly he was—and at the same time to agree to ascribe to him all those vices which we are asked to associate with his name. That however is a ground which we had better not tread upon. Ramdas died a year after the death of Shivaji and has left behind his *Dasbodh* which still offers consolation to many a distracted heart.

Absolute reliance on God was what Ramdas preached and practised. So long as a man does not know that the body is destructible and the soul is not so long he cannot have the power to withstand troubles or to do the right. According to him self-surrender constituted the chief form of devotion to the Lord. Ramdas was not in favour of the *shringar* form of worship prevalent among the Vaishnavas.

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He advised his followers to insist on good character and on meritorious acts. Duty should be synonymous with religion. A king has his duties to perform so has a saint. The former should protect his kingdom, do good to his subjects and work for the improvement of his empire while the latter should instruct his disciples, help those who seek his assistance and toil for the betterment of the lot of the people of the world. Similarly other occupations in life had other duties to perform, and it was this performance of duty coupled with a strong sense of reliance on God that characterised the teachings of the *Guru* of Shivaji.

**Tukaram.**—Another great religious reformer of the Maharashtra who had some influence over Shivaji was Tukaram. Born of Sudra parents, he rose by dint of his character and austerity, demeanour and devotion to the religious leadership of his age. Early in life he had conceived a devotion for the Lord which began to make him gradually more and more detached from household affairs. His detachment led to the poverty of his family. His first marriage, his subsequent second marriage, the birth of children, the death of his son, his earnings, the poverty of his family : all these produced little attachment for the world in Tukaram. Work and worship do at times go together ; but with Tukaram worship was all predominating. He lived not for himself and his family but for others.

After the death of his first wife he had to incur loans for maintaining his children. In order to pay



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off the debts and to meet his family expenses he started a grain shop out of the proceeds that came to his hands by selling the ornaments of his deceased wife. Unfortunately the shop began to run at a loss. He considered it a sin to sell goods at a cost higher than the cost price. Thus the very key note of business was lost sight of. Then his charity which made no distinction between the deserving and the undeserving knew no bounds. In these circumstances the principal was spent up and he fell into heavy debts again.

When his second wife came to know of the loss she grew quite alarmed and one day said to him, "Lord, you have dedicated yourself at the feet of the Lord to which no one can take exception but surely your generosity to the wicked and the hypocrites kills me. No one has the right of becoming generous by having recourse to taking loans—pray, have pity on your little ones, personally it pains me to appear before others because of the large loans you have incurred. However I shall arrange for money once more, but my prayer is that it may not be wasted this time too." Having said thus she begged pardon of him.

The money was arranged for and Tuka Ram left home with the object of carrying on trade. This time he was a little successful, made some profit and started for his home. But this small gain was not destined to be shared by his family. Seeing a poor Brahman being badly treated in his way, by his creditor, he got moved and secured his liberation

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by paying off his dues and returned home a penniless man.

Now Tuka Ram purposely left home for Alaudi where he came in contact with a farmer who was in search of a care-taker. Tuka Ram gladly consented to his proposal for he thought it to be a bargain without any capital. Unfortunately, this time again, he was not to have the desired fruit. Sitting as a watch over the crops, he would recite poems in praise of his Lord while birds and beasts preyed upon the crops. The explanation that he gave when taken to task for the loss was that when those animals were hungry how could he scare them away. The village *Punches* decided that should the yield of the harvest be less than the previous year's Tuka Ram would be liable for the deficit. But somehow or other the outturn was found to be more which fact in spite of the farmer's attempt to conceal became widely known and the farmer was compelled to give away all the surplus.

Now Tuka Ram returned home and with his savings he performed the marriage of his three daughters. His domestic life again was far from being cordial.

On the death of his son his indifference to worldly objects increased and he reflected thus within himself :—There is no pleasure in this world. I have tried all possible ways of securing happiness but all in vain. The world like the coal produces more dust when rubbed the more and more one longs for the enjoyments of the world, the more he gets away from

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it—Wealth, honour etc. are all transient and unreal. Why then should I hanker after them? These thoughts made him more indifferent to the world and he took to the hills to devote his time in the service of the Lord.

One night he dreamt that an old Brahman blessed him by patting on his head, but Tuka Ram asked him for *ghee*, whereupon that old man posing as a disciple of Raghava Chaitanya and Keshav Chaitanya gave him the *mantra* of “राम कृष्ण हरि” and disappeared. Now he developed his spiritual powers and the power of reciting poems from memory to such an extent that his fame spread far and wide. While singing the name and praise of the Lord (कीर्तन) verses used to flow spontaneously in the height of his ecstasy and that was a sight for the gods to see. Thousands of people used to witness his charming *kirtan* and return home full of joy. The good people took the opportunity of developing their spiritual faculties by mixing with Tuka Ram while the wicked ones never refrained from doing him mischief. But to Tuka Ram pain and pleasure did not alike matter much.

He had produced an exposition of the Vedas, but a famous Pundit of the time Rameshwar Bhatt, told him that he being a Shudra had no right to read the Vedas far less to make commentaries thereon and that by way of expiation the composition should be thrown into the river. Tuka Ram replied that he had done so under instructions from his Lord. The reply did not satisfy the great Pundit

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but thinking that a Brahman's commands must be carried out Tuka Ram threw the book into the river. It is said that the book was found to be floating in the river some thirteen days later and this incident earned for him the reputation of being a great saint.

Having attracted the attention of Shivaji he was requested to go to him. But Tuka Ram refused the invitation saying that he had taken the vow of poverty and he had therefore no attraction for the palace. True, he required food and cloth, but he could secure the former by begging and the latter by utilising the discarded rags found in the streets. Desire consumed one's life and therefore it was that he wanted to keep aloof from the din and bustle of the world.

Tuka Ram died in 1871 of the Saka era. After his death Shivaji got a temple of the Lord constructed in Tuka Ram's native village. He is the author of several devotional songs which are till now widely sung in many Maharashtra homes. The translation of one of these is given below :—

A beggar at Thy door  
Pleading I stand  
Give me an alms, O God  
Love from Thy loving hand.



# Modern Vaishnavism.

## CHAPTER XII.

यं ब्रह्मावरुणेन्द्रमरुतः स्तुन्वन्ति दिव्यैः स्तवैः ।

वेदैः सांगपदक्रमोपनिषदैर्गायन्ति यं सामगाः ॥

ध्यानावस्थिततद्गतेन मनसा पश्यन्ति यं योगिनो !

यस्यान्तं न विदुः सुरासुरगणाः देवाय तस्मै नमः ॥

Salutations to the Lord : whom Brahma, Varun, Indra, Rudra and Marut worship offering divine prayers : Whom psalmists invoke through the Vedas and the Upanishads : Whom Yogis rapt in meditation perceive in their mind : and whom neither the gods nor the demons could fully comprehend.

In modern times Vaishnavism can justly claim to have its adherents all over the country. The Vaishnava, however, is not much of a propagandist ; he is quite content to be counted as a Hindu and is not in earnest to thrust his views on others, believing as he does that all religions lead alike to the same Lord. In fact there is nothing in the dress of the Vaishnava to distinguish him from other Hindus. The symbolical mark on the head is certainly there ; but every Vaishnava does not put it on. As regards food he is quite simple, living on grain, vegetables and fruits that nature has given in plenty. He would not hurt any living being and would much rather die than put others to any inconvenience for his sake

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His drink is cool water and his pleasure the singing of the good qualities of the Lord. Service to mankind is his motto and he has in his heart love even for his enemy. Some Vaishnavas in Bengal do certainly take fish, but that is rather an exception and is done under the belief that the propagation of species would otherwise be impossible in those particular districts.

Vaishnavism is different in the different provinces. In Madras presidency the vast majority are the followers of Ramanuja. They are known as *Acharyas* and are strict in insisting on the observance of the Shastric injunctions. Great emphasis is laid on external purity and considerable importance is attached to the performance of rituals. Food is prepared in a secluded place and is not allowed to be polluted even by the shadow of a Shudra. Caste distinctions are rigidly enforced and women are not admitted into the religious order. The *Acharyas* have their headquarters at Srirangam in the presidency of Madras. But there are a number of *Acharyas* living in northern India and in fact there is a well known preacher of this order residing in Ajodhya. The language of prayer is generally Sanskrit and greater attention is paid to meditation than to prayer. The devotee is directed to keep his attention constantly fixed on the Lord. Purification must precede initiation. The form of the Lord they adore is Shri Lakshmi Narayan.

The principal seat of the followers of Nimbarka is at Brindaban in the United Provinces. They too

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say their prayers in Sanskrit and rigidly observe caste distinctions. They, however, attach greater importance to prayer than to meditation. Krishna playing on flute standing by the side of Radha and with cow, the Braja boys and girls by their side is the picture of the Lord that appeals to them. Madhava's Vishnu has not caught the popular mind very much: but his philosophy and teachings are still read with interest by theologians.

In Bihar and Oudh the Ramanandis very largely predominate. Caste restrictions are freely infringed, rituals are not regarded as necessary and a study of Shastras is not considered essential for a devotee. Ramanand's teachings have penetrated into the lowest strata of society in Oudh and Bihar. Songs and prayers, recitation of *Kathas* and even the chanting of the name of the Lord are more efficacious for a devotee than mere meditation. It is not necessary to know Sanskrit, nor is it essential to worship the Lord in any particular way: all that is required is to chant the name of the Lord and to sing of His qualities in any language and in any manner. As Kabir has rightly put it,

पोथी पढ़ पढ़ जग मुआ पण्डित हुआ न कोय ।

दाई अक्षर "प्रेम" का पढ़ा सो पण्डित होय ॥

Not by reading books does one become a wise man; he who has read the two and a half words of *Prem* (love) has become a wise man. In other words stress is laid on the cultivation of love for the Lord and fellow beings. The Ramanandis have no time to

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count the leaves of the tree or to study the botany of it; they are quite content with eating the fruits thereof. Another feature with the Ramanandis is the deification of the spiritual preceptor and in at least one temple in Ajodhya today the spiritual guide has been accorded a place higher than the Lord. The Ramanandis are to be found even in Madras, in Orissa, and in the Bombay presidency; while in the Punjab and the Central Provinces and in the other half of the United Provinces their number is considerable. The principal seat of this order is at Ajodhya where any number of saints and temples of this school are to be found today.

Ballabh's followers are to be met with in Bengal and Bombay, while the chief seat of the order is at Benares. The exacting care and the close attention that are required of a devotee of this order make it extremely difficult for the ordinary layman to follow the tenets of the school.

The Vaishnavas of the Gouriya school—the followers of Chaitanya—predominate in Bengal and Orissa. The principal seats of this school are Nuddea and Brindābau. The form of the Lord that they adore is that of Krishna sporting with the maids. Radha to them is the perfect type of devotee and it is through her that they hope to reach the Lord. It has been rightly said that a soul is neither male nor female, it can assume any form. To realise God it is essential that the human soul should be made to adopt a female form. In his life of Lord Gouranga, Mr. Ghose says:—"The grand idea that underlies



## MODERN VAISHNAVISM.

the Vaishnava philosophy is that there are two principals in existence, namely (1) the positive male or creative being and (2) the negative female or created being. The positive principal attracts and the negative is attracted. Hence, according to the Vaishnavas the highest form of worship is that in which the devotee spiritually transforms himself into a female, united by pure love with the supreme being, the only male being in existence and Radha is the perfect model of such a worshipper." The form of worship is the chanting of the name of the Lord and singing of emotional songs in His praise and dancing. They go barefooted on public roads singing songs and playing music; and do no doubt create a high religious atmosphere around.

To understand fully the modern trend of Vaishnavism, a detailed knowledge of the work now done at different centres of the different schools is essential. The writer has neither time nor money, neither the capacity nor the will to undertake this stupendous task; but he trusts some earnest Vaishnava writer would some day give the necessary information to the world. The writer, further, realises that no book on Vaishnavism can be complete which does not include a reference to the life and teachings of the prominent Vaishnavas of modern times. He knows only a few of them and if no mention is made in these pages to the leaders of any order he hopes to be excused, as this is due to lack of information and not to any want of proper respect for such personages.

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The leader of the *Acharya*-cult is Shri Totadari Swami. He came to Digha in the district of Patna some years ago to preside over the session of the All-India Chatus-Sampradaya Vaishnava Sammelan. In fact at the time he was making a tour all over the country. He toured by the road with his own party of elephants, horses, palanquin bearers and *Acharyas*. The idea evidently was to undertake the pilgrimage as saints did in olden times and to gather as much information as possible about the people inhabiting the different parts of the country. The Swami had visited Ajodhya and stayed there for about a fortnight. In spite of certain fundamental differences between him and the Vaishnava leaders of Ajodhya, he was well received there and accorded all the honour due to a saint of his eminence. He carried with him a good impression of his visit to the holy city, the birth-place of Shri Ram.

The writer had the privilege of being introduced to the Swami at Digha. The Swami struck him as a very well read person, well versed in Sanskrit religious literature. He discoursed in simple Sanskrit and expressed himself with precision and without delay. He lived a life of strict purity and appeared to be a stern disciplinarian. He spent his time either in meditation or in the study of religious books. He took one meal a day and bathed thrice. When not talking he was observed to be in meditation.

The Swami's was a dedicated life. Though elected president of the Sammelan, he would not sit on the presidential chair himself and placed on it

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a photo of the Lord—in the Lakshmi Narayan form—himself sitting near by, as if acting as the vice-regent of the Lord. That evidently was the highest form of surrender to the Lord; and the Swami's other acts and his discourses also showed that whatever he did, he did for the Lord and on behalf of the Lord. It was no mere chance that had made the Swami renounce the world and don the robe of the *Sadhu*. He had by training and austerities to qualify himself for it. No one who came in contact with him will ever doubt that the Swami was not fully qualified for the great honour that the Vaishnavas did him by electing him to preside at the *Sammelan*. Such an individual would do honour to any religion to which he belongs. In the subsequent chapters some of the other Vaishnava leaders the writer has come across are described.



# Some Others.

## CHAPTER XIII.

त्यज दुर्जन संसर्गं भज साधु समागमम् ।  
कुरु पुण्यमहोपात्रं स्मरन्तित्यमन्तित्यताम् ॥

Shun the company of the evil; associate with the virtuous. Do good acts day and night, ever remembering that life is transient.

It was Carlyle who said :—“No sadder proof can be given by a man of his own littleness than disbelief in great man.” Yet nothing is more common than such disbelief. To know a great man in the field of religion is extremely difficult. There is no University which can decide the relative merits of saints, nor is there any uniform standard by which their greatness may be judged. The English writer George Eliot has thus defined a saint in his *Silas Mariner* :—“In old days there were angels who came and took men by the hand and led them away from the city of destruction. We see no white-winged angels now. But yet men are led away from threatening destruction, a hand is put into theirs, which leads them forth gently towards a calm and bright land, so that they look no more backwards.” That is a right conception of a saint

The first person of this description that the

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writer came across was the renowned Kurra Shah Sahib of Patna City. It was in 1910 that at the earnest entreaties of a friend the writer drove up to Patna City to meet him. The sight of this man sitting in a small room six feet square, filled up three feet high with earthen pots containing the daintiest sweets and the nightsoil of the man side by side and one over another, at once attracted me. Here was a man who had cast to the winds all rules of sanitation and health. One cubit square was all the place his body occupied; never for over thirty years had he left the spot even for a minute. A questioner had only to stand before him and to ask his question mentally and the reply would be given in clear and unambiguous words. I stood at a distance thinking within myself whether it was not better to belong to one religion than to another. Sweetly did he beckon me close to him and tell me: "Do not renounce the religion of your forefathers. One path is as good as another." I could not venture to put him any further questions that day.

But I felt attracted towards him. What was there common between him and me.—I, who prided myself on my modern education, I, who measured success in the language of *£ s d*, I, a student of Bentham and Mill and this poor, illiterate, shrunken, unpolished and dirty *faqir*? Why should I be attracted to him? Several times did I put that question to myself, but could not get a satisfactory reply. Here was a man who had controlled and nearly killed his flesh and there before him I stood,

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I, who was the very slave of the flesh and of all that it represents. Yet there was the attraction which deepened as days passed by. I became a frequent visitor to his abode. His society gave me peace; his words restored contentment. I had just begun to love him and he to like me when towards the end of 1911 he was suddenly called away from the world.

Another such personage I have come across is Baba Gomtidas of Hanumat Nivas, Ajodhya. He has a very large number of disciples all over Bihar as well as in some of the districts of Oudh. He is the spiritual guide of a large number of educated Vaishnavas of this province. I met him for the first time about two decades ago at Ajodhya, which place he has never been known to go out of even for a day. His is indeed a striking personality: tall and stalwart, active with a flowing beard and penetrating eyes. When I saw him first he had clearly overstepped his three score years and ten. He was living only on fruit diet and that too taken once at dead of night. Thrice he bathed and spent his time entirely in prayers and worship. His one desire is how to do good to those who go to him. At his residence Hanumat Nivas any one is welcome to take his meals and it is a sight to see the old man tenderly supervising the service at dinners. He has a remedy for every disease, a charm to dispel every evil spirit and a solace for every distressed heart: and that remedy, that charm and that solace is but the name of the Lord. Go on chanting the name of the Lord as much as you can and all your desires will be fulfilled:

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that is the substance of all his teachings. He takes pleasure in serving others. All his houses are placed freely at the disposal of those who go to him; food is supplied free and even monetary assistance is often rendered. Still his income is considerable and he is never known to have experienced any difficulty in running the large establishment at the Hanumat Nivas.

Another great Vaishnava saint that I had the privilege of meeting was Thakur Harnath Bando-padhyay, popularly known as *Pagal* Harnath. Born on the 3rd of July 1865 at Sonamukhi, a small town in the Bankura district of Bengal, he read up to the B. A. class and then took service in the Kashmir State. After a short time he resigned and gave himself up entirely to the worship of the Lord. He remained a householder all his life and was never known to have renounced the world. He was a great believer in the efficacy of the Lord's name. Said he: "There is no unholy object in the world. Should there be any, it becomes the holiest of the holy by contact with the Lords' name. Hence always remain absorbed in his name even when you are sleeping or dreaming...The power of name is such that it cures one of all his worldly trouble." In another letter he said:—"Calmly go on taking his name, you will see that you will fully attain all joy and peace in no time."

I met him once when he visited Patna. I met him thrice again. There was nothing of a *Sadhū* outwardly in him. An ordinary *dhoti* with a coat

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was all his dress. The greatness in the man, however, was patent to any close observer. He was all humility. Addressing others as father, he was verily innocent as a lamb. I remember when walking to the railway station once by his side, I put a question to him and the reply came forthwith from him :—“It is not a saint that grants your request. The store room is one and the store keeper too is one. Because a certain article is issued out of the store room at the instance of one saint, do not you imagine that it is he who is giving it to you. One saint thus is as good as another, and it is a mistake to run from one saint to another merely to obtain a worldly object.” The question asked was whether one should not go to another saint for the attainment of a worldly object if he did not get it through one saint. When I met him for the last time, he did me the honour of coming over to my house and very kindly invited me to Sonamukhi. Unfortunately I could not go there. He was a follower of Chaitanya and the form of the Lord that appealed to him was that of Radha Krishna. In one letter he says :—“Perhaps you are feeling quite out of sort for Krishna is not in your bower today. Drawn by the attractions of a more ardent devotee elsewhere, He has perhaps left you to go over to His new haunt of enjoyment. You cannot help it. He has many devotees and is bound to bestow his attention upon each in turn. He is dearer than life to all created objects, movable and immovable and they all want Him. He will never forget you.”



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One Bihar Vaishnava whom I would specially like to mention here is Shri Ramaji. He was born in the month of Chait in 1867 at a village near Siwan in the district of Saran. He began his education in his 12th year and for six years continued to be a good student. He was initiated as a disciple of Baba Bhisamdas, a well-known saint of Bakerganj in Patna. Since that time service to his spiritual guide and service to the Lord began to occupy the greater portion of his time. All efforts to ween him away from his new line of work were of no avail and at last it was decided to take him away from Patna. He closed his school books and entered the office of the Railway Audit department at Gorakhpur. Here he worked very well and soon attracted the attention of his superior officers by his hard and careful work. He was found always at his table dealing with files and during office hours never left his chair for any length of time. His mornings and evenings he devoted entirely to prayer and to the reading of the Tulsidas Ramayan. One day while returning from office his office peon accompanied him and during the course of conversation it transpired that the peon was a Brahman. So he has been taking work from a Brahman! This very idea was revolting to him. He forthwith wrote out and submitted his resignation. His officer sent for him and after learning the reason of his resignation told him that such incidents could not be avoided in service. "Then I shall no longer serve," came the straight reply from him.

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Ramaji's life of usefulness began after that. He went about from village to village preaching the gospel of love of God. He established Sankirtan Samajes in quite a number of villages in his subdivision and in other places. He wrought a great reform in the areas in which he worked; people gave up meat and drink by coming in contact with him. In the sphere of social reform too he was a prominent figure. He discouraged taking of *Tilak* in marriages and insisted on simplicity in food and dress.

The form of the Lord that he worshipped was Shri Sita Ram—not the King and Queen, not the child Ram, but the bridegroom Ram and the bride Sita. The marriage time picture of the Lord, clad in yellow, sitting under the yellow *mandap* (pavilion) with Shri Sitaji robed in regal bridal dress sitting by His side, very much appealed to him and threw him in fits of ecstasy. Over and over again he would have the scene enacted. Wherever he went his friends and admirers arranged for it, knowing full well that it was this picture of the Lord that he adored and worshipped. It was at his instance that this *lila* had become a regular feature of the Sankirtan Sammelan held every year at some place or other in Bihar or the United Provinces. I have witnessed some of these performances and can say that Ramaji was so enamoured of the picture that even when ill he would forget his illness and begin to dance and sing whenever he beheld the bridal pair. Once he was down with asthma accompanied by fever

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and had been asked by his medical advisers not to leave his room. One of his admirers had, however, arranged for the performance and on the date fixed his illness grew worse. At his request the performance, however, was not postponed. As it was being performed Shri Ramaji entreated one of his admirers to take him to the *mandap*, undertaking to remain a mere passive spectator. Two of his admirers brought him there. But the very sight of the bridal pair galvanised him into activity. He forgot his asthma, he discarded the advice of his attendants, he threw off the wrapper that was covering him, and up he rose and the next moment he was dancing and singing the praise of Lord. He continued thus for a quarter of an hour and all efforts to make him sit down were of no avail. At last it was decided to rush through the programme. A little later Shri Ramaji was removed to his residence. He died on 30th April 1928.



# Ramballabha.

## CHAPTER XIV.

शान्तं सर्वगतिं सूक्ष्मं परब्रह्मो सनातनम् ।  
राजीव लोचनं रामं प्रणमामि जगत्पतिम् ॥

Salutations to the Lord of the Universe, the all-pervading, eternal, Lord of all lords, Ram of the lotus eyes, the giver of all peace and happiness.

Undoubtedly the greatest moral force in the Vaishnava world of northern India at the present time is Shri Pandit Ramballabha Sharan of Janki Ghat, Ajodhya. Great as a scholar, greater as a man of unimpeachable character, unaffected by favour or frown, undisturbed by vilification, unelated by adulation, alike in his treatment towards the rich as well as the poor, he is every inch of him a saint. His vast learning has no touch of pride in it; his unassuming civility knows no distinction of faith; his sweet temper is not hid under the bushel of admiration and his deep humility is intended for all. All these leave an indelible impression on those who meet him and easily mark him out as one of the greatest living saints.

Born on Friday, the 13th day of the dark half of Asarh 1918 of the Sambat era, corresponding to the 5th July 1861, at the village Ranhar in the

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Panna State, Bundelkhand, Dhanuḍhari Tewari— for that was the original name of the subject of the sketch—was the son of Shri Ramlal Tewari and Shrimati Ramadevi and the grandson of Shri Gadadhar Prasad Tewari. His education began very early. Even as a child he distinguished himself by his fondness for books. He remained an utter stranger to games, outdoor and indoor, throughout his life. Village gossip had no attraction for him. Scandals he never listened to and indecent jokes he did not tolerate. Either with his books or in worship did he spend his childhood. By the time he was nineteen he had received a thorough grounding in Sanskrit and had read most of the religious literature. At the age of twenty he was initiated into the holy order by Shri Rambachan Das and renamed Ramballabha Sharan—a name by which he has been known since. Thereafter he went from place to place performing pilgrimage. Sometime later he settled at Benares with the object of acquiring more knowledge. While here he visited daily the temple of Vishwanath. It is said that one day he had a dream of Shiva who directed him to go to Ajodhya. "But I have not yet completed my education," replied Ramballabha Sharan. "You have; and you had now better go and teach others from Ajodhya." A few days later he met a Vaishnava of the name of Harihardas, who escorted him to Ajodhya.

For over forty six years he has been living at Ajodhya, training the *Sadhus* and raising the tone

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of their morality. From day to day he has been preaching them how a *Sadhu* should live, what he should and what he should not avoid. Through him many have learnt reading, many can write and all have now before them a high ideal of life in Ajodhya. A reform to be effective must come from within and no amount of outside influence can effect any reform among the *Sadhus* of Ajodhya. The subject of this sketch does not resort to the cane or to social boycott; his methods are simpler as his remedies are more efficacious. He creates a higher and nobler atmosphere and by daily hammering at the subject succeeds in bringing about a change in the outlook of the person. In this way his reforms are lasting and the reformed beings do not go back to their old habits.

It is a very strenuous life he is leading. His day begins at 3 a. m. with prayers and recitations. Before sunrise he finishes his ablutions and bath and remains absorbed in his worship till 8-30 a. m. *Arti* follows with prayers and distribution of *balbhog*. At 10 he comes out and mixes with his disciples and visitors. Another bath at noon is followed by *arti* and *vajbhog*. Thereafter he devotes about two to three hours to private studies or to giving lessons to *Sadhus*. A third bath at 3 p. m. and then he proceeds to the pavilion erected by Baba Manni Ram to recite his *Katha*, along with which he gives general advice to the *Sadhus* how to improve themselves and make themselves generally useful. He returns after dusk to his house and talks freely to

## RAMBALLABHA.

his visitors for about two to three hours. Prayers and *arti* close the day's work at 10 p. m.

Ramballabha Sharan is a scholar. He is a recognised authority on the Vaishnava religion. It is a pleasure to listen to his elucidation of a difficult Sanskrit text or to his commentaries on a standard work. He has been connected with several religious newspapers and magazines. Once while he was staying with the writer, a renowned Sanskrit scholar wanted to see him. The writer introduced the scholar to the saint. The meeting of these two great men was indeed a sight. The conversation began in Sanskrit and lasted for over half an hour. On the one hand was a deeply religious man, on the other was an atheist, here a worshipper through forms and there before him sat a confirmed iconoclast, here again was a man ignorant of the English alphabets and there before him was a Master of Arts: but the conversation was a singularly interesting one without any exhibition of temper from either side. The scholar who prided himself upon his ability to scoff evidently departed with a feeling of admiration for the saint. It would be idle to expect such a great scholar to become a convert at the very first meeting, but there is no doubt that the admiration was genuine, for in the end the saint was invited to honour—aye, 'honour'—the scholar's residence with his visit.

Ramballabha Sharan is admittedly a saint. His mission in life is to improve the men who have taken to the holy order. This mission he has been

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silently carrying out. Though a *Sādhu* he has been a strict disciplinarian and in his own monastery every individual knows his duty and willingly performs it. He is the life-president of the northern India Vaishnava organisation known by the name of the All India Harinamjas Sankirtan Sammelan—founded by his fellow-devotee Rupkala. This organisation was intended to be the common meeting place of all Vaishnavas in northern India. It has held a number of annual sittings, one of them being at Ajodhya, another at Allahabad and the rest in some town or other of Bihar. A few years later the *Bibah utsava* celebrations were added to the Sammelan at the instance of the late Ramaji.

It is not money that he wants of a devotee, it is not position which determines the quantity of his favour, it is a sincere heart that he appreciates. At Patna, for instance, where there are any number of rich disciples or admirers of his, he is known to stay generally with two of the most ordinary persons. Even a nod from him made in certain directions could secure thousands; but he has not allowed any pecuniary consideration to weigh with him, nor has he bestowed any special favours on anyone for mere money.

His is an absolute surrender to the Lord. At the time of initiation the sermon that he preaches lays special stress on self-surrender. "It is a new life that you are entering upon to-day," he would say to the initiated. "The Lord from to-day is all in all to you. Forget your past and try to build up



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your future on absolute reliance on the Lord. Whatever you undertake, you do it for Him. Live a pure life, pure in body and mind—so that it may serve as a temple of the Lord. That great Lord is Ram and unto Him wend your way, for He alone can pardon you, He alone can reform you and He alone can draw you towards Himself.” His disciples are spread over the whole of northern India. A ruling prince of the Bombay presidency, a professor of Ajmere, a rich merchant of the Central Provinces, a number of educated people in these provinces and Bengal, while a very large number of persons in Bihar and the United Provinces claim him as their spiritual guide.

What absolute reliance on the Lord can achieve is sufficiently illustrated in his own case. When he came to Ajodhya he owned but a few books, a bowl and a pair of cloth pieces. His greatness and still more his goodness could not remain hidden for long from those he came in contact with. The honour shown to him excited envy and very soon he was left off to find a habitation for himself. In but a few years a small house had been built for him. He now owns a number of houses and a fine garden house on the banks of the Sarju river in which stands a temple dedicated to that greatest devotee of the Lord, Shri Hanumanji—the symbol of strength and energy, the embodiment of self-surrender and perfect abnegation and the idol of all true lovers of the Lord. Though owner of such properties, the guide of many a rich and distinguished personage, the

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adored of a large number of devotees, he still remains the same simple Ramballabha that he was about four decades ago.

To him the Lord is the master and he the servant. Service thus to him is so very dear. He must serve Him and improve the service that others render to him. Service to the Lord implies service to mankind and for this service the most qualified are those who take the vow of serving the Lord. That is why a reformed *Sadhuhood* is necessary for the regeneration of the people. The same view was held by the Maharashtra saint Ramdas, and the same today is the view of Ramballabha. Once the Hindu society has an educated and morally upright band of *Sadhus*, regeneration cannot for long be delayed. Ramballabha addresses himself either to the *Sadhus* or to educated people, for it is these classes which can give the right lead to the masses.

His is one of the most towering personalities in Ajodhya to-day, towering alike by his learning and his devotion, by his character and his demeanour, by his service and his sermons. His life is one long illustration of surrender to the Lord, of service to mankind and of great self-abnegation. May he live long to set the wanderers on the right path, to help those who seek his help and to offer consolation to those who need it: is the heartfelt prayer of one who claims to have the privilege of being one of his men and who has not often looked up to him in vain for his advancement in this world and for progress in spiritual matters!

# Rupkala.

## CHAPTER XV.

उद्धवस्थितिसंहारकारिणीं क्लेशहारिणीं ।

सर्वत्रेयस्करिणीं सीतां नतोऽहं रामवल्लभाम् ॥

Salutations to Sita—the beloved of Ram—the Creator, Preserver and Destroyer of the Universe, the reliever of all pain and the fountain-head of all happiness.

Perhaps the one person who has conformed most to my ideal of a saint in modern times is His Holiness Shri Sita Ram Sharan Bhagwan Prasad popularly known as Rupkala. He is in several respects the most popular and the greatest saint in Ajodhya at present. For the last thirty six years he has been living at Ajodhya: a life dedicated to the Lord and devoted to the service of his fellowmen, a life that by its example is a beaconlight to many a wayward farer on this earth, a life that has wrought so great an influence on the rising youngmen of Oudh and Bihar.

Rupkala first saw the light of day on Thursday the 9th in the dark half of the month of Sravan 1897, corresponding to the 23rd July 1840, at a village in the district of Saran. His early years were spent in Allahabad and at Chapra. By his tenth year his father—Munshi Tapaswi Ram—had taught him to

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read the Ramayan and the Vinay Patrika of Tulsidas. In his eleventh year he was admitted into a middle vernacular school, from where he passed on to the Chupra school. While he was a student of the Matriculation class he wrote a book in Hindi which attracted the attention of that celebrated orientalist, Dr. Fallon, who was then the Inspector of Schools of Bihar.

Dr. Fallon appointed Bupkala a Sub-Inspector of schools. He was at first posted to Patna and he put on the official harness on the 4th August 1863. In less than a year he rose from Rs. 30 to Rs. 50 and in the course of another year he was appointed to officiate as Deputy Inspector of schools in-charge of the Shahabad district. He rose from one rank to another till towards the end of the 29th year of his service, he was in the grade of Rs. 300. In whatever post he was, his officers were always satisfied with his work. He imparted to it a zeal and devotion to duty that extorted the admiration of all those he came in contact with. He retired in 1893 and for the last thirty six years has been in receipt of a pension of Rs. 146.

His Holiness is the author of a number of books in Hindi. His earliest books were about the care of the body. After his retirement he has published a commentary on Chapter XII of the Bhagwat Gita extending to over 300 pages, life of Pipa, a book on *Bhavana Ashtajam*, a prayer book which has now run into four editions, a pamphlet on *Kal* and a life of Mira Bai. But the greatest work of his is the

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commentry on the Bhaktamal of Nabha. His Holiness is entitled to the gratitude of the Hindi-reading public for his very lucid commentry, but for which Nabha would have remained a sealed book inspite of the endeavours of his disciple Priyadas.

But how is it that His Holiness has acquired so much influence over any number of educated persons residing in Bihar and Oudh? There are a number of libraries named after him; several Sankirtan Samajes regard him as their patron saint, a few of his followers have named their houses after him and quite recently a bathing *ghat* with a building has been constructed on the banks of the Sarju river at Ajodhya in commemoration of his name. The celebration of his birthday anniversary has become a common annual feature in several of the towns in Bihar and Oudh and in some homes at least he is worshipped as a deity.

What is there particular about him that entitles him to all this honour? He is not certainly the founder of a new religion, the propagator of a new cult. He is a Vaishnava—the follower of a religion that has existed since time immemorial. He claims to be an humble devotee of the Shri Ram school with a distinct leaning towards the Chaitanya form of worship and prayer. He does not pretend to cure an ailment by mere touch; he frankly disavows any power of bestowing children on anyone at his sweet biddings; he has never claimed that his blessings confer desired objects on anyone. He does not make any such claims

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Does his claim to leadership rest on his authorship? He has written a number of books and some of these have been admitted to be scholarly. His *Bhaktamal* has earned the encomiums of great Hindi scholars. But there are better Hindi writers and authors.

Does he owe his respect to his masterly dissertations or to his powers as a controversialist? It is singular that he does not engage himself in any dissertation on the respective merits of different religions. The Lord cannot be the monopoly of any religion or language or country. The path to attain him cannot thus be one only; nor can there be an universal language for prayer. The simple villager prattling his prayer in rustic Bhojpuri can as easily attain the Lord as the scholarly Pandit reciting his Vedic hymns or the polished gentleman delighting in drawing room manners of giving expression to his views. It would be suicidal to all accepted conceptions of God to treat Him as having a preference for the Hebrew, the Arabic or the Sanskrit language. No more reasonable would it be to believe that He can live in a church and not in a temple or mosque or even in a private habitation. But certainly absurd it would be to describe Him as incapable of entering any structural habitation or unfit to understand a prayer addressed to him in any but the Sanskrit language. To His Holiness these are self-evident truths and require no elucidation. His favorite subject for discussion is the love of the Lord and in no other subject can he be drawn to take any

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interest. Still then do educated people flock to him.

Has his life anything to do with his popularity? He has been a good householder, obedient to his parents, devoted to his wife and child, respectful to his elderly relations and loving to his younger relations. Diligent as a student, conscientious as an officer, faithful to his superior officers, considerate towards his subordinates, ever loyal to Government: his life has no doubt been well led. But this does not constitute his title to greatness.

What then is there particular about him? The reply is his religion, for he is nothing if not religious. That religion is Love and Service. As a friend and fellow-devotee, Mr. Raghbir Narayan has aptly sung of him:—

Love has been his hope and solace ;  
Love has been his ruling star ;  
Love will place him by his Loved One,  
High in heavenly realms afar !

Love God is his motto. Love God—is inscribed on all letters that he sends out. Love God—is written on placards hung up in his room. His greatness is his love; his weakness too is love. It is not mere verbal love. It is a love that he has realised, that he is living up to. His love is real. It is the love of an innocent maid for her lord and benefactor. It is the love of a Hindu wife for her husband. It is a love so sincere that the lover cannot think of living without the beloved.

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To His Holiness, Love is God and God is love. All is love. Wherever he turns his face it is all love, as indeed it is all the Lord. He began his religious life by loving. Love for the lesser paled before love for the greater; love for the individual was merged in the love for the society; and thus he went on till love for the fleeting turned into love for the Lord. He never asks those who go to him to begin by renouncing the world, his advice is to begin by loving—love, love the highest and the best. Naturally after sometime the love for the lesser falls off. Look at a Juliet or a Laili. What becomes of her love for her parents, her other relations, her hearth and home? All that love is consumed and burned up by the love for her lover. That is an everyday occurrence.

Who else deserves to be loved so passionately? Love your husband? The moment his body becomes cold, you will be afraid to kiss him, and what once lay in your arms will either be buried or burned. Love you father? Possibly the very moment he dies, you will be looking into the Bank pass book. Love your son? The darling of your lap will immediately after death be reposing under dull cold earth. Love your friend? If treachery or ingratitude does not separate you, death will surely do so someday. Love gold? The thief or the robber runs away with it and you die of a broken heart. Why then waste your love on an object that is perishable? Why love only to be disappointed or sorrowful? Love Him who is eternal: Him who



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will never disappoint or betray you. It is He alone who possesses all the three attributes necessary for doing good to others; these are power, knowledge and goodness. There is none more powerful than the Lord. There is none who knows your requirements more thoroughly than He. There is none more merciful and good than He. That is why His Holiness would have us love the Lord so passionately.

His Lord is Shri Sita Ram—a tri-coloured picture of whom is to be found in this book. He hopes to attain to Shri Ram through the merciful intercession of Shri Sita. His position is thus of a maid of Shri Sita. The one exclamation that he is heard often to make is सिया जी बेरी हूँ आस तेहारी (Shri Sitaji, I am your maid and my hopes are in you). It is with the heart of a woman that he hopes to attain his Lord—a heart guileless, tender and loving. He is convinced that for loving the Lord sincerely you must be woman in heart even though you be the manliest of mortals. But this conviction does not lead to dogmatism. There are among those who go to him any number of persons whose love is that of the son towards the father, a brother towards his brother and so forth. His Holiness has never insisted upon any particular relationship with the Lord. All that he impresses upon his visitors is to love the Lord in the sense that we love another human being or ourselves.

Serve mankind—is another of the important principles of his religious philosophy. Serve God, serve your brethren and serve yourself. The greatest

## VAISHNAVISM.

service to the self consists in the development of the power of resistance and of bearing hardships. Cherish those hearts that hate you. Service to mankind should not be discriminative. Every being whether belonging to this religion or that, whether living in one country or another should receive our service. In a telegram to the Hon'ble Sir Jwala Prasad of the Patna High Court, His Holiness said:—"Let it be ours to do service" That shows not only the consecrated life that he is living but also the very great importance he attaches to service. If you cannot love God, begin by loving your fellow beings. Service to God is but service to mankind and to the other creations of His.

This is the sort of universal religion that he preaches. His universal religion is however, not a matter of external induction, a mere cant for the unsophisticated, but that which he has fully realised in life and showed to those who have cared for it—even as a chemical process is shown to students of science in the halls of laboratory. He has never thought of converting any one and has never tried to establish a church or sect or to become the founder of a cult, like some people who have made such attempts with high pontifical air even in the name of universal religion. He is what Socrates would have called the midwife of men's thoughts. He has the greatest respect for individuality: he takes a man where he finds him and helps him to rise higher by directions suited to his nature and capacities. Behold him talking to a Muhammadan quoting all

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along from Persian poets ! Behold him talking to a youngster, regaling him with instructive stories ! Behold him talking to an English educated man, supporting his views on logical grounds ! Behold him again when he is talking to a Sanskrit scholar ! Then will the greatness of the saint, the universal nature of his teachings be apparent.

Constant remembrance of the Lord is necessary for a devotee. But it is difficult to keep the mind tied on to any one particular subject for any length of time. Yet this is essential if the remembrance is to be constant. His Holiness has written a book entitled Shri Sita Ram Manaspuja which gives in detail the method to achieve this end. If this is followed the mind can be kept engaged in the service of the Lord. In this way will grow a longing for the company of the Lord and a detachment from the worldly objects. For meditation of the Lord it is necessary to have some image of Him, either physical or mental. One cannot for long fix his mind, much less his affections on a mental nothing. It can well be doubted whether there can be any such thing as a mental nothing. It is characteristic of the mind always to have some image, some shape, some form before it. An absolute blank mentally is an impossibility. To love, one should have some mental image. In order that the love should be intense the image should be constant and not ever-changing. It is with a view to make the task less difficult that physical forms are prescribed. It is because the uneducated cannot readily grasp the mental form

## VAISHNAVISM.

that physical forms of worship have been prescribed. This form in the case of an individual should be constant. It is impossible to picture the Lord as Sita Ram today and Radha Krishna tomorrow and Lakshmi Narayan the third day and still to have love for Him. Not that you should hate any one not believing as you do. A true wife does not hate the son of her Lord, not his brother, not his father, not yet his servants for they serve the same lord in a different manner. Similarly with a devotee. He is so full of love for the Lord that he cannot but love His whole creation.

Rush not too early to the forests. Rush not to the forests at all, if you can help it. A wider field of work extends before you among your fellowmen. Arm yourself well and equip yourself thoroughly for that work, before you venture to take it up. If you are not sufficiently armed your place is in the forests and not in the midst of the temptations of the world. But it is not always in forests that a man learns how well to arm himself. Flying from a place of temptation is not the only means of learning to resist it. Ignorance of a thing does not invariably imply dislike for it. One who has not known a temptation is more likely to succumb to it when it comes to him. It is therefore that for the generality of men a life like the one His Holiness has led is the ideal one in the present age.

His Holiness is living in an atmosphere that he has created, around himself. It is an atmosphere of pure, unselfish love—the love of an innocent maid.

## RUPKALA.

It is a love so sincere that no words can describe it, no canvas can paint it and no music can depict it. That sort of love transcends everything worldly; it soars higher and purifies the surroundings; it ennobles all those who behold it; it is a personified ideal that deserves to be emulated, to be adored, to be worshipped. For, once in his company there is hope even for the sinner, solace even for the distressed and peace of mind even for the distracted. That is why Rupkala is being deified today in those families whose members have discovered the true greatness of this saint of Ajodhya.

THE END.

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A TWELFTH-CENTURY FALDSTOOL

From the early twelfth-century Vatican MS. Lat. 4939  
containing Beneventan Annals



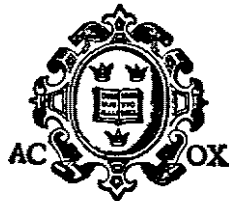
*S. P. E.*  
*TRACT No. XXXII*

THE  
B.B.C.'s RECOMMENDATIONS  
FOR PRONOUNCING DOUBTFUL  
WORDS

Reissued with Criticisms

Edited by

ROBERT BRIDGES



*At the Clarendon Press*  
MDCCCXXIX

**Printed in Great Britain**

## PLATES

A Twelfth-century Faldstool . . . . *Frontispiece*

From the early twelfth-century Vatican MS. Lat. 4939  
containing Beneventan Annals.

A Fourteenth-century Faldstool. The Enthronement Chair in York Minster . . . . *To face p. 380*

Reproduced by kind permission of the Rev. Chancellor  
Austen and the Editor of *Old Furniture*.

## ON THE SCHEME AND CONTENTS OF THIS TRACT

IN a previous Tract, 'The Society's Work', in which we declared the means by which our activities might reach the public, we noticed the new influence of Broadcasting, which has sprung up as a sort of rival to journalism; speech *v.* spelling. We recognized it at once as a new and strong ally which would affect practice, and it has not disappointed our expectations. The Broadcasting authorities soon found their Announcers in doubt concerning the pronunciation of many words that they were obliged to use. It was not that they could not pronounce them or were unaccustomed to them, but they were aware of alternative pronunciations, in the presence of which they were not confident of their own, and rightly wished to be in order. This is like the difficulty about spelling that besets Editors, who, producing work for the public eye, have to instruct their printers to observe certain fashions of orthography. The action taken by the B.B.C. is described in Prof. Lloyd James's able preface to their paper on 'Broadcast English',<sup>1</sup> which is incorporated in this Tract: from which the reader will see that the pronunciations recommended to their Announcers were extorted to meet a practical difficulty, and not advanced as authoritative final decisions of etymological correctness. But though concession to common use was necessary, the whole procedure was on the scientific lines which our Society has always advocated.

In that same Tract XXI, referred to above,<sup>2</sup> we wrote:

'Our first and most essential tenet was to have a popular and not an academic constitution; to proceed that is by inquiry and discussion rather than by authority. No success can be looked for without the goodwill of the public, whose goodwill can only be won by reasonable persuasion. Principles must be demonstrated to common-sense and their application logically displayed.'

<sup>1</sup> The Committee, mentioned in the Director's foreword, may seem to be a small body; but though they are the only responsible persons, the table, whenever I attended the meeting, was always a very full one.

<sup>2</sup> It should be noted that we did not consider disputed pronunciation of particular words a subject in which we were primarily interested.

And again, in the preliminary programme of our first Tract (I, p. 11) :

‘We shall therefore not insist on any doubtful or disputable detail as a rule of correctness ; but we shall rely on suggestion, believing that we shall attain the best results, by causing those who lead the fashion to consider the problems and think them out for themselves.’

While then it furthers the object of the B.B.C. Committee to subject their decisions to as wide a criticism as possible, their list of words supplies a most desirable material to work upon. The discrimination of the words that give practical trouble, and the actual definition of their disagreements, is a piece of good fortune which makes a step on to firm ground which could hardly have been arrived at in a simpler way.

Wishing to make the most of this rare opportunity, I found that the B.B.C. welcomed my proposal to deal with their booklet as will be done in this Tract : and in order to obtain independent and weighty opinion I invited the criticism of some of our best speakers, including Lord Balfour (an original member of our Society, whom we may here thank for his valuable and long-continued support and especially for his generous assistance on this occasion), and Earl Russell, who has long been one of our members, and Lord Grey of Fallodon, who also made friendly response to my call ; besides these, Mr. Granville-Barker and Dr. Onions sent me their separate animadversions, making five objectors in all. I call them objectors, but though in one or two cases their objections were strongly expressed they were generally offered as a record of divergent practice and of habitual rather than convinced usage. There would have been more critics if all my invitations had been accepted ; but what was obtained is sufficient to work on. It will here be summarized and displayed with the intention of introducing our readers to the actual problems and principles of their solution.

We beg those who wish to bind up our Tracts to excuse the discontinuous pagination of the B.B.C. paper, for the free gift of which we return our grateful thanks to the Director of the company. Our analysis and remarks will find their place at the end of it.

# BROADCAST ENGLISH

I

RECOMMENDATIONS  
TO ANNOUNCERS REGARDING  
CERTAIN WORDS OF DOUBTFUL  
PRONUNCIATION

With an Introduction

by

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THE BRITISH BROADCASTING  
CORPORATION

Savoy Hill, London, W.C. 2

1928

## *Foreword*

SINCE the earliest days of broadcasting the B.B.C. has recognised a great responsibility towards the problems of spoken English. These are vexed but intriguing. They might have been evaded, leaving both general principles and particular words to chance. Tendencies might have been observed and either reinforced or resisted. As the broadcaster is influential, so also is he open to criticism from every quarter in that he addresses listeners of every degree of education, many of whom are influenced by local vernacular and tradition. There has been no attempt to establish a uniform spoken language, but it seemed desirable to adopt uniformity of principle and uniformity of pronunciation to be observed by Announcers with respect to doubtful words. The policy might be described as that of seeking a common denominator of educated speech.

With this in view, the B.B.C. decided in 1926 to seek expert advice, and was fortunate enough to secure the active co-operation of a Committee under Mr. Robert Bridges, the Poet Laureate, as Chairman, with the following members: Sir Johnstone Forbes-Robertson, Professor Daniel Jones, Mr. A. Lloyd James, Mr. George Bernard Shaw, and Mr. Logan Pearsall Smith. The Committee has held several meetings, as a result of which it has enunciated certain principles for general guidance, and has considered some hundreds of words of which the pronunciation is doubtful. The present pamphlet is the first official publication embodying the findings of the Committee. It remains for me to commend it to the listening public and to thank the Committee for their assistance, and in particular Mr. A. Lloyd James, whose labours as Honorary Secretary have been indefatigable.

J. C. W. REITH,  
*Director-General.*

BRITISH BROADCASTING CORPORATION

BROADCAST ENGLISH

*GENERAL CONSIDERATIONS*

THE language that had its birth in these islands, and was for centuries confined to them, is now more widely spread over the world than any other language; and its history is an epitome of the nation's history. We who speak it, however, are but little concerned with its past; we are responsible, though unconsciously, for its present, and we steadfastly refuse to contemplate its future. In our study of the growth of the Empire we forget that this territorial expansion of our language sowed the seeds of its disintegration. In our review of the social advancement of the nineteenth century, we forget that compulsory education and universal reading have begun to break up our historic dialects, and given to the printed word a degree of authority that it never possessed before. In our outlook upon the future we cherish the delusion that our language will remain as we know it now, the optimistic even seeing in it a future world-language.

It requires a peculiar refinement of the historical sense to see history in our every-day life, and an exercise of the imagination to see in broadcasting a feature of our national life that may have a permanent influence upon our language. It is not improbable that this general dissemination of the spoken word may tend to counteract the disintegrating influences that have hitherto always disturbed the unity of a language when that language has, through the political expansion of a nation, become scattered over an area larger than that which gave it birth.

*STYLES OF SPEECH*

But however indifferent we are to language as a whole, most of us are far from indifferent to our own speech. On the contrary,



it is nowadays considered essential that those who aspire to be regarded as cultured and educated should pay a due regard to the conventions that govern cultured and educated speech. It would appear that this interest in the niceties of our language is more alive now than ever before, and it has been suggested that broadcasting is in some way responsible for this quickening.

We now have a certain type, or rather a carefully chosen band of types of English, broadcast over the length and breadth of our country, so that, although many listeners hear daily a type of speech with which they are familiar, and which they habitually use, many others hear a type that is different from that which they usually hear and use. This in itself is enough to ensure abundant criticism; the man who is familiar with the broadcast pronunciation will be inclined to criticise any discrepancy between it and his own. The man who realises that the pronunciation of the loud-speaker is not his own, and not one that he hears about him in his every-day life, may resent the fact that an alien dialect is inflicted upon him. The one may accuse the broadcast speaker of ignorance or affectation; the other may make a general condemnation of the unfamiliar speech, calling it cockney, or Manchester, or Oxford. There are, for instance, current in modern English many ways of saying the word "dance": they can all be divided into two main classes, viz.:

- (i) those that use the short vowel of "Dan,"
- (ii) those that use the long vowel of "darn."

Speakers who use the first variety often accuse the others of being cockney: those who use the second accuse the others of being provincial. Criticism does not end here, for those members of either group whose precise shade of vowel sound is not to the satisfaction of other members of the same class may be called affected, or uneducated.

The Englishman claims many birthrights, not the least of which is his right to speak his own language as, subject to the good-will of his friends, it pleases him to do; perhaps next in importance

must be ranked his right to think whatever he pleases of any style of speech that is different from his own. Every man is a law unto himself in this matter, having one standard of conduct and one alone—that which he and his fellows invariably do, this being, for that reason, the right thing as far as it concerns him. He dresses like his fellows, and any conspicuous variation in the colour or shape of a garment is usually ridiculed: the style associated with one class, or with one occasion, is not deemed fitting in another class, or upon a different occasion. The kilt is as conspicuous in Piccadilly as the silk hat upon the moors: there are, however, occasions when a black tie is considered suitable by all classes. What is true of dress is in some degree true of speech, for both are governed by local convention and public taste, with a necessary reverence for historical tradition and the original purpose for which they were designed.

Affectation and pedantry are to be found wherever language is spoken; they are not confined to any one local or class variety of speech. The indiscriminate use of *h*, for instance, among some uneducated speakers is a pretension to superiority that may merely amuse us. Such pronunciations as *nevaa*, *faa*, *waaliss*, for *never*, *fire*, *wireless*, will appear an offensive affectation to those who are unacquainted with the class variant of which these pronunciations are so characteristic a feature.

Perhaps it may help us to view this question of taste in language in its proper setting if we realise that it is the same, in its fundamental principle, all the world over. Even in the primitive communities of Africa there are dialects, and it is often a matter of grave concern, when the language has to be written for the first time, and books have to be printed, which particular dialect shall be chosen. The speakers of all but the chosen one will resist the attempt to force upon them and their children a fashion of speech which is not that of their tribe, of their fathers, of the heroes of their legend.

Local pride and prejudice in speech, therefore, are not confined to the more civilised communities; it would appear, however, that the higher a community climbs in the social scale, the greater is the degree of uniformity in the speech. Wherever language is

spoken, there is present in the minds of the speakers the notion that there is a "right way" of speaking it, and the larger the community using the given language, the greater the number of "right ways." Every district will have its "right way"—not that the speakers of that district will think of it as a "right way"; they merely conform to the local way. Every social class will have its "right way," so much so that a man's social class will be more evident from the fashion of his speech than from any other fashion he adopts. So it is with English, and since English is, geographically, the most widely spread language in the world, it follows that the problems common to all languages are more acute here than they are elsewhere. It needs but little imagination to realise that when oral communication with all parts of the English-speaking world becomes, through the wireless medium, a daily event, there will have to be a greater degree of toleration shown towards the language of the loud-speaker than is at present shown by some of its critics. But though we may say that "correct" and "right" are not proper terms to use in these questions of pronunciation, yet there are exceptions; for where the different considerations of propriety, instead of conflicting, all lead to the same conclusion (and that is not uncommon), we may conveniently use the terms right and wrong.

The question of a *standard pronunciation* is bound to arise wherever language is spoken. English has a further question, arising from the absence of any recognised authority in its pronunciation. This is the question of *alternative pronunciations*. The two questions are intricately connected, but we may for convenience examine them separately.

### 1. *Is there a standard dialect of English?*

The listener who writes to the B.B.C. asking why the London announcer pronounces "d a a n c e" for "dance" is, in reality, protesting against having an alien fashion of speech thrust upon him. The listener who complains that the London announcers are obviously affected is registering, in all probability, his protest against having thrust upon him the fashion of speech peculiar to

a class of society, to a locality, or to a type of character, with which he is not in daily touch. Both critics imply that there is a "better way" of speaking than that adopted by the announcers. The listener who writes to ask the "correct way" of pronouncing a word quite evidently assumes that there is a "correct way." In all these queries and criticisms there is implied the idea of a standard pronunciation. We have a standard yard, a standard pound weight, a standard sovereign, and a standard pint. The yard does not vary from Aberdeen to Plymouth, and the pint pot contains as much in Mayfair as in Bethnal Green. Unfortunately speech is not capable of rigid measurement, and there is no standard of pronunciation. Pronunciation varies from district to district, from class to class, from character to character, in proportion to the local, social, or moral difference that separates them. Certain general observations may be made upon this aspect of the question without going into details, e.g. :—

1. There are district variants of speech in every social class, and class variants in every district.
2. Local variants become increasingly unlike one another as we descend the social scale.
3. They become more alike as we ascend.
4. The greater mobility of educated people tends towards the elimination of some of their local peculiarities.
5. The general spread of education tends to bring about the unification of the social variants in all districts.
6. Out of the broad band that comprises all district and class variants, there is emerging a considerably narrower band of variants that have a very great measure of similarity.
7. This narrow band of types has more features in common with Southern English than with Northern English.
8. Those who speak any one variety of the narrow band are recognised as educated speakers throughout the country. They may broadcast without fear of adverse intelligent criticism.

\*

There may be other conclusions, but it is quite evident that we are not entitled to conclude that there is *one* standard pronunciation, *one* and *only one* right way of speaking English. There are varieties that are acceptable throughout the country, and others that are not.

## 2. *Alternative Pronunciations.*

Germany has attempted to lay down certain principles to be followed by actors in the countries where German is spoken: it is obviously desirable that two members of the same cast should, unless it is expressly desired that they should not, speak the same variety of German. The Conservatoire in Paris, with the support of the National Theatres and the State Opera, exercises a control over the style of pronunciation to be used on the stage. In both these countries there is a "right way," or at any rate a very powerful tradition.

In Great Britain there is no such officially inspired authoritative tradition, and consequently our language is particularly rich in alternative pronunciations of equal authority. The B.B.C. has no desire to accept or to dictate any standard of pronunciation other than the current usage of educated speakers. But where there is diversity of opinion among works of reference, and diversity of practice among educated speakers, it is evident that no solution of doubtful questions can be attained that will meet with universal approval. The function of the Advisory Committee on Spoken English is to suggest to the Corporation, for the use of announcers, solutions that shall be in accordance with one accepted usage.

With the question of a standard language, this question of alternative pronunciations is involved, and the relationship between the two questions is best understood by reference to particular cases. Is *dance* to have the long vowel or the short vowel? Speakers of the Northern acceptable varieties favour the short vowel, while Southerners favour the long. Both pronunciations must stand: both are common among educated speakers. It is probable that the Southern variety will prevail, merely

because it is the Southern variety, and is current in the metropolis. There is no standard dialect, but here, as in all communities, the educated speech of the capital starts with a heavy handicap in its favour.

Is *laboratory* to have the accent on the first syllable or on the second? Here there is no question of district variants: the two pronunciations are heard in all parts of the country. This is a question of alternative pronunciations, and, since most of the work of the Advisory Committee is concerned with alternative pronunciations, it will be well to examine very briefly the causes that give rise to these alternatives in our language.

#### VISUAL AND SPOKEN LANGUAGE

To begin with, it must be borne in mind that the language of a modern civilised community embraces the *spoken* or *oral* language, and the *written* or *visual* language. The visual language is generally an attempt to represent by means of visible symbols the sounds of the spoken language. Since it is impossible to make sounds visible, it follows that the relationship between the sounds and the symbols must be a conventional one; furthermore, since the same set of symbols has to serve for all the local and class variants of any given tongue, there will be a variety of conventions. Observance of these conventions is what is known as correct spelling; and, as a general rule, it may be stated that the greater the degree of uniformity prevailing in the conventions of any language, the simpler is its spelling, which is but another way of saying that the language is highly *phonetic*.

The arts of reading and writing are, in essence, nothing more than the understanding and the observance, respectively, of the conventional relationships that exist in language between the sounds used in the spoken language and the symbols used in the written language to represent these sounds. The conventions are necessary because sound and sight are fundamentally different; no system of symbols can ever represent speech adequately or accurately.

Visual languages are of two main kinds, viz.—

- (a) those in which no attempt is made to represent the sounds—Chinese;
- (b) those in which some such attempt is made—English, Greek, Sanskrit.

Languages of the first class require a separate sign for every word; reading and writing are not possible until the beginner has learned some hundreds of signs. It takes a Chinese student many years to learn the thousands of characters he requires in order to read a newspaper.

In languages of the second class an attempt is made to represent the pronunciation by means of letters, each of which is supposed to have a certain value when translated into sound. There are usually more sounds than letters, with the result that the ideal of one sound per letter is seldom attained—unless indeed this happy state prevails in Korean. The same letter may have several values: e.g. the letter “s” stands for the “s” sound in *picks*, for the “z” sound *pigs*, and for the “zh” sound in *measure*. The same sound may be represented in many ways; e.g. the “f” sound is represented by “f” in *feel*, by “ph” in *philosophy*, and by “gh” in *laugh*. A single letter may stand for one or more groups of sounds; thus the letter “x” represents the sounds “ks” in *six*, and the sounds “gz” in *exist*. A single sound may require a group of letters, and the same group of letters may represent several sounds: e.g. the two letters “th” represent one sound in *thick*, another sound in *then*, and yet another sound in *thyme*.

These discrepancies arise from the very simple fact that a language may have more sounds than letters. English uses the Roman alphabet, with certain additions, and has twenty-six letters to do duty for its sounds. Our language comprises at least thirty main essential sounds, for which symbols are indispensable. Unless a language is fortunate enough to have an alphabet that can provide one letter per sound, then there is bound to be established a conventional relationship between some sounds and some symbols. In time the conventions are observed differently by different districts, and variant pronunciations will begin to arise.

No system of symbols, then, can represent a system of sounds without a series of conventions; and it follows, therefore, that the ideally phonetic language does not exist. This truth must have been realised very early, for, although written language starts as an avowed attempt to reproduce the spoken language, it soon abandons the effort, and tends more and more as time goes on to persist unchanged, ceasing to register the very considerable ravages made by time upon the spoken idiom. The havoc wrought upon the sounds of our language before our own time is accepted complacently, but we are all inclined to resist vigorously the inroads that are being made in our own day.

We are thus faced with the additional anomaly that the visual language is not really a picture of the language as it is now, but rather of the language as it was when the visual language began to become popular. In the case of English, we possess in our visual language a picture of what our pronunciation was, in its main features, in the century that immediately succeeded the introduction of printing.\* The further removed we are in time from the date of the popularisation of our visual system, the greater will be the discrepancy between the spoken and the written languages. Tibetan orthography was fixed in the seventh century, and is still current as then fixed, so that a word which appears written as *dbyus* is pronounced "ü." In our own time the word written *plough* is now spoken as *plow*, *rough* is spoken as *ruff*, *cough* as *coff*. What we now see as *dough*, we speak as *dō*, having to make a new word to represent a pronunciation that the letters "dough" once represented. The new word is *duff*. Sound and symbol are by their very nature irreconcilable, and their very nature serves to make them still more irreconcilable as time progresses. Sounds are vague and ethereal things that cannot be crystallised: they arise, in language, from muscular habits of the organs of speech, and change from generation to generation with a constancy in which some scholars have professed to see the regularity of natural law. The inevitable law of spoken language is change, because

\* In English, the main features of our spelling became fixed in the sixteenth century, so that the far-reaching changes in our pronunciation which took place during the next three centuries are, of course, unrecorded in our orthography.—WYLD, *Historical Study of the Mother Tongue*, p. 15.



sound is sound, and because the impression of sound upon the mind is not as enduring as the impression of sight. The equally inevitable law of written language is persistence, because the eye has become accustomed to see, and the hand to make, certain signs in certain orders, and the mind has become accustomed to read them silently with little or no reference to the sounds they were intended to represent. Any alteration of the existing visual language will disturb the smooth working of two processes, reading and writing, that have taken years to bring to perfection. It is conceivable that the two processes would be more easily acquired if there were some attempt to reconsider the conventional relationships existing between sound and symbol; it is possible that if no such reconsideration ever takes place, the discrepancy between spoken and written language will increase with time until the conventions are so numerous that there will be one convention per word, as in modern Chinese. As against this, it is not surprising that there is now a steadily increasing tendency to make the visual language a standard, and to pronounce words, not according to their later acquired pronunciation, but according to their traditional spelling. Whereas the writing was originally designed to represent the sounds, we are now trying to make the sounds conform to the symbols. Thus there has come about a strange inversion of the original processes.

This discrepancy between sound and symbol, then, is a fertile cause of uncertainty in pronunciation. The letters "ei" have one sound in *eight* and another in *receive*. Therefore we may expect uncertainty as to their value in unfamiliar words, e.g. *inveigle*. It is unnecessary to multiply examples, for many of the alternative pronunciations recorded in English dictionaries are examples of this uncertain relationship between sound and symbol.

#### FOREIGN WORDS

Into this chaos of conflicting relationships there must be thrown, according to some, a further convention, namely, a relationship between the value of the symbol in the modern language and the value it had in a classical language. *Cinema* derives from a Greek

word that began with the "k" sound, therefore, it is alleged, the English word must have the "k" sound.\*

The number of people who are familiar with the original phonetic values of these letters is small; and there is often uncertainty as to what these original values really were. In view of the complicated nature of the already existing relationship between sound and symbol in English, it would appear advisable not to add a further complication by this consideration of ancient values. But so long as this consideration is regarded as desirable, it will be a fertile source of alternative pronunciations.

To some extent the same is true of modern foreign languages from which our vocabulary continues to enrich itself. What is to be done with the countless words that come to us from these sources? Are we to keep the foreign pronunciation? Or are we to read the words as though they were English words? This question bristles with difficulties, and little can be said about it here, beyond registering the view that the question is not one to be dismissed in the summary way that is not uncommon. In early days such words were read as English words. French was read as though it were English, and the matter ended there. But since we have begun to learn French and to speak it with some attempt at giving our effort a French sound, it is thought desirable to give French words as near an approximation to their French pronunciation as possible. The approximation is often a poor one, because French sounds are not English sounds, and because the rhythm and accent of French are alien to English. So it comes about that however laudable our intention to preserve the French pronunciation, the result is a collection of those already existing English sounds that most nearly approximate to the French. The only French sound in the average English pronunciation of the word *restaurant* is the "s," which is the same in English and French.

\* About the middle of the last century the classicists made a conscientious effort to "improve" the traditional English pronunciation of words derived from Greek and Latin, by fitting them out with what they thought were the original sounds. The rightness of this procedure was then so little questioned that there was a sort of shamefaced panic among scientists who had not learned the dead languages. The principle involved is now rightly discredited: we preserve one or two acceptable results, but in most cases have to deplore pedantic anomalies. [R. B.]

In the case of other languages less familiar than French, there is usually less attempt to reproduce the native pronunciation, especially when that attempt involves the production of sounds which are usually considered difficult. Most people are aware that the initial consonant in the name *Wagner* sounds like an English "v," and most of us pronounce it as such, because there is a "v" sound in English. *Bach* is less fortunate, for his name contains a sound that English people have forgotten for some centuries how to make; he is therefore frequently called *Baak*. The further afield we travel, the more hopeless becomes the attempt to reproduce the native pronunciation, and he would be a bold man who would recommend that we should adopt the initial sound that the Arab uses in the word *Koran*, or the initial click that the Zulu uses in *Cetewayo*. A language will seldom accept or embody either sounds or rhythms or accents that are alien to those which are its historical heritage. Isolated speakers may use these exotic sounds, but the bulk of the people will reject them.

#### POSITION OF STRESS

There must also be noticed another source of alternative pronunciations with which the Advisory Committee is very much concerned. This is the nature and position of the stress or accent in modern English. Concerning the nature of this stress, little is known beyond the fact that its function is to give prominence to certain syllables; these syllables tend in connected speech to recur at regular intervals of time, this regularity constituting that essential feature of our language, its rhythm. This prominence, which is popularly believed to be due to loudness, may owe its origin to other sources. For example, the syllable may be made prominent by its tone, by its length, or by the quality of the vowel sound it contains. What is important to remember is that any question concerning stress *may* be concerned with length or vowel quality.

As to the position of the stress, English offers an example almost unique in the world of languages, for there is no known principle that governs the incidence of stress. The words *photograph*, *photographer*, *photographic*, have the stress on the first, second and third syllables respectively. Some words, e.g. *convict*, *increase*, are

nouns if the stress falls on the first syllable, and verbs if it falls on the second syllable. We are all agreed as to where the stress falls in many words, e.g. *agree, belong, prominent, independent*. But there is no uniformity with regard to *magazine, apologise*, which differ in the North and South, or with *laboratory, peremptory, gyratory, applicable, indisputable*, and hundreds of others. There would appear to be a popular tendency to place the stress in long words as near to the beginning as possible, with the result that the remaining syllables suffer by the distortion or loss of their vowel sounds. The only disadvantage of this tendency is that the resultant distortion or loss of unstressed vowel sounds frequently brings into awkward contact numbers of consonants, and leads, especially in broadcast speech, to confusion and unintelligibility. *Laboratory* when broadcast with the stress on the first syllable is liable to be heard by a listener as *lavatory*; it is therefore desirable, at any rate in broadcast speech, to avoid throwing the stress too far back. Against this tendency to throw back the stress as far as possible, there is also another principle which is active in determining the accent of polysyllables; that is, the utilitarian principle of keeping the original accent of the root on all its derivatives. This latter principle seems now in favour, driving out older pronunciations, but as it cannot be always observed it will have to win its victories word by word, in the general rub: thus *indisputable* is winning from *indisputable*, because of *dispute*. For an example of anomalies, compare *omniscience* and *omnipotent* with *omnipresence*.

#### RELATIONSHIP BETWEEN STRESS AND SOUND

There remains finally to be mentioned the relationship between the stress and the quality of the vowel sound in English. This may best be understood by considering an example. The vowel in the word *man*, as the word is said usually, possesses a certain acoustic quality and a certain length; if the word is placed in a position where it does not carry what we know as the stress, e.g. *postman*, the quality and length of the vowel are altered. The stressed vowel is different from the unstressed vowel: indeed, as we have said, this difference of itself may constitute no small part

of the nature of the English stress. This difference is not due to any carelessness of speech; it is an inevitable consequence of that very peculiar feature of our language known as the stress or accent. Any attempt to pronounce English, giving to the unstressed vowels the exact quality they possess when stressed, results in a pronunciation that is not recognisable as English. The degree of difference between stressed and unstressed vowels varies in different parts of the country: there is usually less difference in Yorkshire than in London, with the result that, possibly because of the fact that, the rhythm of Yorkshire English is different from that of London English. It is impossible to say which is cause and which is effect.

This modification of the vowel sound of unstressed syllables is a source of much anxiety to those who are concerned with speech. Most of us agree that the final vowels of *singer*, *actor*, *banana*, are the same in sound, although they are differently represented in writing. Some speakers rhyme *palace* with *Paris*, *audible* with *laudable*; others make a difference, being guided by a recollection of the appearance of the words. Speakers who hear unstressed vowels that differ from their own are inclined to be very critical, asking, for example, why *wireless orchestra* is pronounced *wireless orchistra*.

The unstressed vowels in English are working out their own destiny, and it is impossible to predict what the future has in store. One has only to compare the havoc wrought upon unstressed vowels in other languages, *e.g.* French, to realise that in a language that has a strong stress the quality of the stressed vowel is but little guide to the quality of the same vowel when it is unstressed. The Advisory Committee believes that this distortion should be as little as is consistent with the rhythm of Southern English.

#### CONCLUSION

It will be seen that the question of making any decisions upon English pronunciation is not one to be investigated without much thought. The considerations that have been outlined in this introduction are, so to speak, the academic or scholastic back-

ground of the problem, and with these the average educated speaker of the language is rightly not much concerned. But they are the considerations that are ever present in the minds of those who are responsible for the pronunciations recorded in our standard dictionaries.

But dictionaries disagree among themselves, some offering alternatives that others ignore, some giving first choice to one alternative, some to another. If the B.B.C. quotes one standard dictionary, the critic quotes another, and there is no end to argument.

Moreover, dictionaries grow out of date: the Oxford English Dictionary has been some forty years in the making, and its early volumes already need revision. New words appear that are not recorded in the early volumes; new pronunciations of old words arise, and gain so great a measure of currency that they must be admitted into our speech. For it must not be forgotten that a pronunciation is not bound to be "right" merely because it appears in a dictionary: it appears in the dictionary because it *was* "right" in the view of the lexicographer at the time when he made his dictionary.

Most of the words that follow admit of more pronunciations than one; they are all words that have caused difficulty to announcers, or words that have given rise to criticism from listeners. The Advisory Committee on Spoken English has discussed each word on its merit, and it recommends that announcers should use the pronunciations set out below. It is not suggested that these pronunciations are the only "right" ones, and it is not suggested that any special degree of authority attaches to these recommendations. They are recommendations made primarily for the benefit of announcers, to secure some measure of uniformity in the pronunciation of broadcast English, and to provide announcers with some degree of protection against the criticism to which they are, from the nature of their work, peculiarly liable.

The representation in print of pronunciation is always a difficult matter; it is easy when a complicated phonetic alphabet is employed, but such an alphabet requires special types, and is,

moreover, difficult to read. But unless a phonetic alphabet is employed, there must be a lack of consistency and indeed of accuracy. The pronunciations set out below are indicated as simply as possible, and the original spelling is interfered with as little as possible.

The only general convention that has been observed is that the doubling of a vowel letter indicates a long vowel sound, while the doubling of a consonant letter indicates that the previous vowel sound is short.

The long "o" sound, as in *no*, is represented by  $\bar{o}$ ; the sign  $\sim$  is used to denote a short vowel when the doubling of the following consonant is not convenient. The position of the stress is indicated by the mark ' over the stressed syllable.

Where the pronunciation can be shown by a note of explanation, this has been done.

A. LLOYD JAMES.

## LIST OF WORDS

ACCESSORY	stress on 2nd syllable.
ACCOMPLISH	accómplish, not -cum-.
ACETIC	aséetic.
ACOUSTIC	acóostic.
ADHERENT	adhérent.
ADIEU	adéw.
ADULTS	áddults.
AERATED	áy-erated.
AERIAL	(a) noun—1st syllable to be pronounced áir; (b) adjective—ay-érial.
AEROPLANE	áiroplayn; the Committee advises the use of the word <i>airplane</i> .
ALABASTER	stress on 1st syllable.
ALLIES	stress on 2nd syllable.
ALTERCATE	stress on 1st syllable, which is áwl-.
AMATEUR	ámaterr; final syllable rhymes with <i>fur</i> .
ANGLICE	ánglissy.
ANTIQUARY	stress on 1st syllable.
APPARATUS	stress on 3rd syllable, which is pronounced as <i>eight</i> .
APPARENT	appárrent.
APPLICABLE	stress on 1st syllable.
AQUATIC	akwátic; 2nd syllable rhymes with <i>hat</i> .
ARID	árrid.
ARMISTICE	stress on 1st syllable.
ARTISAN	stress on last syllable.



ASPIRANT	stress on 2nd syllable, which is pronounced as <i>spire</i> .
ATE	rhymes with <i>bet</i> , not with <i>bait</i> .
AULD LANG SYNE	<i>Syne</i> is to be pronounced like <i>sign</i> : the <i>s</i> is not to be pronounced <i>z</i> .
AUTOGYRO	awtojýro.
AUTOMOBILE	áwtomobeel.
AZURE	ázhure, <i>a</i> as in <i>hat</i> .
BADE	bad.
BARRAGE	bárraazh.
BASALT	bássolt.
BAS-RELIEF	<i>s</i> sounded.
BEDIZEN	rhymes with <i>horizon</i> .
BIOGRAPHY	by-ógraphy.
BITUMEN	bíttewmen.
BRUIT	as <i>brute</i> .
BUFFET	(a) meaning a blow—búffet; (b) meaning a refreshment bar—as in French.
CAISSON	casóon.
CALIBRE	cálliber.
CAOUTCHOUC	cówchook.
CAPITALIST	stress on 1st syllable.
CASUALTY	cázewalty, not cázhewalty.
CASUIST	cázewist, not cázhewist.
CATHOLIC	vowel in 1st syllable to be short, as in <i>hath</i> , not long, as in Southern form of <i>path</i> .
CELTIC	initial consonant to be pronounced <i>s</i> , not <i>k</i> ; the <i>k</i> pronunciation is general in Wales.
GENOTAPH	sénnotaaf.
CENTENARY	sentéenary.
CENTRIFUGAL	sentríffewgal.
CERAMIC	serámmic.

## BROADCAST ENGLISH

CHAGRIN	(a) noun—shágrin; (b) verb—shagréen.
CHARGÉ	shárzhay.
CHASSIS	shássy.
CHASTISEMENT	stress on 1st syllable; the pronunciation which has the stress on the 2nd syllable (with a long <i>i</i> ) is obsolescent.
CHAUFFEUR	shōfer.
CINEMA	sínnemaa.
COGNISANT	cógnizzant.
COINCIDENTLY	stress on -in-.
COMBAT	cúmbat.
COMBATANT	cúm-.
COMBATTIVENESS	cúm-.
COMMANDANT	stress on last syllable, which is -ánnt, not -ánt.
COMMUNIQUE	comméwnikay.
COMPARABLE	stress on 1st syllable.
COMPLINE	cómplinn.
CONDOLENCE	condólencc.
CONCERTO	conchérto.
CONGENER	cónjener.
CONGRATULATORY	congráttulaytory.
CONJUGAL	stress on 1st syllable.
CONSTABLE	1st syllable to rhyme with <i>bun</i> ; the Scottish family name preserves the pronunciation in which the 1st syllable rhymes with <i>on</i> .
CONSTRUE	stress on 2nd syllable.
CONTEMPLATIVE	cóntemplaytiv.
CONTRALTO	vowel in 2nd syllable to rhyme with <i>shall</i> .
CONTROVERSY	stress on 1st syllable.
CONTUMELY	contéwměly.
COQUETTE	cókétt.
COSTUME	stress on 1st syllable.
COUP	coo.
COURTESY	cúrtesy.

CREDESCENCE	créedence.
CULINARY	kéw-.
CUNEIFORM	to rhyme with <i>uniform</i> .
CURATOR	kewráytor.
DAIL	rhymes with <i>oil</i> .
DAIS	dáy-iss.
DATA	dáyta.
DAUPHIN	dáwfin.
DECADE	dékkad.
DECORUM	decórum.
DECREASE	(a) noun—stress on 1st syllable; (b) verb—stress on 2nd syllable.
DEFICIT	déffissit.
DEPOT	déppō.
DÉSPICABLE	stress on 1st syllable.
DEUTERONOMY	stress on 3rd syllable.
DILATE	dyláte.
DILEMMA	dillémma.
DIOCESES	stress on 1st syllable, which is dy-.
DIOCESAN	stress on 2nd syllable, which is -oss-.
DIRECT	dirréct.
DISCERN	dissúrñ.
DISHEVEL	dish-évv'l.
DISPUTABLE	stress on 2nd syllable.
DISTICH	dístik.
DIVAN	divvánn.
DIVERSE	dyvérsé.
DIVEST	dyvést.
DOCILE	dōsyle.
DOCTRINAL	doctrynal.
DOYEN	dóy-en.
DRASTIC	dráss-, not dráas-.
DYNAST	dínnast.
ELASTIC	eláss-, not eláas-.
ELECTRICITY	1st syllable is ell-, not eel-.

## BROADCAST ENGLISH

ELEEMOSYNARY	ellimmóssinnary.
ELIXIR	ellíxir.
ELOCUTION	1st syllable is ell-, not eel-.
ELONGATE	1st syllable is eel-, not ell-; stress on 1st syllable.
ELUDE	eeléwd.
EMACIATE	emmáyshiyt.
EMANATE	émmanate.
EMANATION	emmanáyshon.
ENCLAVE	énklayv.
ENNUI	ónwee.
ENSEMBLE	onsómbie.
ENTOURAGE	ontooráazh.
ENVELOPE	1st syllable énn-, not ón-.
ENVIRONS	stress on 2nd syllable, which rhymes with <i>sigh</i> .
EPHEMERAL	effémmeral.
EPILOGUE	éppilogg.
EPISTOLATORY	stress on 2nd syllable.
EQUABLE	1st syllable is ekk-, not eek-.
EQUERRY	ékkwerry.
EQUIPAGE	ékkwippage.
ESTHETIC	eesthétic.
ETIQUETTE	ettikkétt.
EVIL	eev'l.
EVOLUTION	eev-.
EXECUTIVE	egzékkewtiv.
EXILE	éksyle.
EXQUISITE	ékskwizzit.
EYRIE	stress on 1st syllable, which rhymes with <i>sigh</i> .
FALCON	fáwkon.
FANATIC	fanáttic.
FANTASIA	fantazéca.
FAULT	long vowel as in <i>fall</i> .
FAUTEUIL	fótíll; the Committee recommends an English pronunciation.

FECUND	féckund.
FÊTE	fayt.
FETID	fétid.
FETISH	fétish.
FINANCE	finnánce.
FINIS	fýnis.
FORBADE	forbád.
FOREHEAD	fórred.
FORMIDABLE	stress on 1st syllable.
FRAGILE	fráj-ill.
FRONTIER	1st syllable to have the vowel of <i>front</i> .
FUNEREAL	fewnéereal.
FURORE	the Committee recommends the pronunciation féwroar, except for the musical term, which is fooróary.
FUTILE	last syllable is -tile, not -till.
GALA	gáala.
GARAGE	gárraazh.
GENUINE	last syllable is -in, not -ine.
GEYSER	géezer.
GLACIAL	gláyshial.
GLACIER	gláss-, not gláas-.
GONDOLA	stress on 1st syllable.
GOUGE	the vowel as in <i>how</i> , not as in <i>who</i> .
GREASY	gréezy, gréesy. Some people use both pronunciations with different meanings: <i>gréezy</i> meaning <i>slippery</i> , literally and metaphorically, and <i>gréesy</i> meaning <i>covered with grease</i> .
GUSTATORY	stress on 1st syllable.
GUTTA SERENA	ch as in <i>church</i> .
GYNCOLOGY	initial <i>g</i> hard as in <i>go</i> .
GYRATORY	jýratory.
GYROSCOPE	jýroscope.
HALLUCINATION	halloocináyshon.
HAUNT	vowel as in <i>paw</i> .

## BROADCAST ENGLISH

HEGIRA	hédge-irra.
HELIOTROPE	héliiotrope.
HEMISTICH	hémmistik.
HOMOGENEOUS	hommojénneous.
HOSPITABLE	hóspitable.
HOTEL	<i>h</i> to be sounded.
HOURI	1st syllable to be <i>hoo</i> , not <i>how</i> .
HOUSEWIFE	(a) of a woman—hóuse-wife; (b) the pack of needles, etc.—húzzif.
HOUSEWIFERY	húzzifry.
HOVEL	hóvvel; rhymes with <i>novel</i> , not with <i>shovel</i> .
HUMOUR	<i>h</i> to be sounded.
HYDROGEN	the <i>g</i> is soft as in <i>gentle</i> .
IDEAL	eye-dée-al.
IDYLL	iddill.
IMMANENT	immáynt, to avoid confusion with <i>imminent</i> .
IMPIOUS	impious.
IMPORT	(a) noun—stress on 1st syllable; (b) verb—stress on 2nd syllable.
IMPORTUNE	stress on 2nd syllable.
INCREASE	(a) noun—stress on 1st syllable; (b) verb—stress on 2nd syllable.
INDISPUTABLE	stress on 3rd syllable.
INEXORABLE	innéksorable.
INFINITE	innfínnitt; not in-fine-ite; except where metrical considerations require this pronunciation.
INHERENT	inhéerent.
INTESTINAL	intestýnal.
INVEIGLE	inváygle.
IODINE	éye-o-dyne.
IRREPARABLE	stress on 2nd syllable.
IRREVOCABLE	stress on 2nd syllable.
ISSUE	íssew.

JOCOSE	jocóse; <i>s</i> , not <i>z</i> .
KNOWLEDGE	nóledge.
KORAN	koráan.
LABORATORY	stress on 2nd syllable.
LAMENTABLE	stress on 1st syllable.
LAPEL	stress on 2nd syllable.
LAUNCH	the vowel as in <i>law</i> .
LAUNDRY	the vowel in the 1st syllable as in <i>law</i> .
LEGEND	1st vowel short as in <i>ledge</i> .
LEGHORN	( <i>a</i> ) applied to hats—Légghorn; ( <i>b</i> ) applied to poultry—Leggórñ; ( <i>c</i> ) place name—Léghórn.
LEISURE	rhymes with <i>measure</i> .
LEIT-MOTIF	lýt-motéef.
LICHEN	lýken.
LONGEVITY	lonjévvity.
LUCUBRATION	lookewbráyshon.
LUTE	lewt.
LUXURY	lúck-sury.
MACHINATION	mákkínáyshon.
MEDICINE	méds'n.
METALLURGY	méttalurjy.
MEDIEVAL	meddy-éeval.
MIDWIFERY	mídwiffry.
MIGRATORY	mýgratory, not—grayt-.
MINIATURE	mínn-yature.
MISHAP	miss-háp.
MISSILE	míssyle.
MONOLOGUE	mónnologg.
MYTHICAL	1st syllable rhymes with <i>pith</i> .
NADIR	náydear.
NAIVE	naa-éev.

## BROADCAST ENGLISH

NEGOTIATE	negóshiate.
NEGOTIATION	negóshíáyshon.
NEPHEW	névview.
NOMENCLATURE	nóménclature.
OBDURATE	stress on 1st syllable.
OBESITY	obéesity.
OBLIGATORY	obbligatory.
OCTOPUS	stress on 1st syllable.
OGIVE	ójyve.
OMELETTE	ómmllett.
OMINOUS	ómminous.
OMNISCIENCE	omnissíence.
OPUS	ópus.
ORDEAL	ordéel, not or-dée-al.
ORDURE	stress on 1st syllable.
PACE (Latin, meaning <i>with deference to</i> )	rhymes with <i>racy</i> .
PALFREY	páwlfry.
PANACHE	pannásh.
PARIAH	párria.
PATENT	páytent, except in <i>Letters Patent</i> and <i>Patent Office</i> , which have páttent.
PATHOS	páythos.
PATRIOT	pátriot.
PEJORATIVE	péejorativ.
PEREMPTORY	stress on 2nd syllable.
PERFECT	(verb) stress on 2nd syllable.
PETARD	pettárd.
PHARMACEUTICAL	farmaséwtical.
PHILISTINE	fillistyne.
PIANOFORTE	final <i>e</i> to be pronounced.
PLEBISCITE	plébbissit.
POMEGRANATE	pómgranate.



PRECEDENCE	preséedence.
PRECEDENT	(a) noun—présésedent; (b) adjective—preséedent.
PREMATURE	prémature.
PREMIER	prémnier.
PRISTINE	prístyne.
PRIVACY	prývacy.
PROCESS	prósess.
PROGRESS	(a) noun—prógress; (b) verb—prógréss.
PROJECT	(a) noun—prój-ect; (b) verb—prō-jéct.
PROLOCUTOR	prólóckewtor.
PROVOST	(a) civic and academic—próvvost. (b) military—provvó.
PULSATE	pulsáyt.
QUANDARY	kwondáiry.
QUEUE	kew.
RAFFIA	ráffla.
RATION	rhymes with <i>fashion</i> .
RECONDITE	recóndyte.
REDOLENT	réddolent.
REPLICA	réplikka.
REPUTABLE	réppewtable.
RESEARCH	stress on 2nd syllable, which is pronounced exactly as <i>search</i> , not <i>zearch</i> .
RESPITE	réspit.
REVERBERATORY	principal stress on 2nd syllable, secondary stress on 4th syllable.
ROMANCE	stress on 2nd syllable.
ROTATORY	rótáytory.
ROUTE	root.
SALINE	(a) noun—salýne; (b) adjective—sáylyne.

SATIRE	sáttyre.
SATYR	sátter.
SAYS	sez.
SECRETIVENESS	sekréetivness.
SHEIK	shayk.
SIOUX	soo.
SOLDIER	sóljer.
SONOROUS	sonórous.
SOUGH	rhymes with <i>plough</i> .
SOVIET	sóviet.
SPA	spaa.
SPINET	spinnétt.
SPONTANEITY	spontanéicity.
STATUS	stáytus.
TATTOO	stress on 2nd syllable.
TEMPORARILY	stress on 1st syllable.
THRENODY	thréenody.
TORTOISE	tórtus.
TRAIT	trayt.
TRAVERSING	trávversing.
TROUGH	troff.
TRYST	vowel as in <i>rice</i> .
UNPRECEDENTED	unpréssedented.
UNTOWARD	untó-erd.
UPANISHAD	oopánnishad.
VALET	vállett.
VEHEMENT	véehement.
VIA	vý-a.
VICTUALLERS	víttlers.
VIKING	výking.
VIOLA	(a) musical instrument—víóla; (b) flower—výóla.
VITUPERATION	víttewperáyshon.

WESLEYAN	wɛssliən.
WONT	wɔ̃nt.
WRATH	rawth.
WROTH	rɔ̃th.
ZOOLOGICAL	zō-ɔ̃lɔ́j-ical. 'In <i>Zoological Gardens</i> the word is pronounced zoo-lɔ́j-ical.
ZOOLOGY	zō-óll-ogy.

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## NUMERICAL STATISTICS

THE first thing which everybody will wish to know is the percentage of objections against the B.B.C. decisions. (It will be noticed that the list was submitted separately to five persons for their opinions.) The whole number of words in the list is 322 and, marking all those to which any objection was raised, we discover that as many as 99 are questioned. This high proportion, if the authority of the critics be considered, might seem to discredit the Committee's findings; but we must remember that all the words in the list are in a doubtful condition, and it is some satisfaction to find that 223 have full consensus in their favour. Moreover, of the 99, 56 have only one objector; and since a vote of 4 to 1 is as much as one could expect, we may count them also as approved, and are left with only 43; and, of this already vanishing figure, 29 have only two objectors. So that after all there is a majority of votes against only 14, and there is no instance of any one word which all five objectors oppose. So much for the bare numbers. We could have no plainer demonstration of the actual condition of these words in our speech.

We propose to deal separately with all the words that have a majority scored against the B.B.C. decision, and also with any others to which we think objections may be rightly sustained or which can be usefully examined, and we will take them in their alphabetical order; but before doing this, we shall separate off the French words that are scattered about the list, of which (counting a good many that invite no remark) there are some three dozen. This is a convenient plan, because these words, in so far as they have any claim to be called English, are all ruled, or should be ruled, by simple principles, which, though easy of demonstration, our folk are very slow to get hold of: and that is the reason why we have so often preached on this subject.<sup>1</sup>

Though all foreign words, *mutatis mutandis*, are subject to the same general principles, we shall deal here only with the French problem. A French word does not become English until it has ceased to be French. A man, speaking or writing, is at liberty to introduce a French word when-

<sup>1</sup> References are Tract III; pp. 10 and foll.; V, pp. 2-21; XIII, p. 34.

ever he chooses, and he may be tempted to do so for lack of an English word which exactly suits his shade of meaning; just as Cicero was compelled to write Greek words in his philosophical treatises. When such French words are used in literature, they are printed in italics with their foreign accents, as Greek words would be, and however well we may be accustomed to them they are French words and not English: an Englishman, who does not know any French, cannot read them at all, and if they make their way into the rub of common speech, they will be spoken with some attempt at French pronunciation, which in the mouths that make and rule our English will always be a sound that can be spelt in English, as no French word can be.

Words in this condition are truly *French words mispronounced*: and if the mispronunciation should settle down and the French word be retained in this hybrid and usually disagreeable form, it will in time come to be spelt with the English letters that phonetically represent the English mispronunciation: *ennui* will become *onvuee*.

If this be not done—if the word retain its French spelling and be left to be pronounced as best it can, its fate, if it comes into general use, will be determined by the eye—it will be pronounced as if it were an English word: thus if popular tea-shops paint their title of CAFE over their doors the word will be pronounced like *chafe* and *safe*; and that would be as good an English word as *quixotic*.

If a French word has to be imported and domiciled with us, there is only one course open, and that is boldly to transfigure it, in the manner whereby a very large proportion of our speech has won its harmony and national character: and we need to lose or forgo our squeamishness in the process, for you cannot make an omelet without breaking of eggs.

The French words which have lately come or are now coming into our speech are in all stages of self-consciousness and incompetent disorder, and the examples we have here will amply serve to illustrate the situation. It must be remembered that the objectionable recommendations of the B.B.C. Committee do not represent their opinion as to how these words *ought* to be treated, but only how the Announcer *had better pronounce them* if he would avoid criticism or ridicule; which he can best ensure by using the most widely recognized form of the particular transi-

tional stage which they are supposed to have reached. As these considerations are outside the interests of the S.P.E., we shall neglect them, and treat each word on its own merits.

## FRENCH WORDS

**ENVELOPE.** [B.B.C. 1st syllable *enn-* not *on-*.]

This is a good example of a word holding on desperately to the last vestiges of its French self-consciousness; for one of our critics still adheres to the form which we can only write in English as *onvelope*.

But has any one ever said that he was 'onveloped in a cloud of dust'? Shakespeare (and others) had already written *invelop'd*, and most people probably now speak *in-* and not *en-* in the verb where the syllable is unaccented. But in the substantive where it is accented it can keep its *en-*. [B.B.C. confirmed.]

**ENTOURAGE.** [B.B.C. *ontoorázah*.]

This word, on the other hand, is an extreme example of obstinate refusal to take English pronunciation, probably because it is still confined to literary use. Whence the B.B.C. advise 'ontoorázah', which is intended to be the nearest approach to French pronunciation that can be expected. Only one of our critics objects to this, and his objection is that it is not sufficiently French. He would have it as a pure French word, while all the others pass it as 'French mispronounced'.

The introduction of the word is attributed in the O.E.D. to De Quincey, who italicized it; but Thackeray dropped the italics, and if it had not remained a literary word it would long ago have become English, for there is nothing to forbid its being received as such. Has any one still any lurking French consciousness in speaking of *courage*? *Entourage* offers no difficulty. The root-syllable *tour* is very common in English in its proper connotation and ensures the accentuation. The only question is whether we should speak it and write it *entourage*, or *intourage*. [B.B.C. disapproved.]

## EN- or IN-.

The question whether these words should have IN- or EN- as their prefix is very complicated: there is full historical

information as to actual practice in the O.E.D. under the headings of these prefixes.

The main points are these:

1st. That EN- was the French form of the Latin preposition IN-, so that our English words which were borrowed from the French inherited EN-; whereas words taken directly from the Latin inherited IN-; but since these French words were mostly known to us also in their Latin form there was not strict observance of this rule.

2nd. There is no doubt that when this EN- prefix is unaccented, it has a tendency in our speech to take the lighter form IN-, however it is written; and, nowadays, those who would scrupulously write EN- will often unconsciously speak IN- in the same word.

Hence some of our phonetic lawgivers and prophets conclude that IN- is the *natural* English form, which is crying to assert itself and must eventually prevail in all cases. On the other hand, it may be argued that, since this is an unintentional slovenry, it should be resisted; because it tends to assimilate words, whereas the perfecting of speech lies in their differentiation: there can be no fear of our not having enough careless forms.

3rd. EN- has an undeniable claim to protection, because the Latin prefix IN- is ambiguous, having two distinct significations: it represents not only their preposition IN-, but (from a separate origin) it is the common *negative* prefix to adjectives: and it has thus come into English also as our usual negative prefix not only for words of Latin or Romanic origin as *inability, incautious, inconceivable, indistinguishable*, but is freely used, even when no corresponding formation exists in Latin. This ambiguity is seen in *incorporate, incorporeal*, in which the meaning of the prefix is absolutely different in the two words; and such inconvenience is often obviated for us by substituting the old English negative UN-.

Some words have taken both forms, as *undistinguishable* and *indistinguishable*; *unavailable* and *inavailable*—and though we keep *inability* we prefer *unable* and rightly distinguish *enable*.

The general French rule, Littré says, was to distinguish these prefixes, using EN- for the preposition IN-, and IN- for the negative; yet French practice shows exceptions to both uses; for their verbs *imbiber, imposer, illuminer* have the EN- signification; whereas on the other hand EN- has

the negative value in *ennemie* and *envie*, which are the Latin *inimicus* and *invidia*; but since the prefix in these words is strongly accented by us, it sounds like the root, and its humble negative origin being entirely lost causes us no ambiguity.

This ambiguity of a constantly recurring prefix is no doubt a blot in our speech; because however we may be accustomed to it, it will often imperceptibly be weakening the force of a word: indeed in a well-composed sentence the occurrence of the prefix in one sense may even forbid the use of some other appropriate word whose similar prefix happens to have the other meaning. Pairs like *incorporate* and *incorporeal*, *impersonate* and *impersonal* cannot escape notice, but you could not, for instance, well describe a quality as being *incorporate* and *inseparable*.

Now since the forms *encorporate* and *empersonate* would plainly cure these particular pairs it follows that, since we cannot get rid of the indiscriminate use of the negative IN-, we should keep EN- in the sense of the Latin and English preposition wherever we are fortunate enough to have it: and that it would be wiser and better to seek to enforce and extend its use, rather than allow it to go on degrading; thus adding more and more to the confusion.

**ENCLAVE.** [B.B.C. *enklavv.*]

= *enclosure*: a variant derivative from Latin *claudere*, *clavis*: quoted by Littré from the fourteenth century in its special meaning of a territory enclosed by foreign territories. When adopted much later into English use, it demeaned itself with unusual propriety, and is already recognized with full English pronunciation in American and English dictionaries as the B.B.C. would have it. This is one of the words that have three objectors, who would restore the French pronunciation, apparently unaware of its unconditional submission.

[B.B.C. approved.]

**ENNUI.** [B.B.C. *bnvuee.*]

This is an old customer, *qui nous a donné beaucoup d'ennui*. Why, after having been once Englished as *annoy*, should it come up again to claim a fresh admittance and new dress? In French, the word serves all purposes. Littré says of it, 'Dans le style relevé, ennui est un mot d'une grande force et qui s'applique à toutes sortes de



souffrances de l'âme : les ennuis du trône; des ennuis cuisants. Dans le langage ordinaire, il perd beaucoup de sa force et se borne à désigner ce qui fait paraître le temps long.' It came into English very early. Wycliffe has :

Mi soule nappide for anoye.

(This from the O.E.D., which records an early spelling, 'onnuy'.) At its re-entry, when Evelyn wrote in 1667, 'We have hardly any words which do fully express the French naïveté, ennui, bizarre', our English word 'bore' had not come into use: at least the O.E.D. gives no example till a century later, when, however, it appears to be quite common. An amusing quotation is: 1767 'I enclose you a packet of letters, which if they are French, the Lord deliver you from the bore'. The definition in the O.E.D. throws some light on the difficulty. 'The malady of "ennui" supposed to be specifically French, as the "spleen" was supposed to be English; a fit of ennui or sulks; a dull time.'

Mr. Fowler,<sup>1</sup> whose remarks on French words should be digested, recommends *ónwē*, as the B.B.C. do: but this does not look like an English word—and since *ennui* proper (allowing there to be such a thing, as distinguished from *boredom*, *annoy*, and *melancholy*) is still a privilege of the upper classes, we are inclined to agree with Lord Balfour, who would write it and speak it as a French word.

All our other critics approved *ónwee* except one, who preferred *onwée*.

[B.B.C. disapproved.]

**ENSEMBLE.** [B.B.C. *onsómbler*.]

Of all their suggestions the B.B.C.'s *onsómbler* shocks me the most. It is of course 'French mispronounced', yet it has only two objectors who both prefer a more foreign accent. I think I am right in saying that 100 years ago it was the fashion to speak all these French words English-wise with an open British contempt for anything foreign; whereas now there is an opposite fashion of punctilious correctness. Neither of these fashions is right or tenable; the second is impossible and the first gives us such words as *onsómbler*.

In all these three words it is the French nasal which is the main difficulty, for it is unknown in English. In the

<sup>1</sup> *Dictionary of English Usage*, p. 193.

O.E.D. the word *ensemble* is given as aîsānb'l, and one may judge, from the look of that, of what practical use it can be. We need this word, or something equivalent: we cannot make a substantive of our adverb *together* as the French have of their adverb *ensemble* (= Latin in-simul): it is as if we would not wrong the integrity of an adverb by making a substantive of it, and I share this feeling.

We must then either take *ensemble* and pronounce it as we do *assemble* (which we have learned not to call *assamble*), or we must find a substitute. At this moment the word *comport* occurs to me as an equivalent, which in any right context would ensure its signification.

There seems little hope of any one at present being bold enough to say *ensemble* as an English word, although we have *assemble*, or even to venture *ensemblage* like *assemblage*.

Talking with the musicians at the Royal College some years ago I won them over, as I thought, to the propriety of using the form *tamber* for *timbre* (as we have *chamber* for *chambre*, *camber* for *cambre*, &c.: and the *a* of *tamber* is justified by *tambour*, which is the same root; and *timber* being impossible).<sup>1</sup> They all recognized the French pronunciation to be a nuisance and agreed to adopt my solution; but when it came to making the venture, they all relapsed or funked, but Gustav Holst.

[B.B.C. disapproved.]

**ENVIRONS.** [B.B.C. stress on second syll., vowel as *sigh*.]

Which is approved by all of our critics save one, who would keep French 'accent' in all French words.

[B.B.C. approved.]

**FAUTEUIL.** [B.B.C. *fôtil*.]

*Fauteuil* is the French form of our *faldstool* (= *folding stool*), a very old English word. The French is traced through the Low Latin from the High German. In modern French, *fauteuil* is really what we call an *arm-chair*; that is, a chair, not only with elbows, but with a back, and it has magnificent associations; for instance, a seat in the French Academy—a suggestion gratifying to the occupants of the more expensive seats in the theatre which we are accustomed to call *the stalls*.

And here there is a remarkable double coincidence; for,

<sup>1</sup> Tract III, p. 11.

though in our theatres these seats have their legs immovably fixed to the ground, they are true *faldstools* in this respect that their seats are hinged in the manner of the Misereres in the *stalls* of our cathedrals.

The French word *fautueil*, as a term for theatre-stalls, came into popular recognition lately when it was adopted for the chief seats in the Cinemagogues: and as nobody wishes to call them *faldstools*, nor is likely to do so, we can find employment for the French word: but four out of five of our critics object to its being Englished, as proposed by the B.B.C. We expect that those who have to use the word will be glad of a recognized English form.

The simplest kind of folding stool is what we now call a *campstool*. The better sort which date from Rome and Greece were made with curved legs and must very early have had elbows. It was a common shape for 'thrones' and chairs which did not fold.

There were used of course at all times all kinds of stools for all occasions and purposes, but in church and for special functions they were no doubt ornamental. The name remains in our church for the lectern from which the Litany is sometimes sung at the entrance to the choir. This use of the *faldstool* for a *lectern* probably arose from the practice of setting a faldstool in front of the Bishop for his convenience when he knelt.<sup>1</sup>

[B.B.C. approved.]

**TRAIT.** [B.B.C. *trayt*.]

This word, another form of *Tract* from Latin *trahere*, *tractus*, is an example of how simple roots diverge from a single primary meaning into innumerable specialized significations. Thus our verb *to draw*, equivalent to the Latin *trahere*, is defined in the O.E.D. under 70 heads and, with various prepositions, as many as 99. The advantage of a separate distinct form for any one specialized meaning is very great; as may be seen from Littré's dictionary, where *Trait* is described under 40 heads, whereas in our O.E.D. it is confined to 3 or 4 (excluding obsolete uses) which are all of allied meaning.

Granting then the need of the word in English, the

<sup>1</sup> The accompanying picture is from a fourteenth-century faldstool in York Minster, used last in the enthronement of Archbishop Temple. The beautiful frontispiece is from the early twelfth-century Vatican MS. Lat. 4939 containing Beneventan Annals, and shortly to be published in Dr. E. A. Lowe's *Scriptura Beneventana* (Oxford).



A FOURTEENTH-CENTURY FALDSTOOL  
The enthronement chair in York Minster

question is how it should be pronounced. The following considerations will confirm the preference of the B.B.C. for *trait*: to quote again from the O.E.D.:

'The pronunciation *trɛ* after modern French, in the nineteenth century considered in England the correct one, is becoming less general; in U.S. *trait* is the established one.'

Now in this the Americans are as usual more conservative than our modern speakers. Evidence for the old pronunciation may be seen in these spellings:

1545 without any further traite of tyme.

1561 and traitis of violet silk.

1601 a man may see what traicts and lineaments.

The modern French pronunciation, *trɛ*, is a homophone with *tray*, an old English word of wide use, which resents invasion and can make it uncomfortable for the intruder. This is one of the 3/5 objectors and they are all in favour of the nineteenth-century Frenchification.

[B.B.C. approved.]

**BRUIT.** [B.B.C. *brute*.]

This word is a true homophone with *brute* and was not often distinguished in spelling. In the sixteenth century the two seem to have been on pretty equal terms: and *bruit* being a verb as well as substantive had some advantage. But *brute* *beast* with its offspring *brutal*, *brutish*, &c., became so strong that even the verb *to bruit* (as in 'bruided abroad') lost its hold: for though *bruided* had no actual ambiguity the sound *brute* had won such forceful suggestion that no alien connotation could pass undisturbed. Hence *bruided* is now seldom heard in speech and would seem in the last hundred years to have been dying out even from literature.

*Bruided*, with the *i* sounded as it is sometimes heard, is a spelling pronunciation, due to the speaker's fear of the homophone, and this, though *fruided*, *suided*, and *recruited* stand in the way, would seem to be the only chance the word has of escaping extinction: and to extinction we may leave it without regret, for it is of no use. Two objectors.

[B.B.C. approved.]

**GARAGE.** [B.B.C. *gárraash*.]

The B.B.C. advise the French pronunciation; and it may have some short lease of life, because of the word

*barrage* from which it only differs by one letter; for although the O.E.D. 1885 gave the pronunciation of this as *bāredʒ*; yet the French sound, which we cannot write (although we have it in *Rajah*), was usually maintained when the word came into the use of the British engineers, who were busied in damming the Nile more than fifty years ago. During the Great War the word came up afresh, with a new application in artillery, and again kept its French form, but there can be no doubt that, unless we can spell this sound, *barrage* will follow all the other *-ages*, and *garage* most likely has already done so, because it is spelt out at every street corner.

One can feel no sentiment about the pronunciation of *garage*, except to deplore that there should be another word added to the some 200 which used to be *-age* and are now commonly pronounced *-edge* or *-idge*; for instance, Jones records in his dictionary (1917) that cultivated Southern English people, in their ordinary conversation, pronounce *parsonage* as *pa:snidʒ* (pa:snidʒ). Anything that can check the spread of this disease is useful, and it is to be hoped that the B.B.C. announcers will set the example of a more agreeable solution than the phoneticians have predetermined.

The sound in *Rajah* seems to me to be misrepresented by *dʒe*, the consonant being rather that in *azure* and *pleasure*, though Englishmen are inclined to put a *d* into it, as D. Jones represents them, for he spells *Rajah* and *large* with the same symbols a:dʒ: which one critic approves; there was no other objection to the B.B.C. recommendation.

[B.B.C. approved.]

Finally, the objection to French mispronounced does not apply to such terms as *chargé d'affaires*, *communiqué*, &c., which are of technical use and confined to circles in which knowledge of French is necessary and can be assumed. They may be considered as true French words to be pronounced as conveniently as may be, and they form a class that provides at least a temporary lodging for other French unassimilables.

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## WORDS OTHER THAN FRENCH

**ACOUSTIC.** [B.B.C. *acoustic*.]

The doubt is whether the second syllable should be pronounced as *cow* or as *coo*.

The history of *Acoustic* is that it is a learned semi-scientific word not earlier than the seventeenth century and it has never entered into common speech, and being a Greek word it took its authoritative pronunciation from classical scholars who were accustomed to pronounce the Greek word ἀκούω in their grammars with the *au* diphthong of *cow* and thus set the fashion: but since of late years our classical purists have changed their pronunciation of the Greek *ou* to *u* they are now themselves divided between the two opposed uses: and the reason why three of our five critics vote for *cow* is because they are of the age that imbibed the older tradition. But some of those who prefer *cow* would argue that the diphthong *ou* in English stands for this *au* sound, just as in French it stands for *u*, and the fact that scholars redd *au* in the *ou* of ἀκούω confirms their contention.<sup>1</sup>

Now the question of how these diphthongs or digraphs arose in our speech is too involved to have any practical bearing, but the actual signification that they have acquired is of practical import, and the advocates of *cow* may reasonably assert that most words in which it occurs in accented syllables are pronounced with the *au* diphthong: for instance, *house* and *mouse* (which the Germans write correctly *Haus* and *Maus*), *out*, *bout*, *scout*, *gout*, *shout*, *lout*, *clout*, *flout*, *pout*, *spout*, *mound*, *mouth*, *mount*, *noun*, &c., &c.; but though there may be more such monosyllabic examples of the *cow* sound than of the *coo*, yet in common talk the *coo* sound has overwhelming predominance, for *you* (*yū*) and *your* (*yūr*) are in every one's mouth at every moment and the shorter forms of *u* in *would*, *could*, and *should* are as frequent; moreover, there is a fair list of words that favour *coo*, such as *youth*, *uncouth*, *tour*, *pour*, *route*, *dour*, *bourne*, *ousel*, and the river names of *Stour* and *Ouse*: then adopted French words as *douceur*, *oubliette*, *outrance* (not to speak of those many exceptions which count neither way, as *double*, *trouble*, *dough*, *enough*, *soul*, *course*, *source*, *court*, *brought*, *thought*, *fought*), and besides these, some fifty words like *honour* and *colour*, whose terminal syllable is written *ou* with pronunciation inclining to *u*, while some thousand words with the *-ous* suffix, as *dubious*, *tremendous*,

<sup>1</sup> Indeed it was by the abuse of this very diphthong *au* that schoolmasters, by inculcating phonetic nonsense, poisoned little boys' ears and made it impossible for them to make their first steps in philology: for, when they pronounced *vous*, the contraction of *voos*, as *vavs*, they did me more mischief than they could ever undo.

*jealous*, all absolutely repudiate any inclination to the *au* diphthong of *cow*; so here again there is nothing to overrule us in our decision.

Since common practice and phonetic propriety fail us, we may be allowed to consider the comparative agreeableness of the two sounds; that is, which of them makes the more pleasant word. Now those who have any feeling in this matter will all agree that *u* is a more pleasant sound than *au*: it is indeed the softest of all true Romance vowels and is preferable for its euphonic quality.

It was asserted in committee that scientists were almost all habituated to *oo*: on inquiry this turned out to be an exaggeration, because in Oxford and Cambridge, where Greek was still alive, both forms were in use among the scientists.

The O.E.D. puts *oo* in the first place and the American Webster and Century do the same. [B.B.C. approved.]

**AERIAL.** [B.B.C. noun *airial*; adjective *ay-lerial*.]

There are two objectors to the B.B.C. ruling, and both of them wish the two words to be pronounced alike; but one of them would have them one way, and the other, the other.

We will take the adjective first: it is a Latin word, very familiar to scholars and much used in poetry; though rarely, if ever, spoken; and from their familiarity with its place in Latin verse, I should have thought that the poets must have pronounced it with a short *ĕ*—*ey-ĕrrial*. I have always done so, and thus Gerard Hopkins rhymes it:

And flock-bells of the aerial  
Down's forefalls beat to the burial.

*Euryd.* l. 8.

And this pronunciation seems necessary in Latin:

ipse locum, aeriae quo congersere palumbes.  
Prætenus aërii mellis caelestia dona.

But the O.E.D., though it recognizes this pronunciation, says the long *ē* is more common, and Webster knows only the long *ē*; and as none of our critics oppose it, we must conclude that this long *ē* [*ī*] is the usual pronunciation (compare *funereal*).

As for the noun, since our common pronunciation of the Latin *aer* is indistinguishable from our own *air*, we should expect that a word spelt *aerial* would, if offered to the



public, be pronounced by them as we pronounce *Ariel*, and this appears to be what has happened in England since the 'wireless' inventions: there is no objection to it.

The deduction from these actual conditions seems to be that the adjective must henceforth have two forms: 1st, the old and longer 'Latin' form which has three full places in Shelley's syllabic verse, e.g.

Stand ever mantling with aëreal dew.

*Prom.* III. iii. 143.

and 2nd, the new shorter form *airial* = 'wireless'. This being an adjective used for a noun is, and will be, as much one as the other. It will certainly be far more widely known than the old form and, unless it be differently spelt, will be misredd into the older poets: e.g. Shelley's line

Prone and | the' aë|real ice | clings o-|ver it

*Prom.* III. ii. 17.

will be redd

Prone and | the ai-|rial ice |

[B.B.C. approved.]

[M. BARNES.]

†**ALLIES.** [B.B.C. stress on 2nd syllable.] 3 objectors.

This and all the other words noted with the large dagger were selected for full treatment, but the scholar who had undertaken to deal with them was attacked by influenza and incapacitated for so long that we had to go to press without his contribution. I shall therefore only record here how the B.B.C.'s advice fared with our five critics. The words may be discussed later if the subject and our way of handling it prove acceptable to our readers.

†**APPARENT.** [B.B.C. *appárrent.*]

3 objectors.

†**BADE.** [B.B.C. *bad.*]

2 objectors—Lord Grey and Lord Balfour.

†**BEDIZEN.** [B.B.C. rhymes with horizon.]

2 objectors.

†**COGNISANT.** [B.B.C. *cógnizzant.*]

1 objector.

**COMPARABLE.** See *Disputable.*

†CONSTRUE. [B.B.C. stress on 2nd syllable.]  
2 objectors.

CONTEMPLATIVE. [B.B.C. *contemplatív.*]

The objectors divide very unexpectedly on this word. The question is of course merely one of accent. The word *contemplation* had never any variant form and Shakespeare has the verb *contemplate*:

So many hours must I *contemplate*.

3 *Henry VI*, II. v. 33.

but the earlier accent was *contémplate*, and hence all the quadrisyllabic forms of the verb and *contémplative* for a long while kept this accent. So Shakespeare has

Still and *contémplative* in living art.

*L. L. L.* I. i. 14.

Shelley would actually conjugate the verb thus:

I *contemplate*,

Thou *contémplatest*, &c.

Methinks I grow like what I *contemplate*.

*Prom.* I. 450.

Thou art as God whom thou *contémplatest*.

*Hellas*, 761.

And thus Wordsworth:

For feeling and *contémplative* regard.

*Contemplative* is a poetic word and, never having suffered the rub of common talk, is with its old-fashioned accent so strongly entrenched in poetry that it would hold its own, if it were not for the fact that *contémplated* is quite a common word, as when we say 'This or that was never *contémplated*'. So that if *contemplative* is to come into talk, it must follow the more modern accent, though it is likely to keep its old form in our poetry.

It is rather strange that of our five critics the three elders approve the more modern use, the two younger object to it and would hold on to the poetic form.

Fowler in his *Usage* brackets *contemplate* with *compensate*. [B.B.C. approved.]

CONTUMELY. [B.B.C. *contéwmély.*]

This is a four-syllable word, which in the English and American dictionaries is accented on the first syllable. In the American dictionaries the penultimate *e* is marked long,

though unaccented. The famous authority for this word is the line in *Hamlet*, III. i. 71 :

The oppressor's wrong, the proud man's contumely,  
which I read as the American dictionary preserves tradition.  
The value of the penultimate was probably stabilized by the adjective *contumelious*,

Of contumelious, beastly, mad-brain'd war.

*Timon*, v. i. 177.

But that this tradition was lost in England would appear when Hood could write :

Perishing gloomily  
Spurr'd by contumely.

And Mr. Fowler<sup>1</sup> says that there are five possible pronunciations, and at that he omits the American one, and prophesies that the penultimate vowel is doomed, because a 'stressed syllable followed by three unstressed ones is very unpopular except with professors and the like', whence it would seem that the word can only keep its penultimate syllable by moving its accent, as was certainly done by Hood and may be supposed to have been received in his time, and at any rate his popular poem must have had a great influence, though Walker in 1824 accents the quadrisyllable on the first.

Mr. Fowler's prize-holder *contumly* sounds to me like an adverb of obscure signification. Shakespeare's line is no authority for it, or even for the suggestion of it.

[Two of our five critics object, and we agree with them.]

**DISPUTABLE AND INDISPUTABLE.** [B.B.C. *disputable*.]

About the position of accent: common use is divided. The majority is plainly for *disputable*.

There are a great number of disyllabic verbs, accented on the last like *ascribe*, *avoid*, *inform*. How it comes that there are so many in opposition to the general Teutonic rule of accenting the first syllable, is due to the rule that *compounds consisting of particles (whether separable or unseparable) and verbs, had their stress on the verb*,<sup>2</sup> and it is

<sup>1</sup> *Dictionary of Modern Usage*.

<sup>2</sup> (Morris, *Historical Outlines of English Accidence*, § 66), and this is the account of disyllabic verbs having a final accent while their identical substantives are accented on the first syllable. And this habit extended itself to other words than those which it originally affected.

a general rule that such words taking the suffix *able* retain their original accent.

We must therefore ask what exceptions there are and whether *dispute* is an exception.

Typical exceptions are *admirable*, *lamentable*, *comparable*, and what is common to these words is that the root- or verb-syllable in them is not recognizable as an English word: *mire*, *ment*, *pare*, are not syllables with any appropriate meaning; and this condition, which lightens the syllable, allows and even invites loss and recession of accent.

It is not a rule that words in this condition will recess their accent: there are too many examples on the other side; but it is the condition which has provoked recession in the words which have yielded to it. Now *pute* and *fute* are no more significant than *mire* and *ment*, and as we have got *réputable* and *réfutable*, it is natural that *confutable*, *disputable*, *computable*, and *imputable* should go with them.

The B.B.C.'s pronouncement in favour of *disputable* testifies to a present tendency to ignore tradition in favour of what seems to be a general rule and common-sense. And that this is recent is shown by the fact that it is the two younger of our five critics who pass *disputable*, while the three older speakers object, and we concur in their objection.

[B.B.C. disapproved.]

**DOCILE.** [B.B.C. *dosyle*.] See *Fragile*.

[B.B.C. disapproved.]

**DOCTRINAL.** [B.B.C. *Doctrynal*.]

All our five critics approve of the B.B.C. ruling, and the pronunciation *doctrinal* has been prevalent for so long that most people will wonder at its being questioned at all. But its being among the doubtful words proves that the old English *dóctrinal*, which is quite in order, is still heard, and in Walker's dictionary (1824) it still survived as correct: (moreover, everybody says *doctrin'* and *endóctrinate*: and we have also *dóctorate* and *dóctoral*) and this in spite of Johnson's dictionary, which, it would seem, must have had great force in establishing the later pronunciation. His entry is simply as follows:

DOCTRINAL. *adj.* [*doctrina*. Latin].

The entry in O.E.D. is:

DOCTRINAL (*də*'ktrɪnəl, *dɒk*trɪnəl), *a.* and *sb.* [The *sb.* was a.

F. *doctrinal* (13th c. in Littré); the adj. was perh. more directly ad. late L. *doctrinālis* (Isidore), f. *doctrina* learning, doctrine: see -AL.

The historical pronunciation, from L. *doctrinālis*, Fr. and ME. *doctrinal*, is *doctrinal* (so Bailey, Todd); *doctrīnal* (J.) passes over the actual L., Fr., and ME. words, to reach the ulterior *doctrina*.]<sup>1</sup>

The word is not a likely one to find in verse, but Johnson must have known *Hudibras*:

Or any Opinion true or false  
Declar'd as such, in Doctrinals.

Part III, canto 2, ll. 615-16.

Dr. Johnson's predilection for latinized forms is notorious, but how far it could pervert his equally notorious common-sense is not sufficiently recognized.<sup>2</sup> This may be amply exposed in his treatment of the word *medicinal*, which we shall here examine:

If any one were asked nowadays how the word *medicinal* is pronounced, he would say that it was a four-syllable word accented preferably on the short second syllable (*medissīnal*), but sometimes on the lengthened penultimate (*medī-sīnal*). He would be probably unaware that both these pronunciations are recent, and that until about Dr. Johnson's time (an approximate date subject to correction) the word had long been a trisyllable with the accent on the first (*med'cīnal*). The substantive *medicine* had fixed itself in common speech very early as a disyllable, as Butler humorously rhymed it in *Hudibras*:

Tho' stor'd with Deletery Med'cines  
(Which whosoever took is dead since);

l. ii. 317.

and it ruled all its derivatives, *med'cīnal*, *med'cīnally*, *med'cīnable*, as will amply appear.

This condition of the substantive was fully recognized by Dr. Johnson, but his treatment of the derivatives is peculiar. His great dictionary appeared in 1755. I am using a copy

<sup>1</sup> It is noteworthy that Webster seems to imagine that the prevalent English *doctrinal* must be older than the American *doctrīnal*: whereas the truth is that they have escaped our corruption. Nor is this a solitary example.

<sup>2</sup> Boswell's book is good enough, but I have wished that Charles Lamb could sometimes have been present when the elephant was trampling on the crawfish.

of the second issue, 1756. The entry under *medicinal* is as follows :

MEDIC'NAL, *adj.* [*medicinalis*, Latin: this word is now commonly pronounced *medicinal*, with the accent on the second syllable; but more properly, and more agreeably to the best authorities, *medici'nal*.]

He then proceeds to give quotations from his 'best authorities'. These I transcribe as he prints them and I shall number them for convenience :

- (1) Come with words as *medicinal* as true.  
*Shakespeare.*

But in Shakespeare the whole line is :

Do come with words as medicinal as true.  
*Winter's Tale*, II. iii. 37.

and it is unfortunate that in illustrating the meaning of the word he should have forgotten his engagement on the pronunciation; for the omission of the first syllable in a blank verse must occasion confusion: one cannot guess how Johnson redd it. The full text implies *med'cinal*, which agrees with neither of his pronunciations.

- (2) Thoughts my tormentors arm'd with deadly stings,  
Mangle my apprehensive tenderest parts;  
Exasperate, exulcerate and raise  
Dire inflammation, which no cooling herb  
Nor *medicinal* liquor can assuage.  
*Milton.*

This last line is printed by Milton :

Or medcinal liquor can asswage. *Samson*, 627.

The Johnsonian quotation, however, makes it seem a passage from the blank verse, whereas it is actually an eight-syllable line from a lyric chorus; and if he had quoted the two lines that follow, instead of the four that precede the *medicinal* line, the irregularity of the metre would have been obvious.

- (3) The second causes took the swift command,  
The *medicinal* head, the ready hand;  
All but eternal doom was conquer'd by their art.  
*Dryden.*

The misfortune in this quotation is of the same kind as the last, but it is worse. This also is quoted as if it was a regular decasyllabic verse, but, like the last, it is from an

irregular ode; and he again misrepresents the text, for Dryden printed

The second Causes took the swift Command,  
The med'cinal Head, the ready Hand,  
All eager to perform their Part,  
All but Eternal Doom was conquer'd by their Art.

*Thren. Aug.* 110.

Now here he has not only altered the author's spelling, but has actually omitted (without notice) the tell-tale eight-syllable rhyme-line, which would have exposed his error; and if he had wanted a real ten-syllable line, he might have found it in the same poem:

With all the cannon of the med'cinal war. 170.

(4) Learn'd he was in *med'cinal* lore,  
For by his side a pouch he wore. BUTLER.

But here again he alters the text: at least in my old copy of *Hudibras* I read:

Learned he was in Med'c'nal lore. II. i. 223.

From this quotation we learn that Johnson not only invented a four-syllable *medic'nal* for his best authorities, but also a trisyllable *med'c'nal*, which he must have misredd into Milton:

And yet more med'cinal is it than that Moly  
That Hermes once to wise Ulysses gave.

*Com.* 636.

But what could he have made of Donne?

Since herbes, and roots, by dying lose not all,  
But they, yea Ashes too, are medicinall.

*An. Anatomy: First ann.* 403.

Or again

If by the way to him befall  
Some odoriferous thing, or medicinall.

*Love's Alch.* 9.

The adverb is illustrated as follows:

'MEDIC'NALLY, *adv.*

(5) The witnesses that leech-like liv'd on blood,  
Sucking for them were *med'cinally* good. *Dryden.*'

This is correctly quoted and it confirms our last surmise.

Finally there remains *Medicinable*, for which the entry is thus:

'MEDIC'NABLE. *adj.* [*medicinalis*, Lat.] Having the power of physick.'

and by physick he means medicine : and the three quotations confirm his correct definition, but as they are all from prose writers they are no guide to pronunciation.

First, concerning the meaning of the word.

This is one of the words in which the suffix -able has not its simplest and commonest and most grammatical sense, as in *breakable*, i.e. that which can be broken. The various uses to which this suffix has been adapted are exhaustively treated by H. W. Fowler, in his *Mod. Eng. Usage*, which is in the hands of all our members; and we assume their knowledge of the general facts.

So long as an -able word, which has not this simple sense, is in common use, as *medicinable* appears to have been in Shakespeare's time, it causes no inconvenience—the word *serviceable* gives us no difficulty; but if it falls out of common use, it is confusing, as can easily be shown. Anybody nowadays reading Shakespeare's

Some griefs are medicinable

*Cym.* III. ii. 32.

would suppose that it meant that some griefs were curable; but it does not mean this, it means some griefs are curative; that is, 'have a power' similar to medicine, as Johnson rightly defines the word.

The word occurs in three other places in Shakespeare, besides the one quoted above. They are as follows:

And therefore is the glorious planet Sol  
In noble eminence enthroned and sphered  
Amidst the other; whose medicinable eye  
Corrects the ill aspects of planets evil.

*Troilus*, I. iii. 91.

Any impediment would be medicinable to me: I am sick in displeasure to him.

*Ado*, II. ii. 5 (prose).

Then must you speake,  
Of one that lou'd not wisely, but too well:  
Of one, not easily Iealious, but being wrought,  
Perplexed in the extreame: Of one, whose hand  
(Like the base Iudean) threw a Pearle away  
Richer then all his Tribe; Of one, whose subdu'd Eyes,  
Albeit vn-vs'd to the melting moode,  
Drop teares as fast as the Arabian Trees  
Their Medicinable gumme. Set you downe this:  
And say besides . . . &c.

*Othello*, ad fin.

These all show *medicinable* used in figurative and poetic sense.



But Johnson, who in his edition of *Shakespeare 1765*, printed *med'cinable* in *Troilus*, finding *medicinal* in the quarto of *Othello* substituted it for the *medicinable* of the Folio in this place, and in his text the line runs

Their medicinal gum. Set you down this

but that would have been an eight-syllable line (as the first four of his own quotations above show) and a bad one at that; while what is needed is the full sustention of the rhythm as it is preserved in the undoubtedly correct reading of the Folio; to which Steevens at once reverted without remark. But I suppose that it was due to Johnson that *medicinal* in this place, which can only be redd with Johnson's bogus pronunciation, blots the scholarship of the Globe edition, and I suppose also of others, for instance the 'Arden Shakespeare'. And thus Webster was deluded into asserting that *medicinal* occurs in Shakespeare.

Now if Johnson, as it would appear, thought that *medicinal* and *medicinable* were true synonyms, equivalent in meaning, we can understand that he may even have disliked the word *medicinable* and have wished to get rid of it; especially as its grammatical form was irregular and he did not know how to pronounce it. But the two words are not purely equivalent; it is plain that what is actually used in medicine and what might be used are not quite the same: and in the figurative use that Shakespeare makes of *med'cinable* this difference is of extreme poetic importance. The terrible exalted and condensed pathos of Othello's last speech, by the magic of which Shakespeare has wound up the intolerable torture of his tragedy in an overwhelming flood of compassion, cannot be analysed, but though its figures are missed or misinterpreted, those whom it masters do not imagine that Othello thought his tears would cure him or that the poet is holding the audience spell-bound by an apt allusion to the dispensary.

This examination of *medicinal* has led us rather far afield, but it illustrates in a remarkable manner the difficulty of deciding how any word should be pronounced.

(1) We see that the second vowel in *medicine* after having been entirely elided has been not only restored to its place, but has appropriated the verbal accent to itself in *medicinal*.

(2) That a word that was thoroughly Englished and domiciled has been throwing off its dress and reverting to

its fourteenth-century condition, as it was in Chaucer; for (though I speak without book) I would confidently guess that in post-Victorian verse *medicine* is more often a trisyllable than a disyllable.

(3) The great power of fashion to override what phoneticians think the inevitable laws that govern the changes of our speech.

To return to *doctrine*, where we began.

Though Johnson was no more 'right' with his *doctrinal* than with his *medicinal*, it is clear that this pseudo-classic fashion of speech which was so active fifty years ago had started a century earlier. How it is still working may be seen by observing the transit of two or three other words; the following table will explain itself.

JOHNSON, 1755.	WALKER, 1824.	WEBSTER. Late 19th century.	O.E.D.	DANL. JONES 1917.
Márital	Márital	Márital	Márital	1. Marital 2. Márital
Cérvical	Cérvical	Cérvical	1. Cérvical 2. Cervical	1. Cérvical 2. Cervical
—	—	Ánthropoid	1. Ánthropoid 2. Anthrópoid	1. Ánthropoid 2. Anthrópoid
—	—	1. Décanal 2. Decánal	Decánal	2. Anthrópoid Decánal
Intéstinal	Intéstinal	Intéstinal and B.B.C., 1928, Intestinal	Intéstinal	Intéstinal

The true English practice in the matter of words from the Latin is thoroughly dealt with in our Tract IV (for special notice of *doctrinal*, see p. 21), and all the authorities are in consensus: sceptics may refer to the *Oxford Dictionary* or to Mr. Fowler's *Usage*.

[B.B.C. and all our five critics disapproved.]

Ἰώνων μὲν νῦν καὶ τὰ ἠγρικὰ ἔρεα χαίρω.

DYNAST. [B.B.C. *Dinnast*.]

B.B.C. rules *Dýnast* (*Dinnast*), to which the only objector is Lord Balfour—and there is something to be said for *Dýnast*, though not for *Dýnasty*. The word was specially treated in Tract IV, p. 26, by John Sargeaunt who rules for *Dýnast*, and thinks that the long *y* is due to the inveterate notion that the letter *y* represents the sound by which that letter is called; and there is an amusing confirmation of this in the spontaneous pronunciation of *Ypres* during the War as *Wipers*, by soldiers who did not know

that they were doing exactly as their ancestors had done 500 years earlier—for the Wypers Tower at Rye took its name from Lord Ypres.

English use tends to confirm Sargeant's ruling of *d̄ynast*, but as this pronunciation rests on a Greek tradition and on the influence of Greek scholars, it has little chance of maintaining exception against our almost universal Latin habit, the rule for which would be that the disyllable is *d̄ynast* and the trisyllable *d̄ynasty*, like *t̄yran̄t* and *t̄yran̄ny*, also Greek words.

It appears from the dictionaries to be assumed that the disyllable and the trisyllable must keep the same vowel, which in English is usually short and in American usually long: the long vowel is generally attributed to the accepted pronunciation of compounds of this Greek root, *dynamics*, *dynamite*, &c., which arose and came into frequent use in the nineteenth century. [B.B.C. approved.]

**ELEEMOSYNARY.** [B.B.C. *ellim̄m̄b̄ssinnary*.]

One of our critics prefers the *s* to be voiced, as I think I have been accustomed to hear it, but it has no authority that I have found in any dictionary, American or English, until Daniel Jones, who gives *m̄dsi* as a second pronunciation.

**EMACIATE.** [B.B.C. *em̄m̄d̄yshiayt*.]

One of our critics objects that the doubled *m*, which is used in the B.B.C. ruling to indicate that the preceding *e* is short, misrepresents the syllable, which should be written *ȳ-m̄áciate*, not *em-m̄áciate*: on this point all the authorities are agreed, and the O.E.D. describes this *e* as the same as the *e* in *re-act*.

**EPHEMERAL.** [B.B.C. *eff̄em̄meral*.]

One critic objects to the second *e* being ruled short. The word does not often come into talk, and *eph̄em̄eral*, favoured probably by Greek scholars, has the authority of Sheridan (1780), but it is unnoticed in the O.E.D., and American dictionaries. [B.B.C. approved.]

**EVIL.** [B.B.C. *ev̄l*.]

The loss of the last vowel in ordinary talk seems to be a fact: for only one of our critics objects: *ev̄l* is recognized by the O.E.D. (1894) and Vizetelly reports for

America 'the *i* has reached the vanishing point'. D. Jones, however, gives *ivil* as a secondary pronunciation: and since the word is treated as a disyllable in our poetry, it seems to us that the full pronunciation will persist in all careful speech. [B.B.C. disapproved.]

**EYRIE.** [B.B.C. 'rhymes with *sigh*']

The question is whether *eyr-* should be pronounced (1) as in *ire*, or (2) as in *ear*, or (3) as in *air*. The spelling *eyrie*, though it has the authority of Milton (*Paradise Lost*, vii. 424), is due to an erroneous derivation from *ey*, the native English form of *egg*; and good dictionaries (e.g. Oxford and Webster's New International) prefer the spelling *aerie*, which has an un-English look. The word in the senses 'nest of a bird (of prey)' and 'brood' appears in English in the sixteenth century as a borrowing from late Latin *aeria*, *area*, &c., 'nest', itself a learned form of Old French *aire* with the same sense. Old French *aire* seems to be derived from a special sense of Latin *ager* 'field', 'patch of ground'; and it had previously been received into Middle English as *aire*.

The word was not spoken often enough to secure the establishment and the handing down of a uniform English pronunciation. The pronunciation of the first syllable as in *ire* seems to be recent, and can be no more than a guess at an unfamiliar word. The pronunciation as in *ear* is older and is recognized by the best dictionaries, but probably has the same origin. The true pronunciation is as in *air*. This also is recognized by the best dictionaries, and is to be preferred. In the First Folio of Shakespeare, 1623, the word is spelt *ayerie*, *Richard the Third*, I. iii. 270; *ayery*, *ibid.*; *ayrie*, *Hamlet*, II. ii. 362; all of which might represent the adjective *airy*. The old homophony between the noun and the unrelated adjective is not a serious objection, because the words are not likely to be confused; though a superficial ambiguity appears in Shakespeare, *King John*, v. ii. 149:

And like an Eagle, o're his ayerie towres, &c.

[B.B.C. disapproved.]

[K. S.]

**FANATIC.** [B.B.C. *fanáttic*.]

This has two objectors but is well sustained; see Tract IV, p. 23, and add these examples.

But tho' you cannot *Love*, you say,  
 Out of your own *Fanatick* way.  
*Hud.* II. i. 331.

But tho' no Pow'r of Heav'n or Hell  
 Can pacify fanatick Zeal. III. ii. 713.

[B.B.C. approved.]

†FETID. [B.B.C. *féttid.*]

2 objectors.

†FETISH. [B.B.C. *fétish.*]

3 objectors.

FRAGILE. [B.B.C. *fráj-ill.*]

This spelling *frajill* should have had either a doubled *j*, or a short mark over the *a*. It is only the second syllable that is in question.

Against the B.B.C. ruling of *fragile* there are two objectors. Their objection, though untenable, has support in tradition, as appears in John Sargeaunt's notice of these words: this we will here quote from Tract IV, to save trouble of reference.

Latin stems in *-ili*. These seem originally to have retained the short *i*. Thus Milton's spelling is 'facil' and 'fertil', while other seventeenth-century writers give 'steril'. This pronunciation still obtains in America, but in England the words seem to have been usually assimilated to 'fragile', as Milton spells it, which perhaps always [?] commonly] lengthened the vowel. The penultimate vowel is short.

Of these words, which we spell with the suffix *ile*, some of them are from the Latin stem *ili*, and some from *ili*, and since the final *e* in the English word is always mute, and can have no other use except to lengthen the preceding vowel, it would seem reasonable that, instead of using it to ensure confusion, we should make it serve its only purpose, as Milton would have done, omitting it after the short *il*, and keeping it to distinguish the long *il*. Thus we should write *agil*, *facil*, *fertil*, *fossil*, *fragil*, *steril*, but *senile*, *juvenile*, *puerile*, *virile*, &c. Although our established pronunciation would forbid absolute conformity with the Latin in all the words, this use of the mute *e* would distinguish many correctly, while words which in English do not conform to the Latin quantity would have their exceptional pronunciation determined.

These convenient *il* spellings would not be new in English orthography, nor would the pronunciation in any case be a novelty. Milton's spelling has been noticed and all the six *il* words given above have often appeared in English literature without the mute *e*. In America the short *il* pronunciation in the *lli* words is universal; and thus they keep the pronunciation *dassil* for *dôcile*: *dôcil* is recognized as a secondary pronunciation in the O.E.D. I have myself inherited it and regard *dôcile* as an abomination, though the B.B.C. recommend it and it has no objectors. And thus the Americans say *fütüil*, where we say *fütile*; the long *u* is in order: see Tract IV, pp. 12 and 13, and p. 20, l. 16.

[B.B.C. approved.]

**FURORE.** [B.B.C. *Féwroar.*]

The question which the B.B.C. had to decide was whether the word *furore*, when it occurs in English literature, should be read as a word of two or three syllables. We have nothing to do with the *Con furore* which appears among other Italian words as a musical direction.

I remember how Heine in his *Pictures of Travel* writing, I think, from Lucca advises his readers to skip the ensuing chapter, because it will bore them, and regrets that he cannot do so himself. Such are my feelings now, and I shall write more at my ease if I think no one will read. I will do my best to state this involved business briefly. My exposition is merely a digest of what I have grabbed from Littré and the O.E.D.

We have two words in English, *fury* and *furor*: they are Latin words, from the French, and the French have them both, *furie* and *fureur*. Littré at the foot of *Fureur* has the following note:

-SYN. FUREUR, FURIE. Le radical de ces deux mots est le même; le suffixe seul est différent. Étymologiquement, la fureur est l'état d'un homme furieux; la Furie est un personnage mythologique chargé des vengeances des dieux. De là résulte que la fureur, bien que violente, peut être cachée dans le fond de l'âme, tandis que la furie éclate au dehors. Par une conséquence naturelle, furie a pu se dire de l'impétuosité d'une attaque, comme dans cette phrase consacrée: la furie française, qui exprime l'impétuosité des assaillants; tandis que fureur ne serait pas applicable et aurait un autre sens. D'autre part, il y a dans fureur une signification de folie, de transport qui n'est pas dans

furie; ce qui fait qu'on dit fureur prophétique, et non furie prophétique.

Now in English, though the Greek Erinyes are fully recognized, and *Fury* in the singular number can be used with that definite signification (and was by Milton transferred to the Fates, 'comes the blind Fury with the abhorred shears'), yet it is our common word for impetuous passionate anger or rage (but note that *rage* itself is used sometimes in poetry for the poetic frenzy), and was never in English distinguished from *furor* in this personified or purely classical sense, and, since the sixteenth century *furor* has supplanted it, so that the distinction which Littré draws is impossible to us; and when writers wished to use the word in the sense of a craze or popular enthusiasm (as the French did in 'faire fureur, être fort en vogue, c'est une fureur') they found it pre-engaged with a much weightier association and therefore it was, I suppose, that Carlyle, though he could write in the *French Revolution*, 'Rises into furor almost Pythic', twenty-four years afterwards wrote, 'this blockhead is making quite a furore at Glasgow'.

This word then is like our troublesome *ennui*, for which, having dealt with it once satisfactorily, we are now asked to provide a new dress. Like *ennui* there is no simple solution: if we only add an *e* to it, that *e* will remain mute, and in speech there will be no distinction: if we are to make a new word it must be a trisyllable and spelt so as to ensure that pronunciation. It appears to us that *craze*, which seems to have specialized itself in the nineteenth century, is a useful word; and *rage*, quoted as early as 1725,

The favorite phrases . . . the Rage, the Thing, the Twaddle and the Bore,

is a rival competitor for some senses: and as the word *frenzy* covers definite ground, we have really no need to make fresh terms with this old alien.

The B.B.C.'s phonetic spelling seems wrong: *furor* or *furore* is syllabized not as *few-rents*, but like *four-oar*.

GEYSER. [B.B.C. *gēser*.]

The problem is like that of *Eyrie* (q.v.): should we pronounce the first syllable (1) as in *grey*, or (2) as in *eye*, or (3) as in *key*? And the reason for the doubt is the same:

there was seldom occasion to speak of a natural geyser, and therefore no traditional pronunciation could be established in English.

The nearest natural geysers to England are those of Iceland, and the word was borrowed in the latter part of the eighteenth century, when a new literary and political interest caused Dr. Johnson to plan a voyage to Iceland, and the Cabinet to consider its annexation. *Geysir*, derived from Icelandic *geysa*, 'to gush', is not a generic name, but the proper name of a notable intermittent fountain in Haukadal, near Mt. Hecla, which then threw up a column of water about 100 ft. high, affording a grand spectacle for visitors. It was later called the Great Geyser for distinction. There are good drawings of it by John Cleveley, who visited Iceland with Sir Joseph Banks in 1772, in British Museum Additional MS. 15511.—See *Islandica*, vol. xviii (1928).

The proper name was extended to gushing springs of the same kind, and whether because it was made known throughout Europe by von Troil's popular account of Iceland, or because of England's lead in geological discovery, it became established in the generalized sense in other languages: French *geyser*, German *geiser*, &c.

- (1) The pronunciation as in *grey* is the oldest. It fairly represents the Icelandic sound, and is recognized by the best dictionaries.
- (2) Natural geysers are found in two English-speaking countries—at Yellowstone Park in the United States and the Hot Lakes district of New Zealand. In both these countries the common pronunciation is as in *eye*, and this also is recognized by the best dictionaries. In its origin it is probably a learned guess at a foreign word, made on the assumption that the sound of *ey* would be the same as that of German *ey*, *ei*.
- (3) Towards the end of the nineteenth century the mechanical device for heating bath-water made *geyser* a household word, and the pronunciation as in *key* gained ground. It has no roots in the past and is not mentioned by the Oxford Dictionary or the Century, while Webster's New International says it is 'no longer recognized'.

If there should be any connexion between the sound of a word and the thing it represents, then the wheezing noise of *geezzer* does not do justice to the majesty of a natural



geyser, however appropriate it may be to the petty tyrant of the bathroom; and as this pronunciation is still further disadvantaged by the homophone *geezzer* 'an old man or woman', we cannot commend it. The pronunciation as in *grey* is now rare, though it can claim historical correctness. The pronunciation as in *eye*, which has respectable authority, may well be preferred in order to keep English pronunciation in line with American and Colonial wherever there is a reasonable choice.

The Icelandic name *Geysir* is pronounced with *s*, not with *z*; and accordingly forms (1) and (2) are found both with *s* and *z* in the dictionaries. But *s* in such a position can hardly be preserved against the weight of English usage, and we may accept the pronunciation with *z*.

[B.B.C. disapproved.]

[K. S.]

**HELIOTROPE.** [B.B.C. *helliotope*.]

There are only two objectors to the shortening of the vowel in the first syllable in this word.

There are a good many words beginning with *helio-*, the Greek word for the sun: they are all compounds, mostly very modern, and are always pronounced with long *e*.

*Heliotrope* is a very old English word: it kept its Latin termination for a long while—as many plants do to this day—but Bacon (1626) drops it:

Flowers of heliotrope

and Evelyn (1664) has

Star-wort, Heliotrop, French Marigold

and as it is the only *helio-* word which has come into common talk, it has so far the right of exception. The dictionaries, however, allow no difference of pronunciation before D. Jones (in 1913) who gives a short *ɛ* without choice, which means that he had never heard the long *e* spoken, whence it appears very likely that the dictionaries have pedantically ignored an actual use: if not, then this recommended pronunciation must be very recent, but this again is contradicted by the fact that Lord Balfour and Earl Grey both approve the B.B.C.'s ruling; and their practice dates back from an earlier generation, with full scholarly sensitiveness. Hence we are inclined to conclude that *Heliotrope* may be the older pronunciation of the two.

I found that both my gardeners said *Heliotrope* and, thinking that there might be a tradition among the seeds-

men, I wrote to six firms whose catalogues were handy; four of them replied in favour of *Héliotrope*; the other two—perhaps because my question gave them no lead—would not commit themselves, and referred me to the dictionaries. Now these horticulturalists are very dependent on the dictionaries, because the nomenclature of botany is full of un-English problems. They were therefore fighting against their usual authority in sticking to *Héliotrope*. Since then I have asked almost every person who came to my house how they spoke the word; and no one of them ever used the long *e*.

[B.B.C. confirmed against all the greater dictionaries.]

#### HUMOUR. [B.B.C. *h* to be sounded.]

Two of our elder critics object to this aspiration.

The pronunciation of the first syllable of *humour* and its derivatives as *hue* instead of *you* is quite recent, but appears to be gaining ground among good speakers, and can hardly any longer be considered as either a vulgarism, or as a mere whimsical eccentricity, though the more old-fashioned speakers, and those who do not favour a deliberate, studied, or theoretical utterance still adhere to the older, traditional pronunciation. The *Concise Oxford Dictionary* apparently prefers *hue* since it indicates this as the first pronunciation, adding in brackets 'or *ü*'. The 1918 edition of Annandale, on the other hand, does not mention the aspirated form of the first syllable of *humour*, &c., at all. The 1849 edition of Walker's pronouncing dictionary (first published in 1785) gives 'yumor' as the pronunciation, and mentions no other. It is worth noting that where more than one pronunciation was in vogue, or recognized by authorities, Walker indicates the variants. Thus, under *Herb*, for which he gives 'erb' as the pronunciation, he conscientiously remarks—'I have differed from Mr. Sheridan by suppressing the sound of *h* in this word and its compound *herbage*, and have Mr. Nares, Mr. Perry, and W. Johnston on my side'. It is reasonable to assume, therefore, that in recording 'yumor' as the sole pronunciation, Walker is in accordance with the accepted usage of his time (1732-1807). Sheridan (1780) includes *humour* in his list of words in which *h* is not sounded. James Elphinston (1721-1809) was the author of various treatises on English pronunciation, published respectively in 1756, 1765, 1787, and 1790. According to this writer *humour*

and *humorous* were pronounced without *h*. Baker in his *Rules for true spelling of English* (1724) strangely enough does not include *humour* in his list of words in which 'h is not sounded', though this contains *honour, humble, herb, heir, honest*.

Convincing evidence, however, for good colloquial usage in the first third of the eighteenth century is furnished by the unstudied spellings of Lady Wentworth—*youmore, youmored* (*Wentworth Papers*, pp. 107, 320), and of Cary Verney in the first half of the seventeenth century—*yumer* (*Verney Memoirs*, ii. 63).

The present-day pronunciation of *humour* with *h*- has no tradition behind it and has come in during the last two or three decades. The aspirate in *herb, hospital, humble* established itself rapidly during the latter half of the nineteenth century, and it is doubtful whether it was ever omitted in these words by good speakers born after the middle of the century. [B.B.C. disapproved.] [C.W.]

IDYL. [B.B.C. *iddill*.]

The B.B.C. ruling here has only one objector among our critics. As he represents the O.E.D. which gives the pronunciation *'eye-dil* (recognizing no other), and as Webster does the same for America, and as D. Jones also puts that first, it has to be explained how it comes about that all this learned lexicography is put aside by a consensus of good practice.

It seems clear that this is a case in which a word, finding itself in bad company, retired like a wise homophone from the battle. We have already *idol* and *idle* to say nothing of *ideal*; and the word *idyllist* (which we are told to accent on the first syllable) is hardly distinguishable from D. Jones's superlative of *idle*.

The Greek pronunciation is of course of no account; and though the syllable was long, it cannot have been *eye* (ai). Mr. Fowler strongly confirms our remarks in his *English Usage, sub voc.*

[B.B.C. confirmed.]

IMMANENT. [B.B.C. *immáyuent*.]

The B.B.C. suggest an entirely new pronunciation, stressing the second syllable and changing the character of its vowel—and this, with the sole purpose of distinguishing it from the word *imminent*. Two of our critics pass this

utilitarian innovation, while a majority condemn it. There are four words more or less interested in this need for distinction: they are given in the O.E.D. thus:

**Emanant.** e'mănănt, from Lat. *ēmānāre*. That which emanates or issues from a source.

**Eminent.** e'minēnt, from Lat. *ēminēre*. High, towering above surrounding objects.

**Immanent.** i'mănēnt, from Lat. *immanēre*. Indwelling, inherent.

**Imminent.** i'minēnt, from Lat. *imminēre*. Impending threateningly.

The word *immanent* is rare, but has a special philosophical connotation, almost consecrated in theology: it belongs to scholars, who will never countenance its deformation, especially one with a false quantity, which implies an entirely different word and meaning—*emanent*, where the long *ā* would be in place. Moreover the B.B.C. pronunciation has an unfortunate likeness to the word *immane*, which, though useless and entirely literary and almost obsolete, will show its face.

We see here merely an example of the importance of insisting on the articulation of unaccented vowels. The doctrine which many phoneticians now preach, that each word should have only one accent and that one as near the beginning as possible, which should have its vowel distinctly sounded, while all the other syllables should be slurred, leads inevitably to the sort of confusion which is demonstrable in this word.

A speaker who cannot distinguish his vowels should learn to do so and, as Lord Balfour says, 'he must take his chance'. It would seem to us that the simple general rule for these unaccented vowels is that the speaker should have put his mouth in the position of resonance for the proper vowel, and in that condition he is safe and may slur as much as he likes. The only difficulty of this rule is when, as in the present word, the unaccented vowel is followed by a liquid, because the liquid is apt by substitution of its own syllabic quality to override and obliterate finer distinctions, which we readily allow it to do when it makes no confusion. But in a word like *immanent* it should not be allowed its usual licence; the vowel of *man* should be prepared for and distinctly heard.

We therefore increase the majority of the objectors by our vote. [B.B.C. disapproved.]

**INDISPUTABLE.** See *Disputable*.

**INTESTINAL.** See *Doctrinal*.

**LAMENTABLE.** See *Disputable*.

† **LAUNCH.** [B.B.C. the vowel as in law.]  
2 objectors.

† **LAUNDRY.** [B.B.C. *au* as in law.]  
2 objectors. N.B.—a different pair from those to the last word, *launch*.

**OMINOUS.** [B.B.C. *ōmminous*.]

Two of our elder critics object to the *o*, which is long in Latin, being shortened, but the shortening is in strict rule, and is given in all the dictionaries: the word is not even among Vizetelly's 25,000 frequently mispronounced words: *ōminous* appears as a secondary pronunciation heard by D. Jones (1913); it must therefore, it would seem, have been due to that classical self-consciousness which invaded our speech in the middle of the last century.

[B.B.C. confirmed.]

**ORDEAL.** [*orddel*, not *or-dē-al*.]

This is an interesting word, being a rare example of a right and wrong (see Mr. Lloyd James's Preface, p. 8). The question is whether it is a disyllable or a trisyllable.

If you ask any one who says it is a trisyllable how he pronounces *misdeal*, he will suddenly become aware that the *eal* of *deal* is not the adjectival suffix of a root that signifies nothing but that the *deal* in *ordeal* is the same as a *deal* of cards—a word active in all departments of thought and in all ranks of society. It is a true English word more than 1,000 years old.

The earliest spellings of *ordeal* given in the O.E.D. are *ordál*, *ordél*, *ordale*, *ordell*, *ordele*: it is the same as the modern German *urtheil*, and the digraph *ea* of our modern spelling has the same phonetic value as in *heal*, *meal*, *conceal*, *congeal*, *peal*, *seal*, *steal*, *reveal*, *weal*, *zeal*, &c. The O.E.D. states that it very early got confused with the *ea* in adjectives ending in *eal* as *arboreal*, *lineal*, *corporeal*, &c., and thus *ordeal* was spoken as a trisyllable with the accent on the first, and it is thus quoted from Tennyson. But it is a substantive, and I am sure that I have commonly heard it with the accent on the second syllable of the three and

feel convinced that it came latterly to be associated by Greek scholars with *ideal* and *real*, words of substantive use and of much the same literary status. Thus, as the O.E.D. says, ignorance of the etymology leads to wrong pronunciation. Now though the wrong may yet be too strong for the right, which would not much matter, it was certainly the duty of the B.B.C. to favour the right, and since the word still remains with cultured speakers, there is hope for it. This is one of the words which has three objectors to the B.B.C. ruling: but as it is approved by our two younger critics, we may perhaps conclude that the word is coming back to its rights.

[B.B.C. confirmed.]

† TROUGH. [B.B.C. *Troff*.]

2 objectors.

WONT. [B.B.C. *wōnt*.]

This is the substantive or past participle, not the colloquial contraction *won't* for *will not*, with which the B.B.C.'s ruling makes it an objectionable homophone. The uncertainty in their list as to what word is intended, has embarrassed the critics, and one of them writes: 'I don't know whether this refers to *use and wont*, but if so, surely the traditional pronunciation is *wunt*.' And so it is. Prof. Cecil Wyld writes: 'The old pronunciation . . . survives in Spenser's and Milton's rhyme of this word with *hunt*. Milton's contemporary, Wharton, includes it in a list containing *month, honie, monie*, which, according to him, all have the same sound. This is perfectly normal. *Wont* is historically a Past Participle formation from O.E. (*ge*)*wunian*, "to be in the habit of, accustom oneself to" (cf. O.E. *wuna*, M.E. *wonē*, "habit, custom"). Our modern pronunciation, which rhymes with *don't*, is not traditional, but is based on the spelling.' But the old pronunciation is not so obsolete as this might lead us to think. Walker's rhyming dictionary of 1824, under UNT, writes: '*Brunt, blunt, hunt, runt, grunt*. Perfect rhyme, *wont* (to be *accustomed*)'. It is universal in Scotland (it was spoken in my presence last night), and it is universal in America: and, pronounced like *wōn't*, is given in 1924, by Vizetelly, as one of the frequently mispronounced words.

Among the innumerable historical spellings given in the O.E.D. the form *wunt* is given first among those in use

from the fourteenth to the sixteenth century. Mr. Sisam writes: 'The spelling with *o* for *u* arose from an attempt to make good the deficiencies of handwriting. In French and English MSS. of the thirteenth, fourteenth, and fifteenth centuries *u* and *n* are often indistinguishable. Combinations like *un*, *um*, *uu* made obscure groups of uniform strokes; and to avoid them in the body of a word, *on*, *om*, *ou* were substituted in writing without any change in the pronunciation; so that we get *wont* from O.E. *wunian*, *come* from O.E. *cuman*, *love* (older *loue*) from O.E. *lufu*.'

With this word again it appears that Americans have been more conservative than ourselves, and their practice seems to be not only more correct but more convenient.

[B.B.C. disapproved.]

**ZOOLOGICAL.** [B.B.C. *zō-ōlōj-ical*, in Zoological Gardens *zoo-lōj-ical*.]

The only question about the pronunciation of this word is the value of the second *o*. The first *o* is the long English *o* which we speak in *owe*. The second *o* is either a shortened form of this sound (as heard in *obey* and *violet*) or it is the obscured sound of the true short *o*, as in *hot*, and which we speak in *zoology*. Daniel Jones, in his dictionary, records that people who visit the Zoological Gardens in London speak of that resort with the following six variants, and he gives them in this order (of frequency?):

zulɔdzikəl  
 zuəlɔdzikəl  
 zəlɔdzikəl  
 zɔdzikəl  
 zlədzikəl  
 zouəlɔdzikəl

This picture of the attempts of Londoners to speak *zoological* should amuse them. The familiar nickname *zoo*, which seems to be 100 years old and is used not only of the London Zoological Gardens, but of any such collection of wild animals, is now a well-established English word; but as its chief purpose was to substitute one syllable for seven, it loses this advantage and can only be an ignorant vulgarism when it is used to deform the polysyllable. The two proper pronunciations given in this note are equally satisfactory.

[B.B.C.'s alternative disapproved.]

Before engaging in the summary of the results, let the reader remember that the items, as is explained on p. 385, are fewer than was schemed for (though I submit that they are sufficient for their purpose), and that the judgement is quite impersonal. I have merely tried to apply to a haphazard batch of examples the principles which our Society advocates. The verdicts resulting from this process in some cases condemn my own inherited practice.

The circumstances are peculiarly favourable to exhibit the actual condition of these disputed pronunciations:

(1) The words were chosen by the Announcers from practical experience.

(2) A select Committee voted in preference for certain definite pronunciations.

(3) Five careful speakers judged these decisions.

And (4) the S.P.E. comes in with estimation of the philological facts which should determine judgement in each variously disputed case; and it must be by the introduction of some wider principle or knowledge that common agreement can be arrived at. Whether or no I am personally qualified to make this final revision, whether it would in every case have the support of all my colleagues, are points which any one may raise: I only ask that my exposition and arguments shall be taken on their merits.

It was stated that among the five critics there was in 14 cases a majority against the B.B.C. decisions. This number should have been 13, for *disputable* and *indisputable* were numbered as two words. In the following summary all the French words (for the same reasons that led to their separation in the list, see p. 373) will be omitted, except those that had a majority of objectors against the B.B.C.; and all the listed words which have escaped treatment in the tract will be put in [ ] and excluded from the present statistics.

Of these 13 words then, 3 had four-fifths of the critics against them: these were *fortill*, [*laboratory*], [*obligatory*]. and in *fortill* we support the B.B.C. against the objectors.

The other 10 words which had three-fifths against them were *acoustic*, [*allies*], [*apparent*], *disputable*, *enclave*, [*fetish*], *immanent*, *ordeal*, [*peremptory*], *trait*; and of the 6 of these which we have examined we support the B.B.C. in 4 cases and support the objectors in 2, viz. *disputable* and *immanent*.

Of the other 18 words which we have treated, 8 had 2 objectors, whom we support in 3 cases; *contumely*, *humour*,



and the alternative of *zoological*: but we confirm the B.B.C. against them in 5 cases; *aerial, contemplative, fanatic, fragile, ominous*.

In 4 cases there was only one objector whom we confirm in *evil*: in the other 3 cases, *dynast, ephemeral, idyl*, we confirm the B.B.C.

The remaining 6 words that we have treated were apparently passed by all the critics. We are therefore opposing both the B.B.C. and the critics in objecting to *docile, doctrinal, intestinal, eyrie, furore, wont*.

Therefore in the whole 25 words which we have treated we have approved the B.B.C. in 13 cases and gone against them in 12 cases, and in 6 of these 12 we are opposing the whole consensus of the B.B.C. committee and our five critics.

It cannot be supposed that the particular manner in which any one word or any small group of words is pronounced by the Announcers can have noteworthy effect on the trend of the language. On the other hand, it cannot but be that broadcasting of speech must have a very great and wide effect—indeed it would seem as if there had never been any effective influence to compare with it; and though it may no doubt have its bad as well as its good effects, the good must predominate because the main aesthetic of speech is frankly utilitarian: it is the good articulation which is best heard, and the slovenry of our Southern English colloquial pronunciation will expose and destroy itself; moreover there will also be always the personal ambition of the speaker to speak well. And it appears that already the public are becoming more critical and appreciative of good phrasing and articulation. All these influences will work of themselves without interference. But it is most desirable that the speakers should be guided by sound general principles and that is what the B.B.C. intended to assure by appointing a Committee of experts to handle the problems; their intention and doctrines are well formulated by Prof. Lloyd James's preface to their pamphlet.

There has always been plenty of talk about correct speech, but never any sign of concerted action among philological and literary Learned Societies to promote it; although the fact that we are spreading our language all over the world should quicken our sense of duty and our national pride to do our best to make it as good an organ for thought and discourse as we can. This from the first

has been the avowed object of our Society. If it were possible to humiliate ignorant people many Englishmen would be humiliated to learn that true English tradition has often been more faithfully observed in America than in London, and that the outspoken contempt of all American speech which was fashionable in England 50 years ago was in this respect less justified than the reciprocal contempt which it provoked in America for our Southern English. In the few chance words which we have treated, there are some half a dozen examples.

This old mutual prejudice still rankles on both sides, but it has never found any echo in our Society, and we can now feel pretty sure that it is practically wiped out, though Americans who wish to be extra smart will still sometimes indulge in the old-fashioned raillery, and on our side we can occasionally hear something to match it.

What is needed in this conflict is what we have already got; that is, a good body of sane students on both sides who are practically agreed on all points and are working for the best unity of the language.

But other things are needed and first of all a hearty co-operation of our Learned Societies in a general movement, which it seems to us they would willingly give if they would fairly face the importance of it, and recognize the practical steps that can actually be taken to ensure results.

The first of these would be the teaching of the vowels in the Board Schools. I have rarely met any man outside phoneticians, teachers of elocution, and expert philologists who knew the scientific status of the vowels.

When I once said seriously that if I were to have my life again, with one common environment different, I should choose that my teachers should know the alphabet—when I said that, it had no meaning whatever to my hearers, because they all thought I was fooling, for my teachers of course knew the vowels and taught them: '*ay, ee, eye, owe, you, and sometimes double you and wai*'; but what they did not know was that the great standard vowels had been selected and isolated by human intuition and experience as distinct steps or stages in a scale of musical pitch (this being the simplest natural differentiations of tone and therefore the easiest trick for ensuring audibility), and that these whispered vowel-resonances were effected by certain definite positions of the mouth and tongue.

We have had two tracts on this subject and our circulation ensures that a good many more people are now as well-informed on the nature of the vowels as Roger Bacon was, and perhaps better.

When I was at school, philology had not dawned in England: it was most graciously introduced from Germany by the popular lectures of Max Müller in Oxford some fifty years ago, and since it is now fully domesticated, we have no longer any excuse for not teaching the elements of speech scientifically.

The first step would be to instruct the true vocalization of the great vowels; and this should be practised in all our schools. There can hardly be two opinions about that. Wherever it is suggested the proposition is hailed with such enthusiasm that I suppose everybody recognizes what an overpowering effect it would have for good.

The difficulties, the great difficulties, which in the past may have justified inaction are now almost removed by the cheap multiplication of common machinery for reproducing vocal sounds, and it seems that it needs only a small committee of experts to draw up a scheme which, if it were adopted by the Board of Education, would in a few years bring the articulation and elocution of all our folk to as high a standard, and into as high respect with them as their own speech is with the French.

So long as we refuse to amend our disorderly practice we are under the shame of discourtesy to all who have to learn our tongue, and must bear the reproach that, in these matters, having of all nations the widest responsibility to the world, we are of all nations the worst offenders.

U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

SIXTEENTH ANNUAL REPORT OF  
THE CHIEF OF THE  
CHILDREN'S BUREAU  
TO THE SECRETARY OF LABOR

5

FISCAL YEAR  
ENDED JUNE 30

1928



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SIXTEENTH ANNUAL REPORT  
OF THE  
CHIEF OF THE CHILDREN'S BUREAU

UNITED STATES DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
Washington, September 15, 1928.

HON. JAMES J. DAVIS,  
*Secretary of Labor.*

SIR: I have the honor to transmit herewith the sixteenth annual report of the Children's Bureau, for the fiscal year July 1, 1927, to June 30, 1928.

The Children's Bureau was created by act of Congress in 1912, the importance of a Federal research organization in the field of child welfare having been presented to Congress by both President Roosevelt and President Taft. In the 16 years that it has functioned as a fact-gathering bureau public and private agencies interested in the care of children and individual parents have increasingly made use of the information that has been painstakingly and dispassionately assembled by the scientific staff of the bureau.

As this and previous annual reports show, most of the local studies made by the bureau have been undertaken at the request of State departments, official and unofficial children's code commissions, child-health committees, associations for the prevention of crime and delinquency, and agencies caring for dependent children. Within the limits of its resources the bureau has sought to make the information assembled available in printed reports and popular bulletins, films, exhibits, and news summaries and to a limited extent by the loan of personnel for consultation and demonstration.

### MATERNITY AND INFANCY

*Administration of the maternity and infancy act.*

With the passage of the maternity and infancy act in 1921 the bureau was enabled to cooperate with the States in the development of an educational program for the promotion of the health of mothers and babies. Last year accordingly is the sixth that the maternity and infancy act has made available to the States funds for this purpose. Throughout the year 45 States and the Territory of Hawaii were cooperating with the Children's Bureau in accordance with the terms of this act to promote the welfare and hygiene of maternity and infancy. The legislatures of three States—Connecticut, Illinois, and Massachusetts—have never accepted the benefits offered by the Federal Government.

Table 1 gives the amounts available and the total amounts accepted by the States from the appropriations for the fiscal years 1922, 1923, 1924, 1925, 1926, 1927, and for 1928 up to June 30. As the appropriations are available for a 2-year period a full report on the 1928 appropriation can not be made until June 30, 1929.

TABLE 1.—Amounts available to States and Hawaii from Federal maternity and infancy funds and amounts accepted<sup>1</sup>

[Statement as of June 30, 1928]

States and Territory cooperating	Maximum amounts available from 1922 appropriation <sup>2</sup>	Amounts accepted by States from 1922 appropriation	Maximum amounts available from 1923, 1924, 1925, 1926, 1927, and 1928 appropriations	Amounts accepted by States and Hawaii <sup>3</sup> from—					
				1923 appropriation	1924 appropriation	1925 appropriation	1926 appropriation	1927 appropriation	1928 appropriation <sup>4</sup>
<b>Total</b> .....	<b>\$477,500.00</b>	<b>\$316,554.02</b>	<b>* \$1,201,725.96</b>	<b>\$716,333.40</b>	<b>\$677,122.04</b>	<b>\$982,754.69</b>	<b>\$947,959.59</b>	<b>\$977,866.97</b>	<b>\$919,075.78</b>
Alabama.....	10,297.56	10,297.56	25,836.95	25,836.95	25,836.95	25,836.95	25,836.95	25,836.95	25,836.95
Arizona.....	5,753.88	5,000.00	12,253.71	5,000.00	12,253.71	12,253.71	5,000.00	12,253.71	12,253.71
Arkansas.....	8,953.08	5,000.00	21,817.51	6,855.75	16,817.51	13,500.00	14,000.00	12,000.00	21,817.51
California.....	12,731.12	( <sup>b</sup> )	33,112.01	24,279.35	13,114.93	15,620.00	26,730.00	23,941.58	29,130.00
Colorado.....	7,119.83	5,000.00	16,337.20	9,976.99	9,993.33	9,993.37	10,000.00	10,000.00	5,000.00
Connecticut.....	8,114.75	8,114.75	19,311.48	6,556.74					
Delaware.....	5,503.10	5,503.10	11,504.01	11,504.01	11,504.01	11,504.01	11,504.01	11,504.01	11,504.01
Florida.....	7,184.90	5,000.00	16,531.72	8,621.28	16,531.72	16,531.72	16,531.72	16,531.72	16,531.72
Georgia.....	11,533.10	6,750.00	29,530.55	11,000.00	15,280.00	28,490.00	29,530.55	29,530.55	29,530.55
Hawaii.....			11,725.96				11,725.96	9,933.93	11,725.96
Idaho.....	5,974.30	5,000.00	12,912.66	6,250.00	7,912.66	5,091.60	9,308.40	6,000.00	7,500.00
Illinois.....	19,631.08	( <sup>b</sup> )	53,739.10						
Indiana.....	11,611.07	8,199.09	29,763.62	24,995.00	26,250.00	25,750.00	25,000.00	25,000.00	25,000.00
Iowa.....	10,423.56	10,423.56	26,213.60	26,213.60	26,213.60	26,213.60	26,213.60	26,213.60	26,213.60
Kansas.....	8,991.51	8,991.51	21,932.52	12,097.33					20,000.00
Kentucky.....	10,452.00	10,452.00	26,298.64	26,298.64	26,298.64	26,298.64	26,298.64	26,298.64	26,298.64
Louisiana.....	9,037.50		22,129.50		17,590.60		22,129.50		5,000.00
Maine.....	6,732.66		15,179.77				21,664.27		5,000.00
Maryland.....	8,270.49	7,913.57	19,777.05	19,277.05	19,268.05	19,164.58	19,277.00	19,277.00	19,277.00
Massachusetts.....	13,691.06		35,961.70						
Michigan.....	13,253.97	13,253.97	34,741.11	34,741.11	34,741.11	34,741.11	34,741.11	34,741.11	34,741.11
Minnesota.....	10,385.44	10,385.44	26,099.65	26,099.65	26,099.65	26,099.65	26,099.65	26,099.65	26,099.65
Mississippi.....	9,039.70	9,039.70	22,076.58	22,076.58	22,076.58	22,076.58	22,076.58	22,076.58	5,000.00
Missouri.....	12,679.67	12,473.15	32,958.19	28,527.38	21,782.17	24,000.00	25,000.00	32,958.19	30,000.00
Montana.....	6,238.31	6,238.31	13,701.91	13,701.91	13,701.91	13,701.91	13,700.00	13,700.00	13,700.00
Nebraska.....	7,924.66	7,924.66	18,743.21	17,661.69	7,409.50	11,915.00	12,980.00	11,000.00	11,000.00
Nevada.....	5,174.63	5,000.00	10,522.06	5,000.00	10,522.00	10,522.00	10,522.00	10,522.00	10,522.00
New Hampshire.....	5,999.61	5,000.00	12,988.31	5,000.00	12,988.31	12,988.31	12,988.31	12,988.31	12,988.31
New Jersey.....	12,119.83	12,119.83	31,284.55	31,284.55	31,284.55	31,284.55	31,284.55	31,284.55	31,284.55
New Mexico.....	5,812.96	5,812.96	12,430.33	12,430.33	12,430.33	12,430.33	12,430.33	12,430.33	12,430.33
New York.....	28,429.70		80,041.78	80,041.78	80,041.78	80,041.78	80,041.78	80,041.78	80,041.78
North Carolina.....	10,773.47	10,773.47	27,259.66	27,259.66	27,259.66	27,259.66	27,259.66	27,259.66	27,259.66
North Dakota.....	6,459.36	5,000.00	14,362.74	6,000.00	6,000.00	8,300.00	8,300.00	7,200.00	6,500.00
Ohio.....	17,993.41	7,187.95	48,843.46	11,900.00	17,297.89	26,600.96	31,400.73	32,500.00	5,000.00
Oklahoma.....	9,575.88	5,000.00	23,679.48	5,000.00	20,934.06	23,679.17	23,679.48	23,679.48	23,679.48
Oregon.....	6,767.35	6,232.61	15,283.46	8,000.00	15,283.46	15,283.46	15,066.68	15,283.46	15,283.46



Pennsylvania.....	24,672.69	24,667.12	68,810.99	68,810.20	68,810.99	68,810.99	68,810.99	68,810.99	68,810.99
Rhode Island.....	6,363.54		14,076.28		4,999.86	14,076.26	14,076.28	14,076.28	14,076.28
South Carolina.....	8,798.54	8,797.50	21,355.65	21,355.65	21,355.65	21,355.47	21,355.65	21,355.65	21,355.65
South Dakota.....	6,438.07	6,436.07	14,293.11	12,844.24	14,272.92	13,451.15	14,285.10	5,000.00	5,000.00
Tennessee.....	10,274.35	5,000.00	25,787.55	16,521.94	22,410.73	25,787.55	25,787.55	25,787.55	24,036.00
Texas.....	15,520.41	9,363.83	41,450.52	32,567.38	40,689.20	40,447.84	36,350.52	25,350.52	41,450.52
Utah.....	6,013.85	5,000.00	13,090.89	6,365.00	13,000.00	13,000.00	12,379.23	13,000.00	13,000.00
Vermont.....	5,795.09	(9)	12,376.90		2,775.33	4,281.30	4,937.38	5,000.00	5,000.00
Virginia.....	10,209.61	10,209.61	25,574.00	25,574.00	25,574.00	25,574.00	25,574.00	25,574.00	25,574.00
Washington.....	8,060.58	4,998.70	19,149.55	10,000.00	10,000.00	10,000.00	10,000.00	5,000.00	5,000.00
West Virginia.....	8,302.16	5,000.00	19,871.74	5,000.00	10,000.00	10,000.00	19,871.74	19,871.74	19,871.74
Wisconsin.....	10,938.04	8,995.03	27,751.62	27,750.44	27,751.62	27,751.62	27,751.62	27,751.62	27,751.62
Wyoming.....	5,438.57	4,998.87	11,311.12	5,000.00	11,000.00	5,600.00	6,600.00	7,500.00	5,000.00

<sup>1</sup> Under the terms of the act each State accepting receives \$5,000 outright; an additional \$5,000 is available to each State if matched; the balance of the appropriation is distributed among the States, if matched, on the basis of population. Amounts shown as accepted are the amounts actually accepted by the States less refunds of unexpended balances returned to the Federal Treasury as of June 30, 1928.

<sup>2</sup> Owing to the fact that only a few months of the 1922 fiscal year remained at the time the appropriation act for that year was passed a full appropriation was not made.

<sup>3</sup> The benefits of the act were extended to Hawaii on March 10, 1924. No appropriation therefore was available to that Territory in 1923 and 1924. The total amount available to the States in each year from 1923 to 1928 has been \$1,190,000.

<sup>4</sup> These funds are available until July 1, 1929. Actual acceptances up to June 30, 1928, are given here.

<sup>5</sup> California and Illinois accepted the full amount available, and Vermont accepted \$5,000. However, these funds were not spent but were returned to the Federal Treasury.

A full report of the work which this Federal fund has made possible is published each year by the Children's Bureau. Only a very brief summary of the accomplishments of the past year can be given here. The reports submitted by the States for the fiscal year 1928 show continued expansion and improvement in the work being done. Its extent during the past year is indicated by the fact that the work was carried on in 2,070 counties. The child-health and prenatal conferences have continued to be used in every State as a means of parental education in the hygiene and welfare of maternity and infancy. In the year under review 7,841 combined prenatal and child-health conferences, 2,002 prenatal conferences, and 18,839 child-health conferences were conducted by the cooperating States. In addition to assisting with the conferences and class work, 390 county nurses who gave full or part time to maternity and infancy work and the nurses on the State staffs reported making 686,964 home visits, helping the mothers to plan for better prenatal care for themselves and scientific care for their infants and preschool children. The number of expectant mothers reported reached during the year through conferences, instruction in classes, home visits, prenatal letters, and correspondence courses was more than 150,000. A larger number of infants and preschool children were reached through conferences, instruction to parents, and home visits, more than 1,013,000 being reported.

Each year some counties have assumed responsibility for maternity and infancy work initiated or assisted by the States, thus putting the work on a permanent basis. Since the beginning of the States' cooperation under the maternity and infancy act 162 counties have assumed responsibility for maternity and infancy work that had been begun with State and Federal funds. In 1928 103 combined prenatal and child-health centers, 17 prenatal centers, and 190 child-health centers—a total of 310—were established.

The medical and nursing staff of the maternity and infant-hygiene division of the Children's Bureau made 33 visits to States during 1928 to confer with State administrators and to review types of work in different communities within the States. The bureau accountant made the usual visits to the 45 States to audit accounts.

At the request of States 29 staff details were made for special work. For example, the bureau's colored physician has spent the year in 2 Southern States assisting in the instruction of colored midwives; a nurse was assigned to conduct demonstrations in maternity and infancy work in 2 States; the bureau's consultant in obstetrics conducted a graduate course in obstetrics in 1 State, and the consultant in pediatrics gave a similar course in another State; in 8 States physicians were assigned for maternal-mortality studies; and at the request of the United States Bureau of the Census and the State departments of health bureau agents have helped in birth-registration campaigns in 4 States since admitted to the birth-registration area, which at the end of the year under review comprised 42 States and the District of Columbia.<sup>1</sup>

With the funds made available by the Federal Government there has been a steady expansion of activities conducted by the States, an annual increase in the number of permanent locally supported county

<sup>1</sup> Colorado and South Carolina have been admitted since July 1, making 44 States in the area as this report goes to press.

nurses, and an increase in the State appropriations. With a better understanding of the causes of infant morbidity and death the old fatalistic attitude is being supplanted by the desire for scientific information as to the care of children, so that books, pamphlets, lectures, and classes on child care are everywhere in demand.

In the report of the administration of the maternity and infancy act for 1927,<sup>2</sup> which concluded a 5-year period of Federal and State cooperation, the accomplishments are summarized and some of the results of local pieces of work are appended to the State reports.

The annual conference of the State directors of maternity and infancy work has been an important factor in developing a better understanding of maternity and infant hygiene, of methods of cooperating with local communities, of ways of interesting parents, and of the practical problems involved in office administration. The fifth annual conference was attended by representatives of 43 cooperating States and of 3 States that have not accepted the benefits of the maternity and infancy act. Members of both the consulting committee on pediatrics and the consulting committee on obstetrics of the Children's Bureau attended the conference and took part in the program and discussions. The conference was opened by the Secretary of Labor on April 2, 1928. The first three days of the conference were devoted to discussion of such subjects as care during delivery and confinement, reduction of the maternal mortality rates in rural districts of certain States and of the infant mortality in rural districts of other States, methods of approach to the neonatal period and the preschool period, and general administrative problems. At the invitation of Dr. Howard Childs Carpenter, the representative of the American Child Health Association on the bureau's consulting pediatric committee, the fourth day, April 5, was spent in Philadelphia visiting the Children's Hospital. On the morning of April 6, 15 representatives of States and of the bureau who are at work on the maternal-mortality investigation returned to the Children's Bureau for a round-table discussion of field and statistical problems relating to the study.

#### Infant mortality in the United States.

For a number of years the general trend in infant mortality in the United States birth-registration area has been downward. Interruptions in this general trend, fluctuations above and below the general level, occur from time to time which are often due to causes not affected by a child-hygiene program. According to advance figures for the calendar year 1927 reported by the United States Bureau of the Census for the States and the District of Columbia which were in the birth-registration area in that year and the preceding year, 1,862,773 babies were born alive and 119,681 babies died in 1927, as compared with 1,856,068 live births and 136,118 infant deaths in 1926. This great saving of the lives of babies made the infant mortality rate the lowest in the history of the United States—65 deaths per 1,000 live births for the birth-registration area in 1927 as compared with 73 for the area in 1926.

<sup>2</sup>The Promotion of the Welfare and Hygiene of Maternity and Infancy.—The Administration of the Act of Congress of November 23, 1921, for Fiscal Year Ended June 30, 1927. United States Children's Bureau Publication No. 186. Washington, 1928.

The following 21 States had in 1927 an infant death rate lower than that for the registration area:

Alabama.....	64	Iowa.....	55	New York.....	59
Arkansas.....	61	Kansas.....	55	North Dakota.....	63
California.....	62	Kentucky.....	61	Ohio.....	62
Connecticut.....	59	Minnesota.....	52	Oregon.....	48
Idaho.....	50	Missouri.....	60	Utah.....	46
Illinois.....	64	Nebraska.....	51	Washington.....	50
Indiana.....	59	New Jersey.....	61	Wisconsin.....	59

Though these rates reflect great progress no State has as yet reached the low level of New Zealand, where the rate was 39 in 1927. Idaho, Oregon, Utah, and Washington, however, have rates sufficiently low to lead to the hope that if the present resources and facilities are continued and developed it may yet be said that there are some States in which it is as safe to be a baby as in New Zealand.

A study of the causes of death among American babies shows that in the expanding United States birth-registration area since 1920 there has been a marked decrease in mortality rates for gastrointestinal conditions, and a slight decrease in rates for natal and prenatal causes. The rates for respiratory diseases and epidemic and communicable conditions have shown considerable variation but neither upward nor downward trend. The average annual rate of decrease from 1920 to 1926 in mortality due to gastrointestinal conditions was 6.9 per cent. The rates for natal and prenatal causes show an average annual decline during this period of 1.2 per cent. For each of these types of causes in which reduction has been effected the mortality rates show variation from year to year, being higher in some years than in the year previous, but the general tendency downward is definite and significant in each instance, though very slight in the rates from natal and prenatal causes. The decreases are unquestionably associated with the general improvement in public health, the establishment of child-health conferences, the development of prenatal clinics, the distribution of literature, and public education regarding the importance of breast feeding.

#### Maternal mortality in the United States.

It is too much to expect that the death rate among women in childbirth will show so general and substantial a reduction as does the infant death rate. Figures are available for 1927 for 34 States and the District of Columbia as this report goes to press. The maternal mortality rates (deaths from causes associated with childbirth per 10,000 live births) for States in the birth-registration area in 1926 and 1927, for which figures have been supplied by the United States Bureau of the Census, are as follows:

	1926	1927
California.....	56.4	57.6
Connecticut.....	57.6	55.3
Delaware.....	92.9	58.6
District of Columbia.....	77.4	86.3
Florida.....	106.9	109.9
Idaho.....	56.9	60.0
Indiana.....	64.8	65.7
Iowa.....	60.4	58.9
Kansas.....	69.7	63.1
Kentucky.....	58.4	49.4
Maine.....	66.9	79.5
Maryland.....	57.8	57.5
Michigan.....	67.2	68.0

	1926	1927
Minnesota	57.4	44.4
Mississippi	78.7	86.7
Montana	80.2	86.3
Nebraska	86.5	59.2
New Hampshire	75.7	64.8
New Jersey	57.6	62.6
North Carolina	88.3	65.6
North Dakota	42.9	51.0
Ohio	67.1	61.9
Oregon	59.0	63.6
Pennsylvania	63.7	64.0
Rhode Island	59.6	64.1
Vermont	67.2	72.6
Virginia	79.8	61.5
Washington	75.0	66.5
West Virginia	70.6	61.5
Wisconsin	59.6	52.8
Wyoming	93.4	87.2

The maternal death rate has decreased in 16 of these States, has remained practically the same in 2 (Maryland and Pennsylvania), and has increased in 12 States and the District of Columbia. The expanding birth-registration area makes any conclusions difficult as to the general maternal-mortality trend. For the States in the birth-registration area from 1917 to 1926 the rates for the periods 1917-1921 and 1922-1926 are shown in Table 2.

TABLE 2.—Comparison of maternal mortality prior to operation of the maternity and infancy act (1917-1921, exclusive of 1918), with maternal mortality during the period of operation of the act (1922-1926) in specified States;<sup>1</sup> rates per 10,000 live births<sup>2</sup>

State	Year of first cooperation	Maternal mortality rate		
		1917-1921	1922-1926	Percentage of increase (+) or decrease (-)
States beginning to cooperate 1922, 1923:				
California <sup>1</sup>	1922	74.6	62.7	-16.0
Indiana	1922	78.0	62.5	-19.5
Kentucky	1922	62.6	60.0	-4.2
Maryland	1922	78.3	60.2	-17.9
Michigan	1922	78.3	66.9	-14.6
Minnesota	1922	64.6	63.9	-1.6
New Hampshire	1922	70.5	69.1	-2.0
New York <sup>1</sup>	1923	63.5	58.0	-8.7
North Carolina	1922	86.6	82.2	-5.3
Ohio	1922	74.2	67.3	-8.3
Oregon <sup>1</sup>	1922	89.4	69.6	-22.1
Pennsylvania	1922	69.7	63.9	-8.3
Utah	1922	73.6	59.2	-18.8
Virginia	1922	80.0	72.1	-9.9
Washington <sup>1</sup>	1923	83.7	68.1	-18.6
Wisconsin	1922	57.8	57.8	-0.9
States not cooperating prior to 1925:				
Connecticut <sup>3</sup>		58.3	55.6	-4.6
Kansas <sup>1</sup>	1927	76.5	68.5	-10.5
Maine	1927	77.8	77.0	-1.0
Massachusetts		68.6	64.6	-6.1
Vermont	1925	71.5	72.1	+0.8

<sup>1</sup> States selected are those in the United States birth-registration area in 1917 with the exception of California and Oregon, which came into the area in 1919, and Rhode Island, which was dropped from the area in 1919 and 1920. The rates for the States are for 1922-1926 and 1917-1921, exclusive of 1918 (when the rates were influenced by the influenza epidemic), with the exception of California and Oregon, where the rates are for the periods 1919-1921 and 1922-1926, and for New York and Washington, where the rates are for the periods 1919-1922 and 1923-1926, as these States did not cooperate under the act until 1923.

<sup>2</sup> Source: U. S. Bureau of the Census.

<sup>3</sup> Connecticut cooperated under the governor's acceptance from Apr. 1, 1922, to Dec. 6, 1923, but discontinued cooperation thereafter. Kansas cooperated under the governor's acceptance from Apr. 1, 1922, to Sept. 22, 1923, and resumed cooperation in 1927.

In the States showing the largest reduction in the death rates special activities were undertaken in addition to general education as to what constitutes adequate prenatal and confinement care, which was carried on in all the cooperating States. A majority of the States showed greater reductions in the rural than in the urban area, State efforts under the maternity and infancy act having been directed especially to the rural problem.

There is no single cause of the high maternal death rate. Isolation, untrained midwifery, lack of appreciation of the importance of prenatal supervision and consequent failure on the part of many women to consult their physician during the early part of pregnancy, inadequate hospital facilities in many rural sections, and poor technique in some hospitals are among the causes. It is hoped that the investigation described in the next section will enable the States to attack the problem with more certainty that their programs have a factual basis. Most of the emphasis to date has been on prenatal care and elimination of the untrained midwife, and where intensive work has been done the death rate has been substantially reduced. Certainly in this field no more than a beginning has been made. To stop now would be to lose the harvest. There are no deaths more tragic than those of women in childbirth. American men and women will certainly want to leave nothing undone that will make motherhood less hazardous.

#### **A study of the causes of maternal mortality.**

An investigation of maternal mortality undertaken in each case at the request of the State board of health and the State medical society is under way in Alabama, Kentucky, Maryland, Michigan, Minnesota, Nebraska, New Hampshire, Oregon, Rhode Island, Virginia, Washington, and Wisconsin.<sup>2</sup> In these States physicians are interviewing the doctor, midwife, or other attendant at birth of every woman that has died in childbirth during a two-year period, and, when the woman had hospital care, securing her hospital record. The schedule being used was worked out by the obstetrical advisory committee of the Children's Bureau, the general plan having been proposed by the chairman of that committee and approved by the State directors at the third annual conference of maternity and infancy directors. In three States the medical investigators are members of the State staff; in the others they are physicians belonging to the Children's Bureau staff, who have been assigned to this work in nine States. Information concerning approximately 7,000 deaths will have been secured when the investigation is concluded in 1929.

It is of interest that in Great Britain, where the maternal mortality rate is also high but lower than in the United States, a plan for a similar investigation was outlined by the Minister of Health in support of the estimates he was submitting in the House of Commons on May 15, 1928. The problem in Great Britain, where the midwife is accepted as having a permanent and important part in the provision of obstetrical care, differs from that in the United States, where the midwife is in process of elimination and where the racial elements of

<sup>2</sup> Since July 1, 1928, plans for the study have been adopted in Oklahoma and North Dakota.

the population together with the great distances greatly complicate the problem, but conditions are sufficiently similar to make it worth while to quote some paragraphs from Mr. Neville Chamberlain's statement:

I feel that the time has come when a great new effort ought to be made to bring down these figures of maternal mortality and to preserve the health of these mothers. There are many things we do not know yet about the causes of maternal mortality, but we do know something. We know that these figures, which persist, as I say, steadily throughout the country, nevertheless are not universal. There are places where we can find much lower figures. I think they will be found to be those places where there is the most careful antenatal and postnatal supervision and where the people themselves have had the greatest opportunity of learning what is necessary for them to preserve their health and the lives of their infants. The Ministry of Health is taking up this question very seriously. \* \* \*

I am now endeavoring to institute a new inquiry into the causes of maternal mortality. I am trying to enlist in that service the general practitioners throughout the country as well as the local authorities; and the British Medical Association have assured me that they are deeply interested in the question and that they will use all their influence with their members to get them to give every assistance possible to my inquiry. Under this scheme the local medical officer of health will make inquiry into every case of maternal mortality which occurs, wherever it may be, throughout the country. They will make this inquiry on lines which will be laid down by a committee at the Ministry of Health on the lines of that cancer committee which I have already quoted. Their returns will come in quarterly to that committee. They will be there examined, the information will be classified, and the committee will draw what conclusions they find it possible to draw from the information which they get; and all that information will then go back again to the local authorities and will be made known to those who are responsible for the conduct of the infant welfare centers and the maternity hospitals.

\* \* \* I must warn the committee that all these efforts are going to mean money \* \* \*. If we can indicate with any confidence to the people of this country what are the precautions that it is necessary for us to take, if we are to remove this menace from our midst, I can not believe that the national conscience would allow the lives of the mothers of this country to be sacrificed merely for the sake of a few extra thousand pounds.

Infant and maternal mortality in the District of Columbia.

A survey of infant and maternal mortality in the District of Columbia was made at the request of the Washington Council of Social Agencies and with the aid of the health officer of the District. The report includes statistical analyses of birth certificates and of infant and maternal death certificates in the District of Columbia and information secured through visits by a bureau physician to child-health and prenatal centers and to hospitals taking maternity cases. Material secured through questionnaires sent to hospitals and from printed reports was also utilized in determining what are the conditions in the District. Infant mortality rates for the individual years 1924, 1925, and 1926 and rates for the three-year period are compared with those for the birth-registration area and for Baltimore, Chicago, Detroit, New York City, and Philadelphia—cities that have 500,000 or more population and 2,000 or more colored births annually.

The study showed that the infant, stillbirth, and maternal mortality rates in the District of Columbia for the 3-year period, 1924 to 1926, were higher than those for the birth-registration area as a whole and higher than those for most of the cities under considera-

\* Statement of Mr. Neville Chamberlain, Minister of Health. Parliamentary Debates, House of Commons, vol. 217, No. 64, Tuesday, May 15, 1928, pp. 885-898.

tion. The higher rates in the District were found to be due in part to the high infant and maternal death rates among the colored population. These were invariably higher than the rates for the colored population in the birth-registration area, as well as for the colored population of most of the cities whose statistics were used for comparative purposes. A larger proportion of both white and colored infants in the District were found to die from natal and prenatal causes than the white and colored infants of the birth-registration area as a whole, and the puerperal mortality rates for both white and colored mothers in the District were found to exceed the rates for mothers of the same races in the registration area and in every large city with similar racial elements in its population.

The central part of the city shows the highest death rate. The infant mortality rates for the three precincts of this part of Washington exceeded 100 per 1,000 live births in 1925. With this evidence of need for intensive work there was little provision for infant and prenatal care in this central district.

Among the recommendations made in the report were the following:

1. The establishment of child-health centers in all precincts having 500 or more births annually.
2. The establishment or expansion of municipal child-hygiene centers in precincts most needing improvement, as shown by high infant mortality rates and high still-birth rates.
3. The establishment by the department of health of prenatal clinics in connection with child-hygiene centers in precincts showing large numbers of maternal and infant deaths, especially stillbirths and deaths within the first day of life.
4. An appropriation sufficiently large to permit expansion and improvement of the maternity service at Freedmen's Hospital, which has a very high maternal death rate.
5. The establishment of a maternity hospital in Washington taking only obstetrical cases.

The infant mortality rate for the District in 1927, which became available after the study was made, was 68, as compared with 85 for 1926. While this is a most encouraging reduction, the rate is higher than that for the birth-registration area, Chicago, New York, or Philadelphia. In contrast with the reduction in infant deaths the maternal death rate in the District increased from 77 per 10,000 live births in 1926 to 86 in 1927. That the District needs to give serious attention to this problem is clear.

### CHILD HYGIENE

#### *New Haven rickets study.*

Work on the New Haven rickets study during the past year has been chiefly statistical. Analysis of the material collected in the three-year demonstration period is well under way. Children examined have been classified into two groups—the series and the non-series. The children in the series group received their first examination at less than 6 months of age and were reexamined at frequent



intervals during the three years of the clinic demonstration. The number of examinations per child varied from 3 to 27, the average being 9 examinations. These children were given cod-liver oil of proved antirachitic value, and their mothers were advised as to its dosage and the need for sunshine in preventing rickets. They were also instructed regarding proper diets and health habits for the children. The children of the nonseries group received only one examination. Their ages ranged from 1 month to 5 years. This group consists of children who had had no special antirachitic treatment or health instruction, and the incidence of rickets in this group probably approximates that of the community.

The analysis of the material will include the relationship between clinical signs of rickets and X-ray evidence. Careful study will be made of the significance of the mildest forms of rickets, as well as the most severe and obvious forms, in relation to the general health and development of the child, his growth, nutrition, and diet. Cod-liver oil and sunlight, known to be the most significant factors in the cure of rickets, are being studied in relation to its prevention and control. Case studies of certain interesting groups of children are being made in addition to the statistical analysis.

The X rays taken of the children are serving as a basis not only for the diagnosis of rickets but also for a study of the ossification centers in the wrist. The development of the small bones of the wrist, which are spoken of as centers of ossification before they are fully grown, has been considered by certain writers in the last 25 years an indication of the degree of development or maturity of children. There have been numerous observations as to the age at which these centers appear, the order of their appearance, and the relation of their size and number to the sex, height, weight, and mental development of children. The New Haven rickets study has furnished a larger number of X rays showing these centers of ossification in children under 5 years of age than has been previously available for study, and they afford a valuable source for determining more exactly than has yet been done the time and order of appearance of the ossification centers of the wrist bones; that is, the beginning of the growth of the bone (ossification). At birth usually no wrist bones are apparent by X ray, because they are as yet not bone but cartilage, and hence not visible by X ray. X rays show that shortly after birth calcification, or ossification, begins in two of the wrist cartilages, and the bone continues to grow until maturity is reached. All the other ossification centers of the wrist (except one) may appear within the first five years, although many 5-year-old children have two or three centers still unossified.

In the analysis of the New Haven material the number of ossification centers present in the wrist has been studied in relation to age, sex, race (negro and white children), height, weight, and rickets. The New Haven material confirms previous findings that girls are definitely ahead of boys in the development of ossification centers. Negro children have been reported to be more advanced than white children in the development of ossification centers, but the New Haven group does not show this clearly. Height and weight, which are really biological indexes of maturity, are more closely related to the number of centers apparent in the wrist than the age of the child.

It is not clear that rickets has any effect on the appearance of ossification centers in the wrist, although marked rickets of long duration may retard their development. The actual time of appearance of the individual ossification centers varies considerably, but, in general, it is somewhat earlier than previous observers have estimated.

**Porto Rico rickets study.**

Statistical tabulation of the material from the Porto Rico rickets study is nearing completion. Some facts have been determined regarding the 584 children who were given physical examinations and of whose forearms X-ray photographs were taken. Approximately 50 per cent of these children were under 1 year of age, 40 per cent between 1 and 2 years, and 10 per cent between 2 and 3 years.

Of these 584 children, only 1 showed marked active rickets by X ray, 1 showed moderate healed rickets (until three months before examination this child had lived in New York City), 3 showed X-ray evidence of very slight rickets, which was definitely under control. Together these 5 cases make up nine-tenths of 1 per cent of the total number examined. The X-ray diagnosis for 70 children (12 per cent) was thought to be doubtful, that for 509 (87 per cent) was normal. On physical examination 400 children (68 per cent) showed no evidence of clinical rickets, 134 (23 per cent) showed some questionable signs, 46 (8 per cent) showed the physical signs of mild clinical rickets, 3 (one-half of 1 per cent) those of moderate rickets, and 1 (two-tenths of 1 per cent) those of marked clinical rickets. All the cases of mild clinical rickets had negative X rays. The one case of marked clinical rickets (a child who had always lived in an artificially lighted cellar) showed by X ray also severe active rickets without evidence of healing.

The nutrition of the children was on the whole only fair. Infants under 1 year who were breast fed were generally well nourished. Of 553 children whose diets were studied, 535 were known to be breast fed for a shorter or a longer period. At the time of examination 292 were not yet weaned. Of the 243 who had been weaned, 56 per cent were weaned before the end of their sixth month, 18 per cent between 6 and 12 months, 15 per cent between 12 and 18 months, 11 per cent at 18 months or later. Those over 1 year of age, whether breast fed or not, were not so well nourished as those under 1 year of age, and in many cases the nutrition was very poor. Of the 584 children examined, 56 per cent were well nourished and 31 per cent fairly well nourished, but 12½ per cent were poorly or very poorly nourished. Thirty-four per cent of the cases showed a greater or less degree of abnormal relaxation of muscle ligaments and joints and 48 per cent had pot bellies.

Though the children examined were in very large part free from rickets, they were not free from minor infections. Twenty-four per cent had enlarged tonsils and 23 per cent had enlarged cervical glands. Ninety per cent gave a history of previous colds and 64 per cent a history of gastrointestinal disturbances.

The diets of the children were carefully graded according to quantity of milk, eggs, fruit, vegetables, and starchy food. A summary of the diets for the first year of life of 477 children shows 205 (43 per cent) good or very good, 161 (34 per cent) fair, and 111 (23 per cent) poor or very poor. The diets for all or part of the second

year of life of those children over 1 year of age at time of examination were very much less adequate than those of the first year. The second-year diets of 210 such children showed only 4 (2 per cent) good or very good, 10 (5 per cent) fair, 26 (12 per cent) poor, 140 (67 per cent) very poor, and 80 (14 per cent) so extremely poor that an additional "out grade" was added to the others. The inadequacy of the children's diets after their first year is accounted for chiefly by the very small quantities of milk consumed and the great deficiency in eggs and green vegetables.

The diets of 532 mothers were studied and graded by a method based on the amounts of calcium and protein estimated as closely as possible from the actual diet eaten by the mother on the day before the interview. According to this scale, 10 per cent of these mothers had diets that were good, 40 per cent fair, and 50 per cent poor or very poor.

The inadequacy of the diets of both mothers and children, as gauged by standards set in the United States,<sup>5</sup> is striking and of great interest in view of the almost negligible amount of rickets found among the Porto Rican children.

There is no doubt that the children of Porto Rico receive a large amount of sunlight. Of those examined, 68 per cent were tanned by the sun, 88 per cent lived in houses that let in a large amount of sunlight, 10 per cent in houses that let in a fair or small amount of sunlight, and 2½ per cent in houses that were dark. Estimates based on information supplied by the mothers show an amount of outdoor life that was considered good for 58 per cent of the children under 5 months of age, for 72 per cent of the children between 5 and 9 months, and for 66 per cent of the children over 9 months of age. A fair amount of time was spent out of doors by the majority of the other children.

Analyses of the growth of the children in relation to diet, rickets, and sunlight are being made and will be included in the report.

#### Neonatal-mortality study.

The importance and need of a systematic study of the causes of death and sickness of children in the neonatal period (i. e., during the first month of life) is evidenced by the trend of the infant mortality rates in recent years in the United States birth-registration area and the comparative lack of knowledge of the causes of death in this period. Statistics show that the infant mortality rate as a whole (deaths under 1 year) has been definitely falling for the past 10 years, while the rate for the first month of life has fallen very little, so that more than half the deaths under 1 year occur in the first month of life (53 per cent for the years 1922-1926 in the birth-registration area). The actual causes of death in the neonatal period are often not determined, and hence most of the deaths during the first month are assigned in the vital statistics to obscure and indefinitely stated causes such as premature birth, congenital debility, and "other diseases of early infancy." In areas where the infant mortality due to gastrointestinal conditions and epidemic diseases has been greatly reduced attention should be focused on this earliest period of

<sup>5</sup> Sherman, Henry C.: *Chemistry of Food and Nutrition*, pp. 515-547. Third edition, Macmillan Co., New York, 1927.

life. Until the causes of sickness and death in this period are better understood intelligent plans can not be made for a further reduction of the death rate.

An investigation has been undertaken by the bureau to secure certain basic facts with reference to neonatal deaths. A preliminary study to work out methods and schedules was begun in January, 1928, with the cooperation of the pediatric, obstetrical, and pathological departments of the Yale School of Medicine. At the close of the fiscal year 1928, 100 newborn infants had been examined on the first day of life and reexamined approximately on the third, the tenth, and the forty-second day, and they will be reexamined at 1 year of age. In order that the data may be subject to statistical analysis schedules have been prepared on which to record the details of these examinations and the family, prenatal, natal, and postnatal histories. Effort has been made to include all data that may possibly throw light on any of the obscure illnesses of this period. Complete pathological studies were made of the eight infants of this preliminary series who died. During the coming year this study will be continued and the scope gradually broadened to include groups of infants born under differing conditions.

#### Stillbirths and neonatal mortality in Minneapolis.

In cooperation with the University of Minnesota the bureau has undertaken the tabulation and analysis of approximately 1,000 autopsies of stillborn and live-born infants made by Dr. Fred L. Adair of the faculty and his associates. The material includes gross and microscopic autopsy findings, the history of the mother's previous pregnancies, the history of the pregnancy resulting in the child that came to autopsy, and the history of the labor and puerperium. Special emphasis is placed upon the prenatal care received and upon the relationship of observations during pregnancy to the autopsy findings. Comparison of autopsy findings with cause of death, as shown upon death certificates, should throw some light upon the problems connected with the large number of deaths during the first month of life.

#### Chelsea posture study.

The report of the two-year posture study in one of the schools in Chelsea, Mass., has been completed and will go to press in the fiscal year 1929. It analyzes the results of posture training in a group of elementary-school children who did not differ from other children in the school except that they were given special training in posture in addition to the regular school gymnastic exercises. Changes observed in the physical characteristics of these children who received posture training are compared with those found among children in other rooms of the same grade of the school who received no special training, the groups being similar in nationality and age distribution. The analysis includes 1,708 children, of whom 961 received special training in posture and 747 received no special training. The ages of the children ranged from 5 to 18 years, most of them being between 7 and 15.

It was found that before any posture training was given 90 per cent of the children had poor posture, the proportion of poor posture among the girls being slightly larger than among the boys. At the

end of the school year 62 per cent of the children who received special training had improved in posture as compared with 10 per cent of those who received no training.

Improvement in scholarship and better deportment seemed to be associated with better body mechanics. The attendance records of the children also suggest that posture training improves their general health. There was less absence due to illness during the spring quarter than during the fall quarter among both groups of children, but the improvement in attendance was greater in the group receiving posture training. Good nutrition seems to be a prerequisite of good posture as it was among children who already had good nutrition that the greatest improvement in posture took place.

#### Preparation of popular child-hygiene bulletins.

Popular bulletins on child health issued during the year include a folder, *Keeping the Well Baby Well*, lesson material for mothers' classes on the care of the preschool child, and a revised and enlarged edition of *Child Management*. The lesson material consists of nine lessons with problems to be worked out by the mothers, each on some phase of child care, such as the child's health examination, teeth, posture, and food likes and dislikes. An additional leaflet gives a brief list of references on child health. Two other folders are in preparation: *Why Sleep?* and *Care of the Preschool Child*; and a new bulletin on child care is being written, which will be issued as a substitute for Publication No. 30, under the same title, *Child Care*.

### CHILD WELFARE AND THE EMPLOYMENT OF MOTHERS

At the request of the Child Health Society of Philadelphia the bureau commenced, in January, 1928, a study of the relationship between child welfare and the employment of mothers in that city. The principal object of this inquiry is to ascertain, by obtaining comparable information for families of working and nonworking mothers, the effect of the mother's employment upon her efficiency as a mother, or, more concretely, upon the general welfare of the family and the health, schooling, and conduct of the children. In addition, it is hoped that the information obtained will throw light on the extent to which mothers of young children in a modern industrial community are employed outside the home, the trends and causes of such employment, and the relationship between mothers' employment and fathers' occupations, earnings, and contributions to the family income.

In a house-to-house canvass of 12,227 families having one or more children under 16 years of age it was found that 23 per cent of the mothers were employed, in most cases outside their own homes, at the time of the inquiry. The families canvassed lived in different parts of the city in 11 districts especially selected as typical of the industrial neighborhoods of the city as a whole. They constituted a fairly representative cross section of the city's wage-earning population as to race and nativity. The proportion of white mothers who were working at the time of inquiry was considerably less than of the colored—19 per cent as compared with 44 per cent. The proportion of white mothers with one or more children under 16 years of age found employed by the Children's Bureau in 1928 is approxi-

mately the same as the proportion among all married women and widows interviewed in a canvass of some 10,000 white women in industrial neighborhoods in Philadelphia made in 1918-19, an indication that there has been no decrease but rather in all probability a definite increase in employment among married women since the war period.

One-third of the mothers had had some kind of gainful employment during the year preceding the interview, and approximately half had been employed at some time since their marriage. Many had worked during the greater part of their married lives, some throughout the period, and fully one-fourth of the working mothers had been employed at least half their married years. While, as might be expected, relatively more mothers had gone to work whose husbands were dead or were for one reason or another away from home than mothers whose husbands were at home, the husbands in the great majority of families in which the women worked were at home with the family at the time of the survey. In 27 per cent of the families in which the mother was employed during the six months preceding the interview she was not the chief breadwinner, and in 18 per cent she was the only breadwinner.

For approximately 1,000 families in which the mother had been gainfully employed outside the home for at least five of the six months preceding the interview and for 1,000 families in which the mother had never been employed since marriage, much more detailed information regarding the economic status of the family, the mother's household activities and her work outside the home, if she was employed, and the health, education, conduct, and general welfare of the children has been obtained. Similar information will be obtained for a group of mothers who have been occupied gainfully in industrial employment in their own homes.

### CHILD LABOR

Children to whom first regular employment certificates were issued.

The industrial division has continued during the past year to assemble reports on employment certificates issued to working children in order that current information may be available as to the trend in child labor as well as significant facts about the age and education of children going to work. Visits to a number of State and city officials resulted in an increase in the number of States and cities reporting to the bureau in 1927 as compared with 1926. Reports on the certificates issued during the calendar year 1927 were received for the District of Columbia, 16 States, and 69 cities in 18 other States, whereas for 1926 reports were received from the District of Columbia, 12 States, and 26 cities in 12 other States. It is estimated, on the basis of the 1920 census, that more than half the 14 and 15 year old children in the United States at work in occupations for which permits are usually required are employed in the States and cities from which the bureau is now receiving reports. It should be remembered, however, that there are occupations in which large numbers of children are employed—housework and farming, for example—which are not usually covered by the State child-labor laws, and also that the laws requiring work permits and

otherwise regulating the employment of children are not always well enforced in all States. No reports are received for employment in occupations not included by the State certificating laws nor, it seems unnecessary to state, for children employed in defiance of State laws.

The reports have been tabulated for all States and for cities with a population of 50,000 or over to show the number of certificates issued in each place, the ages and school grades completed by the boys and girls receiving these certificates, their distribution by occupational groups, and the evidence of age accepted by the issuing officers.

From this group of States and cities reports were received for 106,441 children 14 and 15 years of age and 47,067 children 16 and 17 years of age who obtained their first working certificates in 1927. In addition to this group 954 children in cities of less than 50,000 population were reported as receiving their first working certificates in 1927. Of the 154,462 certificates issued, 18,667 were issued to children in cities or towns where regular certificates are issued for vacation and after-school work and no separate record is kept of such certificates. Except for these all the permits reported were for full-time regular employment.

The number of first regular certificates issued to children 14 and 15 years of age (that is, certificates that release from full-time school attendance and authorize full-time employment throughout the year) decreased from 2 to 61 per cent in 1927 as compared with the previous year in 11 States, in 17 cities in other States, and in the District of Columbia. In 4 States (Alabama, Connecticut, Maine, and Oregon) and in 8 cities in other States (San Francisco, Calif.; Minneapolis and St. Paul, Minn.; St. Louis, Mo.; Omaha, Nebr.; Syracuse, N. Y.; Scranton, Pa.; and Milwaukee, Wis.) this decline in the number of first regular certificates issued in 1927 as compared with 1926 followed a decline in 1926 as compared with 1925. Increases in the number of certificates issued were reported for 1 State (Kansas) and for 5 cities. Detroit, Los Angeles, New York City, and Wilmington had increases varying from less than 1 per cent to 13 per cent. Lincoln issued 10 certificates in 1927 and 5 in 1926.

Information for a period of three years is available for 10 States and for 19 cities in 10 other States and the District of Columbia. In these States and cities the number of first regular employment certificates issued increased 5 per cent in 1926 as compared with 1925 and decreased 8 per cent in 1927 as compared with 1926. It is generally believed that unemployment during 1927 is largely responsible for the decreases, although in periods of unemployment children who would otherwise be kept in school are often compelled to seek employment and are sometimes able to obtain work when their parents can not do so.

TABLE 3.—Number of children 14 and 15 years of age receiving regular employment certificates for the first time in 1926 and 1927 and per cent of increase or decrease, as compared with the previous year, in States and cities of 50,000 population and over reporting.<sup>1</sup>

State and city	1926	Per cent of increase (+) or decrease (-) as compared with 1925 <sup>2</sup>	1927	Per cent of increase (+) or decrease (-) as compared with 1926 <sup>2</sup>
<b>States reporting:</b>				
Alabama.....	960	-4.5	700	-27.1
Birmingham.....	240	+34.1	185	-22.9
Mobile.....	89	+48.3	79	-11.2
Arkansas.....			190	
Connecticut.....	7,574	-4	6,318	-16.6
Bridgeport.....	878	+11.8	581	-33.8
Hartford.....	645	-4.6	620	-2.5
New Britain.....	391	-18.2	246	-37.1
New Haven.....	1,057	+14.0	932	-7.1
Waterbury.....	571	-9.9	478	-16.8
District of Columbia.....	220	+64.2	186	-15.5
Indiana.....	1,103	+14.2	847	-23.2
Fort Wayne.....	58	+3.6	38	-34.5
Gary.....			4	
Indianapolis.....	346	+35.7	233	-32.7
South Bend.....	98	-10.2	84	-4.5
Iowa.....			765	
Davenport.....			92	
Des Moines.....			199	
Sioux City.....			62	
Kansas.....	121	+72.0	124	+2.5
Kansas City.....	75		72	-4.0
Topeka.....	23		16	
Wichita.....	8		19	
Kentucky.....	999	+9.0	<sup>3</sup> 780	-19.5
Covington.....	96	-26.3	47	-50.1
Louisville.....	638	+16.6	507	-20.5
Maine.....	<sup>4</sup> 255	-5.0	<sup>4</sup> 205	-19.9
Portland.....	<sup>4</sup> 21		<sup>4</sup> 21	
Maryland.....	4,449	+7.7	3,817	-14.2
Baltimore.....	4,229	+7.1	3,567	-15.7
Minnesota.....	404		310	-23.3
Minneapolis.....	171	-12.8	123	-28.1
St. Paul.....	160	-11.1	144	-10.0
New Jersey.....	<sup>5</sup> 18,429	+3.4	<sup>5</sup> 18,081	-1.9
Jersey City.....	<sup>5</sup> 1,638	+2.4	<sup>5</sup> 1,560	-4.8
Newark.....	<sup>6</sup> 2,494	+11.5	<sup>6</sup> 2,345	-6.0
Trenton.....	<sup>6</sup> 906	-1.5	<sup>6</sup> 867	-4.3
Oklahoma.....			848	
Oregon.....	377	-8.0	352	-6.6
Vermont.....	96	+5.6	49	-49.0
Washington.....			463	
Wisconsin.....	3,018		2,699	-10.5
Milwaukee.....	<sup>7</sup> 2,007	<sup>7</sup> -18.1	1,736	-13.5
<b>Cities in States not reporting:</b>				
California—				
Los Angeles.....	744		836	+12.4
Oakland.....			78	
Sacramento.....			40	
San Diego.....			147	
San Francisco.....	163	-39.0	156	-4.3
Colorado—Denver.....			209	
Delaware—Wilmington.....	252		286	+13.5
Georgia—Atlanta.....	132		52	-60.6
Illinois—				
Chicago.....	<sup>8</sup> 5,281	<sup>8</sup> +3.0	4,186	-20.7
East St. Louis.....			123	
Peoria.....			66	
Springfield.....			135	
Louisiana—New Orleans.....	2,563	+2.3	1,743	-32.0

<sup>1</sup> Population according to census of 1920. Figures from State or local official sources.

<sup>2</sup> Not shown where base is less than 50 nor where figures for previous year are not available.

<sup>3</sup> Excludes 5 reported too late for tabulation.

<sup>4</sup> Number of 15-year-old children receiving certificates; law does not permit the issuance of regular certificates to children under 15.

<sup>5</sup> Includes children to whom regular certificates were issued for work outside school hours, no certificates for such work being issued.

<sup>6</sup> Revised figures supplied by State.



TABLE 3.—Number of children 14 and 15 years of age receiving regular employment certificates for the first time in 1926 and 1927 and per cent of increase or decrease, as compared with the previous year, in States and cities of 50,000 population and over reporting—Continued

State and city	1926	Per cent of increase (+) or decrease (—) as compared with 1925	1927	Per cent of increase (+) or decrease (—) as compared with 1926
<b>Cities in States not reporting—Continued.</b>				
<b>Massachusetts—</b>				
Lawrence.....			405	
Lowell.....			233	
Lynn.....			268	
Somerville.....			275	
Springfield.....			391	
<b>Michigan—</b>				
Detroit.....	4 635	+53.9	4 687	+9.2
Grand Rapids.....	4 267		4 177	-33.7
Saginaw.....			4 187	
<b>Missouri—</b>				
Kansas City.....			178	
St. Joseph.....			114	
St. Louis.....	3,407	-3.4	3,048	-99.9
<b>Nebraska—</b>				
Lincoln.....	5		10	
Omaha.....	136	-15.5	117	-14.0
<b>New Hampshire—Manchester</b>				
			4 244	
<b>New York—</b>				
Buffalo.....	4 2,654		2,599	-2.1
New York.....	35,484	+8.1	36,717	+7.7
Niagara Falls.....	252	+41.6	172	-31.7
Rochester.....	1,841	+4	1,604	-12.9
Syracuse.....	427	-4.5	375	-12.2
Yonkers.....	525	+36.7	490	-6.7
<b>Ohio—</b>				
Cincinnati.....			4 14	
Springfield.....			4 11	
Toledo.....			4 15	
<b>Pennsylvania—</b>				
Erie.....			267	
Harrisburg.....	154	+1.3	121	-21.4
Philadelphia.....	11,194	+8.2	9,933	-11.3
Pittsburgh.....	4 1,577	+3.1	1,381	-17.7
Scranton.....	845	-11.0	697	-17.5
Wilkes-Barre.....			624	
<b>Rhode Island—Providence</b>				
	4 1,533		4 1,563	+4.3
<b>Tennessee—</b>				
Chattanooga.....			76	
Knoxville.....			101	
Nashville.....			250	
<b>Utah—Salt Lake City</b>				
			97	

<sup>1</sup> Number of 15-year-old children receiving certificates; law does not permit the issuance of regular certificates to children under 15.

<sup>2</sup> Revised figures supplied by State.

<sup>3</sup> Includes 97 regular certificates issued for "after school" work.

<sup>4</sup> Number reported for year ended November 30.

<sup>5</sup> Certificates issued to children under 16 adjudged incapable of profiting substantially by further instruction.

Five States and 22 cities in 8 other States, which either under the law or by administrative practice require minors 16 or 17 years of age, or both, to obtain employment certificates, supplied the bureau with reports for 1927. Most of these showed decreases in numbers of certificates issued in 1927 as compared with 1926, undoubtedly due to the decline in employment opportunities.

TABLE 4.—Number of minors 16 and 17 years of age receiving regular employment certificates for the first time in 1926 and 1927 and per cent of increase or decrease in 1927 as compared with 1926, in States and cities of 50,000 population and over reporting<sup>1</sup>

State and city	1926	1927	Per cent of increase (+) or decrease (-), as compared with 1926 <sup>2</sup>
<b>States reporting:</b>			
Alabama	2,116		
Arkansas		77	
Oklahoma		1,351	
Oregon	2,080	1,687	-18.9
Washington		1,377	
Wisconsin	5,007	4,659	-7.0
Milwaukee	2,014	2,009	-0.2
<b>Cities in States not reporting:</b>			
<b>California—</b>			
San Diego		486	
San Francisco		2,169	
Georgia—Atlanta	65	5	-92.3
Louisiana—New Orleans	477	1,394	+19.5
<b>Michigan—</b>			
Detroit	7,962	8,711	+9.4
Grand Rapids	917	688	-25.0
Saginaw		689	
<b>New York—</b>			
Buffalo	2,094	1,475	-52.8
New York	12,686	12,226	-3.6
Niagara Falls		274	
Rochester	1,247	990	-20.0
Syracuse	248	225	-9.3
Yonkers	409	323	-21.0
<b>Ohio—</b>			
Akron		1,133	
Cincinnati		2,955	
Columbus	789	991	+25.6
Dayton	700	638	-8.9
Springfield		410	
Toledo	1,398	1,438	+2.9
Youngstown	843	779	-7.6
<b>Tennessee—Nashville</b>			
		188	
<b>Utah—Salt Lake City</b>			
		811	

<sup>1</sup> Population according to census of 1920. Figures from State or local official sources.

<sup>2</sup> Not shown when figures for 1926 were not available.

<sup>3</sup> Number of 16-year-old children receiving certificates; law does not require certificates for those over 15.

<sup>4</sup> Revised figures supplied by State.

<sup>5</sup> Certificates issued to girls only; certificates are not required for boys of these ages.

The age at which children under 16 leave school for work is influenced by the policies of school-attendance departments and officials issuing certificates and by family and community standards, but in the main the age and the educational standards of the child labor and school attendance laws determine the proportion of children receiving certificates at 14 instead of 15 years of age. Fifteen States, the District of Columbia, and 41 cities in 18 other States reported the number of certificates issued to children of 14 and of 15, separately. In these places 38 per cent of the certificates were issued to children 14 years old and 62 per cent to children 15 years old. In the States and the cities in States requiring, without provision for exceptions, the completion of the eighth grade before children of 14 may receive work permits, 24 per cent of the total receiving certificates were 14 years of age, and in those States having an eighth-grade requirement but permitting exemptions or alternatives 29 per cent were 14 years of age. Reports from the larger

group of States requiring less than completion of the eighth grade for children 14 years of age show that 43 per cent of the certificates were issued to 14-year-old children. Within this last group of States, as within the group having an eighth-grade standard, there are variations in the percentage of children certificated at 14. For example, 71 per cent in Baltimore, Md., 68 per cent in New Orleans, La., 65 per cent in St. Louis, Mo., 64 per cent in Newark, N. J., 28 per cent in Louisville, Ky., 25 per cent in Des Moines, Iowa, and 21 per cent in Springfield, Ill., of all the certificates issued were to children 14 years of age.

In all the States and cities from which reports showing sex of certificated children were received, except Washington and Louisiana,<sup>8</sup> certificates for each age group are issued to both boys and girls, and the boys constituted 56 per cent of the total number in the 14 and 15 year group and 57 per cent of the 16 and 17 year group. A larger number of boys than of girls in each age group received certificates in all places except Bridgeport, Wilmington, Peoria, Fort Wayne, South Bend, Trenton, Buffalo, Rochester, Yonkers, Harrisburg, and Wilkes-Barre, where more girls of 14 and 15 than boys were given work permits, and Yonkers and Springfield (Ohio), where more girls than boys of 16 and 17 were certificated. Even in these places the girls were not much more numerous than the boys. In Buffalo, Wilmington, and Springfield (Ohio) more certificates were issued for domestic and personal service, work in which girls usually predominate, than for any other occupation.

Reports of the number of colored children who obtained work permits, received from 5 States, the District of Columbia, and 22 cities showed that only 2 per cent of the children 14 and 15 years of age were colored. In the District of Columbia, where 29 per cent of the population of these ages is colored, 11 per cent of the certificates were issued to colored children. In the States of Alabama and Kentucky and the cities of St. Louis and Atlanta, which have large colored populations, certificates were issued to very few or no colored children. One explanation of this fact is found in the type of work available for the colored children. In some States in which the colored population is large colored children usually find employment in agriculture, for which certificates are seldom required under the law. In cities the negro girls, and to some extent the negro boys, go into domestic and personal service. Though certificates for such work are issued in many of the places reporting on the number of colored children receiving work permits, the check-up on children working as domestic servants is less thorough than on children at work in other kinds of establishments, so that even in communities in which certificates are issued for this work many children no doubt go into domestic service without procuring certificates. The relative proportions of white and colored among minors of 16 and 17 years of age receiving permits were practically the same as for children of 14 and 15 in places reporting on colored minors of these ages.

More than half (58 per cent) of the 14 and 15 year old children entering employment in 1927 for whom reports as to school grade

<sup>8</sup> In the State of Washington no regular employment certificates are issued to girls under 16; in New Orleans certificates are required in practice for girls but not for boys 16 or 17 years old.

completed were received had completed the eighth or a higher grade—compared with 56 per cent in 1926—while 25 per cent in 1927 as compared with 28 per cent in 1926 had completed only the sixth or a lower grade. The District of Columbia, Indiana, Kansas, and Minnesota, and Oakland and San Francisco, Calif., reported 90 to 100 per cent of the 14 and 15 year old children obtaining work permits as having an eighth-grade education. The proportion of the girls and of the boys who completed the eighth grade was nearly the same.

The percentages of 14 and 15 year old children who had completed at least the eighth grade before receiving first regular certificates in 1927 are shown in the following list, with the corresponding percentages for 1926:

	1926 per cent	1927 per cent		1926 per cent	1927 per cent
Alabama	25	27	Louisiana: New Orleans	32	32
Birmingham	42	40	Maine	--	70
Mobile	13	16	Portland	--	( <sup>1</sup> )
California:			Maryland: Baltimore	30	35
Los Angeles	72	69	Massachusetts: *		
Oakland	( <sup>1</sup> )	95	Lawrence	( <sup>1</sup> )	47
Sacramento	( <sup>1</sup> )	( <sup>1</sup> )	Lowell	( <sup>1</sup> )	47
San Francisco	96	99	Somerville	( <sup>1</sup> )	41
Colorado: Denver	( <sup>1</sup> )	58	Michigan: Detroit	60	58
Connecticut	58	57	Minnesota	100	100
Bridgeport	83	88	Minneapolis	100	100
Hartford	64	61	St. Paul	100	100
New Britain	43	36	Missouri:		
New Haven	56	55	Kansas City *	( <sup>1</sup> )	75
Waterbury	48	49	St. Louis	( <sup>1</sup> )	49
Delaware: Wilmington	77	77	Nebraska: Lincoln	--	( <sup>1</sup> )
District of Columbia	94	97	New Jersey: Trenton	39	33
Georgia: Atlanta	( <sup>1</sup> )	( <sup>1</sup> )	New York:		
Illinois:			Buffalo	59	62
Chicago	62	66	New York	67	67
East St. Louis	( <sup>1</sup> )	56	Niagara Falls	57	59
Peoria	( <sup>1</sup> )	59	Rochester	58	62
Springfield	( <sup>1</sup> )	65	Syracuse	55	57
Indiana	100	100	Yonkers	61	64
Fort Wayne	97	( <sup>1</sup> )	Pennsylvania:		
Gary	( <sup>1</sup> )	( <sup>1</sup> )	Erie	( <sup>1</sup> )	46
Indianapolis	100	100	Harrisburg	31	28
South Bend	100	100	Philadelphia	31	31
Iowa	( <sup>1</sup> )	68	Pittsburgh	40	40
Davenport	( <sup>1</sup> )	68	Scranton	33	33
Des Moines	( <sup>1</sup> )	75	Wilkes-Barre	( <sup>1</sup> )	35
Sioux City	( <sup>1</sup> )	63	Tennessee:		
Kansas	( <sup>1</sup> )	92	Chattanooga	( <sup>1</sup> )	21
Kansas City	( <sup>1</sup> )	86	Knoxville	( <sup>1</sup> )	( <sup>1</sup> )
Topeka	( <sup>1</sup> )	( <sup>1</sup> )	Vermont	18	( <sup>1</sup> )
Wichita	( <sup>1</sup> )	( <sup>1</sup> )	Wisconsin	( <sup>1</sup> )	82
Kentucky	--	36	Milwaukee	( <sup>1</sup> )	63
Covington	--	( <sup>1</sup> )			
Louisville	--	39			

<sup>1</sup> No report for 1926.

\* Not shown where base is less than 50.

<sup>1</sup> i. e., 1926—99.7; 1927—99.8.

<sup>11</sup> In this city the work of the elementary-school course is completed in seven school years.

The educational requirement of the child labor laws is probably the most influential factor in the educational attainment of children leaving school for work. Among the States reporting the grades completed by children going to work Minnesota requires completion of the eighth grade with no exceptions, and Indiana and Kansas, the eighth grade with occasional exceptions under administrative policy, for both 14 and 15 year old children. In Minnesota all children receiving work permits had completed the eighth grade, in Indiana two had received permits by court order on less than the eighth-grade standard, and in Kansas 8 per cent of the certificates had been issued on exceptions to the grade requirement, all in Kansas City. In Wilmington (Del.), the District of Columbia, and Wisconsin, where the laws permitted exceptions either by decision of local authorities or on the basis of 9 years of school attendance (Wisconsin), children who had completed the eighth grade constituted 77 per cent, 97 per cent, and 82 per cent, respectively, of the total number receiving certificates.

In a few places where the law sets an educational requirement lower than the eighth grade the proportion of children receiving certificates who had completed at least the eighth grade was high. Generally, however, the proportion of certificated children completing the elementary-school course is low in States without an eighth-grade requirement. In 4 States and in 22 cities in 10 other States having less than an eighth-grade requirement for both 14 and 15 year old children, only 43 per cent of the children receiving certificates had completed the eighth or a higher grade.

Certificates issued to children 14 and 15 years of age in Ohio have not been included in this discussion of the school grade completed, as in that State no full-time certificates are issued to any minors under 16 except those who are adjudged mentally "incapable of benefiting substantially by further education." A total of 40 such certificates were reported as issued in Cincinnati, Springfield, and Toledo, while the reports received from Youngstown and Columbus show no certificates of this kind issued.

The grade last attended instead of the grade last completed was reported for children of 14 and 15 by 1 State and 7 cities. Fifty-five per cent of all children to whom certificates were issued in these places had last attended the eighth or a higher grade—in Arkansas, 41 per cent; Newark, 40 per cent; Salt Lake City, where only 97 children received certificates, 56 per cent; Providence, 58 per cent; Jersey City, 64 per cent; San Diego, 73 per cent; Grand Rapids, 79 per cent; and Manchester (N. H.), 91 per cent.

The proportion of the minors of 16 and 17 years who had completed the eighth grade in the cities from which reports on grade completed were received was 70 per cent (a slightly higher percentage of girls than of boys). The accompanying list shows these percentages in 1926 and 1927 for each city except Atlanta, where only 5 certificates were issued to minors of these ages. Ohio requires, with certain exceptions, completion of the seventh grade before minors of these ages can leave school for work, and Utah requires, also with exceptions, school attendance of all children up to the age of 18 unless they are employed. The other States in the group reporting fix no educational requirement for 16 and 17 year old minors seeking work permits.

	1926 per cent	1927 per cent		1926 per cent	1927 per cent
California: San Francisco..... <sup>(1)</sup>		87	Ohio:	Cincinnati..... <sup>(1)</sup>	71
Louisiana: New Orleans..... <sup>(1)</sup>		31		Columbus.....	92
New York:				Springfield..... <sup>(1)</sup>	98
Buffalo..... <sup>(1)</sup>		66		Toledo..... <sup>(1)</sup>	75
New York.....	63	65		Youngstown.....	67
Niagara Falls..... <sup>(1)</sup>		57			
Rochester.....	64	68			
Yonkers.....	69	65			

In Arkansas 47 per cent, in Grand Rapids 87 per cent, and in Salt Lake City 87 per cent of the minors 16 and 17 years of age had last attended the eighth or a higher grade.

Information concerning the occupational groups in which children 14 and 15 years of age obtaining first regular certificates found employment in 1927 was received from 11 States, 33 cities in 17 other States, and the District of Columbia—a much larger number than reported this information for 1926. Forty-two per cent of these children entered manufacturing and mechanical occupations; the next largest occupational group (27 per cent of the total) were children entering mercantile establishments, and the remaining 31 per cent went into public messenger or errand and delivery work, domestic and personal service, office work, and miscellaneous work not classified.

The reports classifying by sex of the children the occupations for which certificates were issued to 14 and 15 year old children showed that relatively more girls than boys (45 per cent as compared with 34 per cent) went into manufacturing and mechanical occupations. In office work there was a relatively larger proportion of girls, and, as would be expected, messenger service employed very few girls and domestic and personal service very few boys.

The proportions in different occupational groups entered by these 14 and 15 year old children varied considerably with community opportunities for employment. For example, in Maine 91 per cent of the children certificated did manufacturing and mechanical work; in Jersey City, N. J., 66 per cent entered mercantile work; and in Kansas 61 per cent were engaged in public messenger and delivery service. Mercantile employment predominated in the District of Columbia and in 13 of the 33 cities in States from which complete reports were not received; and it absorbed 50 per cent or more of the children in 5 of these cities—San Diego, Omaha, Jersey City, Rochester, and Scranton. In the State of Kansas and in Chicago and Kansas City (Mo.) more children entered messenger and delivery work than any other occupation. In the State of Minnesota and in 4 cities (Sacramento, San Francisco, Buffalo, and Salt Lake City) the largest group entered domestic and personal service.

Manufacturing and mechanical industries employed the largest proportion of the 16 and 17 year old minors receiving certificates in the 2 States and in 9 of the 13 cities in 7 other States reporting this information. In the other 3 cities (Springfield and Youngstown, Ohio, and Salt Lake City, Utah) domestic and personal service predominated. The distribution among occupational groups was practically the same for minors of 16 and 17 as for those of 14 and 15

<sup>1</sup> No report.

years of age in each locality except that the largest proportion of the younger group were in mercantile work in San Diego, New Orleans, Niagara Falls, and Rochester, and in domestic and personal service in San Francisco and Buffalo, instead of in manufacturing and mechanical work as among the older group in these cities.

In order to enable children to work when school is not in session without encouraging their withdrawal from school many State laws provide for the issuance of special certificates for employment during school vacations and out of school hours, and in a number of other States such certificates are issued in practice. It is customary to require the same evidence of age for these temporary certificates as for the regular certificates, but to waive the educational requirement, as such a certificate does not release a child from further school attendance. The District of Columbia, 10 States, and 34 cities in 14 other States reported 37,670 first vacation and out-of-school-hours certificates issued in 1927 to children 14 and 15 years of age. The number of certificates of this kind exceeded the number of new regular certificates issued during the year in the District of Columbia, Indiana, Maine, Vermont, and Wisconsin, and in Lynn, Grand Rapids, Lincoln, and Chattanooga. How generally such certificates are issued depends of course upon the availability of short-time jobs for inexperienced young workers, but it depends also upon the extent to which local issuing officers encourage temporary vacation certificates for children qualified for regular work permits in the hope that they will return to school in the fall.

Half-time or cooperative certificates are issued in some places to boys and girls who are employed under school supervision half time as part of a vocational or trade course, or who are able to carry day-school courses in addition to half-time employment not related to their school work. Reports showed that such certificates were issued to 764 children 14 and 15 years of age in Atlanta, Peoria, Lincoln, Cincinnati, Columbus, Philadelphia, and Knoxville, and to 2,353 children 16 or 17 years of age in New York City and Toledo.

The nature of the evidence of age accepted in the issuance of certificates is of the greatest importance in preventing the authorization of the employment of children who are in fact below the legal minimum age. The type of evidence was reported for 47,846 first regular certificates issued to 14 and 15 year old children in 9 States, the District of Columbia, and 38 cities in 18 other States. Though birth registration has greatly improved in the last 15 years it is still not practical to require this evidence for all children. However, official birth certificates or baptismal records were the evidence on which 84 per cent of these certificates reporting as to type of evidence were issued. Such proof was received for between 90 and 100 per cent of the certificates issued in Connecticut, Maine, Vermont, and Wisconsin, and in Chicago, Baltimore, Lowell, Somerville, Manchester (N. H.), Jersey City, Newark, Buffalo, Yonkers, Harrisburg, Philadelphia, Scranton, and Providence. On the other hand, less than 10 per cent of the certificates were issued on birth certificates or baptismal records in Arkansas, Kansas (none), Los Angeles, Oakland (none), Sacramento, San Diego, San Francisco, Denver, Atlanta (none), St. Joseph, Lincoln, and Chattanooga.

In all places with small percentages of certificates issued on birth certificates or baptismal records, the predominating type of evidence

was the school record of age except in Arkansas and in Chattanooga, where a considerable number of certificates were issued on such evidence as Bible record, passport, insurance policy, or on a physician's certificate of age with or without school records or other corroborative evidence.

**Work histories of minors attending continuation school.**

During the past year work has been continued on the series of studies of employed minors attending continuation schools which were undertaken by the industrial division of the bureau to find out what industries and occupations are entered by boys and girls 14 to 18 years of age who are starting out on their first jobs, and the extent to which age, sex, and previous schooling affect their opportunities of obtaining and keeping desirable employment. The tabulation of the statistical information obtained in the course of this study for some 15,000 employed minors in Milwaukee, Wis.; Newark and Paterson, N. J.; and Rochester and Utica, N. Y., is now under way.

**Laws affecting the employment of minors and their administration.**

During the past year work has continued on the revision of the compilation of the texts of child-labor and compulsory school attendance laws published by the bureau in 1915. Mimeographed summaries of the laws affecting child labor passed in 1927 and 1928 have been issued. An analysis of legal provisions affecting children in agriculture and an analysis and tabular summary of State laws and municipal ordinances regulating the work of children in street trades have been prepared for publication.

**Series of nontechnical child-labor bulletins.**

Plans have been made for a series of bulletins presenting briefly the results of the bureau's inquiries as to various aspects of the child-labor problem. The first two bulletins of this series, relating to child labor in agriculture and in street trades, have been completed and are in press. These summarize the findings of the bureau's investigations with regard to the work of children in these occupations and also give the results of inquiries made by other agencies.

**Other reports completed during the past year.**

The report of a survey of children engaged in street occupations in eight cities and a report on industrial home work of children in seven selected communities in New Jersey were in press at the close of the year under review.<sup>11</sup> The latter is one of the studies of various aspects of child labor in New Jersey made as part of a series of studies of child welfare in that State. A second report in this series—a survey of the work of children before and after school in Newark and Paterson—is ready for publication.

## DELINQUENCY AND CHILD WELFARE

**Juvenile delinquency in Maine.**

At the request of the Maine Department of Public Welfare a study is being made of the extent of juvenile delinquency in that State, the facilities for caring for juvenile delinquents, and the methods used

<sup>11</sup> \* Children in Street Work (United States Children's Bureau Publication No. 188, issued July 7, 1928) and Child Labor in New Jersey—Part 2, Children Engaged in Industrial Home Work (United States Children's Bureau Publication No. 185, issued Aug. 20, 1928).



in dealing with cases in representative counties. Since Maine has no juvenile-court system and practically no record material is available, facts are being collected about current cases through the cooperation of courts and other agencies coming in contact with juvenile delinquents. Forms have been distributed through the State department of public welfare to courts, trial justices, police, sheriffs, probation officers, and social workers, on which abstracts of cases coming to their attention during the six-month period beginning February 1, 1928, will be made. In addition to obtaining general information about all cases of delinquency it is planned to make intensive case studies of a small number of children, including some who have committed minor offenses and some who are in the State schools for delinquents.

**Uniform reporting of juvenile-court statistics.<sup>12</sup>**

The number of juvenile courts cooperating with the bureau in the plan for uniform reporting of juvenile-court statistics of delinquency, dependency, and neglect has increased during the year, so that the number of courts participating at the close of the fiscal year was about 100. Several State departments of public welfare or other State agencies are cooperating actively, either by taking the plan into consideration in making revisions of annual and monthly reports required of courts or by calling the plan to the attention of juvenile-court probation officers.

During the coming year an effort will be made to expand the reporting area further by correspondence, visits to courts that have not yet adopted the plan, attendance at conferences of judges and probation officers, and personal visits to courts experiencing difficulty in using the cards. Study will be made of certain types of procedure not easily shown by the cards, and the bulletin of instructions will be revised to include further explanation of items that experience has shown are often misunderstood.

Only a very brief summary of the material supplied by the 42 courts in 15 States that reported for the entire calendar year 1927 can be presented here. Cards or tables for cases of children discharged from probation or supervision were sent in by many of the courts but are not included in this report. Tables prepared by the local courts were received from three courts, but because of certain difficulties only those for Philadelphia are included in this report. The number of cases reported by the individual courts ranged from 14 to 9,838.

Table 5 shows the number of delinquency cases and of dependency and neglect cases reported by the 42 courts.

Delinquency cases were reported by each of the 42 courts, but 8 reported no cases of dependency and neglect. The total number of dependency and neglect cases (12,150) is distinctly smaller than the number of delinquency cases (26,241) reported by the 34 courts sending cards or tables for both types of cases. The relative proportions of dependency and neglect cases and of delinquency cases cared for by the different courts showed much variation. Eight courts reported more dependency and neglect than delinquency; in

<sup>12</sup> Juvenile Court Statistics; a tentative plan for uniform reporting of statistics of delinquency, dependency, and neglect. United States Children's Bureau Publication No. 159. Washington, 1928.

the other 26 courts dependency and neglect cases constituted the smaller part of the court work. The wide variation in the number of dependency and neglect cases is due in part to the extent to which local agencies other than the court were caring for dependent and neglected children. The practice in some courts of filing the complaint against the adult responsible for the dependency and neglect rather than the children is also a factor. In some localities only those cases of dependency and neglect requiring court action were brought as a rule to the attention of the court, and these usually by social agencies, whereas in other communities a large proportion of the dependent and neglected children were referred to the court directly by parents and relatives, and the court was the principal or only local agency caring for such children. The proportion of cases of dependency and neglect referred to the courts by parents or relatives in different localities varied from zero to 64 per cent of the total; whenever this proportion was high the number of dependency and neglect cases under care of the court was found to be large.

TABLE 5.—*Delinquency and dependency or neglect cases disposed of during 1927 by 42 courts, by court and sex of child*

Geographical units over which courts had jurisdiction	Cases disposed of during year								
	Total	Delinquency				Dependency or neglect			
		Total		Boys' cases	Girls' cases	Total		Boys' cases	Girls' cases
		Num-ber	Per cent †			Num-ber	Per cent †		
Total.....	40,537	28,387	70.0	24,244	4,143	12,150	30.0	4,332	4,132
California: San Francisco County (San Francisco).....	1,537	950	58.0	873	77	687	42.0	344	343
Connecticut:									
Bridgeport.....	599	518	86.1	440	78	83	13.9	36	47
Hartford.....	772	618	80.1	539	79	154	19.9	53	71
Indiana:									
Clay County (Brazil).....	29	25	86.2	14	11	4	14.3	1	3
Delaware County (Muncie).....	65	65	100.0	47	18				
Jennings County (North Vernon).....	16	4	25.0	4		12	75.0	7	5
Lake County (Gary).....	875	527	60.2	343	184	348	39.8	175	173
Marion County (Indianapolis).....	1,183	832	70.4	589	308	291	24.6	146	145
Monroe County (Bloomington).....	15	15	100.0	10	5				
Vermilion County (Clinton).....	84	84	100.0	54	30				
Wayne County (Richmond).....	44	24	54.5	15	9	20	45.5	14	8
Wells County (Bluffton).....	41	41	100.0	23	18				
White County (Monticello).....	14	3	21.4	3		11	78.6	5	6
Massachusetts: Middlesex County (Cambridge).....	27	27	100.0	24	3				
Michigan: Kent County (Grand Rapids).....	582	374	64.3	374		208	35.7	100	108
Minnesota:									
Hennepin County (Minneapolis).....	1,308	966	73.9	778	190	342	26.1	170	172
Ramsey County (St. Paul).....	483	342	70.8	270	72	111	24.5	52	59
New Jersey:									
Hudson County (Jersey City).....	1,685	1,685	100.0	1,482	203				
Mercer County (Tranton).....	216	216	100.0	197	18				
New York:									
Buffalo.....	931	836	89.8	785	51	95	10.2	49	46
Clinton County (Plattsburg).....	102	23	22.5	18	5	79	77.5	40	39
Columbia County (Hudson).....	219	98	44.7	84	14	131	55.3	56	65
Dolaware County (Stamford).....	14	14	100.0	14					
Dutchess County (Poughkeepsie).....	494	223	45.1	183	40	271	54.9	123	143
Erie County (Buffalo).....	231	177	76.6	159	18	54	23.4	28	26
Franklin County (Malone).....	58	34	58.6	25	9	24	41.4	16	9

† Per cent not shown where base is less than 50.

\* Exclusive of Philadelphia.

TABLE 5.—*Delinquency and dependency or neglect cases disposed of during 1927 by 42 courts, by court and sex of child—Continued*

Geographical units over which courts had jurisdiction	Cases disposed of during year								
	Total	Delinquency				Dependency or neglect			
		Total		Boys' cases	Girls' cases	Total		Boys' cases	Girls' cases
		Number	Per cent			Number	Per cent		
New York—Continued.									
New York City.....	9,345	6,102	65.3	5,262	840	3,243	34.7	1,743	1,500
Orleans County (Albion).....	24	9		8	1	15		7	8
Westchester County (White Plains).....	1,406	1,104	78.5	950	154	302	21.5	151	151
North Carolina:									
Buncombe County (Asheville)....	304	144	47.4	122	22	160	52.6	72	88
Winston-Salem.....	319	295	92.5	239	56	24	7.5	9	15
Ohio:									
Franklin County (Columbus)....	1,145	883	77.1	674	209	262	22.9	146	116
Hamilton County (Cincinnati)....	1,586	1,332	84.0	1,332	(*)	254	16.0	120	134
Mahoning County (Youngstown)....	1,907	1,684	88.3	1,391	293	223	11.7	105	118
Pennsylvania:									
Berks County (Reading).....	61	48	78.7	39	9	13	21.3	4	9
Lycoming County (Williamsport)....	27	10		6	4	17		7	10
Montgomery County (Norristown).....	84	53	63.1	40	13	31	36.9	18	13
Philadelphia.....	9,338	6,152	65.8	5,396	756	3,686	37.5	(*)	(*)
Tennessee: Memphis.....	1,505	852	56.6	672	180	653	43.4	328	336
Virginia: Norfolk.....	914	728	79.6	615	113	186	20.4	90	95
Washington: Pierce County (Tacoma).....	219	126	57.5	96	28	93	42.5	53	40
Wisconsin: Dane County (Madison)....	160	87	54.4	55	32	78	48.6	34	39

\* Tables received for about 700 girls' cases not included.

(\*) Sex not reported.

The proportion of boys to girls was about equal in dependency cases, but in delinquency cases the number of boys (24,244) reported was nearly six times the number of girls (4,143). There was, however, much variation in the proportion of delinquent girls in different localities.

As a number of children came before the courts more than once the 28,387 delinquency cases represented 25,456 children, and the 12,150 dependency and neglect cases represented 11,789 children. Of the delinquent children 84 per cent were white and 16 per cent colored (15 per cent were negroes). As would be expected the proportion of delinquent children who were colored was larger in the southern courts. In Winston-Salem, N. C., 73 per cent and in Norfolk, Va., 52 per cent of the delinquent children were colored. In the northern and midwestern courts the percentage of white children varied from 71 per cent to 100 per cent. Of the dependent or neglected children brought to the 34 courts reporting dependency or neglect cases, in the South as well as in the North, white children constituted a percentage slightly in excess of the corresponding percentage among delinquent children (87 per cent as compared with 84 per cent).

Of the 42 courts reporting to the bureau 21 had jurisdiction over children up to 16 years of age;<sup>13</sup> 1 (Kent County, Mich.) had juris-

<sup>13</sup> Bridgeport and Hartford, Conn.; Hudson and Mercer Counties, N. J. (girls up to 17 may be committed to the State home for girls by the juvenile court); Buffalo, New York City, and Clinton, Columbia, Delaware, Dutchess, Erie, Franklin, Orleans, and Westchester Counties, N. Y.; Buncombe County and Winston-Salem, N. C.; Berks, Lycoming, and Montgomery Counties, and Philadelphia, Pa.; and Memphis, Tenn.

diction up to 17 years; 7 had jurisdiction up to 18 years;<sup>14</sup> and the jurisdiction of 1 (San Francisco, Calif.) extended to 21 years. Of the remaining 12 courts, 10 had jurisdiction over delinquent, dependent, and neglected boys up to 16, delinquent girls up to 18, and dependent and neglected girls up to 17;<sup>15</sup> 1 (Dane County, Wis.) had jurisdiction over delinquent boys up to 17, delinquent girls up to 18, and dependent and neglected children up to 16; and 1 (Middlesex County, Mass.) had jurisdiction over delinquent children between 7 and 17 years and neglected children under 16 years of age.

The following list, which gives the ages of the children dealt with by these courts on charges of delinquency, shows that most of the children who came before these courts were from 12 to 16 years of age. The number above 16, however, would have been larger had it not been for the limitation of the jurisdiction of many courts to children under that age.

	Boys	Girls
Under 10.....	1,552	152
10, under 12.....	3,117	261
12, under 14.....	5,575	773
14, under 16.....	7,929	1,848
16 and over <sup>16</sup> .....	2,200	679
Age not reported.....	1,166	204

In about one-half of both the delinquency and the dependency and neglect cases the children were not detained but were allowed to remain in their own homes pending hearing, or their cases were disposed of on the day the complaint was made. Boarding homes were used by more than half the 42 courts in delinquency cases and by most of the courts reporting cases of dependency and neglect, but the number of cases so cared for was small. In about one-third of the delinquency cases and in approximately the same proportion of cases of dependency and neglect the child was cared for in a detention home or other institution. A relatively small proportion of children were cared for in jails or police stations, these being largely older children in courts whose jurisdiction included those over 16 years of age.

Though an attempt is being made to secure uniformity in the use of terms the charges on which children were dealt with by the courts as delinquents give a very incomplete picture of their behavior problems. A child may have committed several offenses at or about the same time but be referred to court on only one of them. The specific offense with which he is charged may be much less serious than offenses discovered in the course of the social investigation. When the case is investigated before the filing of a petition instead of afterwards, the formal charge is usually more accurate, but even in such cases the offense stated in the complaint may reflect the desire of the court to protect the child. For instance, in some courts a girl is charged with incorrigibility instead of a sex offense, or a boy with trespassing and taking the property of another instead of "breaking and entering" or "burglary."

<sup>14</sup> Hennepin and Ramsey Counties, Minn.; Franklin, Hamilton, and Mahoning Counties, Ohio; Norfolk, Va.; and Pierce County, Wash.

<sup>15</sup> Clay, Delaware, Jennings, Lake, Marion, Monroe, Vermilion, Wayne, Walls, and White Counties, Ind.

<sup>16</sup> 41 courts (exclusive of Philadelphia) reported 59 of the boys and 28 of the girls as "18 years and over."

According to the recorded offenses the boys and girls present quite different delinquency problems. The distribution of charges in 24,244 boys' and 4,143 girls' cases was as follows:

	Per cent in boys' cases	Per cent in girls' cases
Stealing or attempted stealing.....	41	13
Acts of carelessness or mischief.....	27	7
Truancy or running way.....	15	29
Ungovernable or beyond parental control.....	7	27
Sex offense.....	2	19
Injury or attempted injury to person.....	3	3
Liquor or drug violation.....	1	1
Other offenses or nature of offense not reported....	3	2

More than two-thirds of the boys were charged with stealing or with acts of carelessness or mischief. Apparently some courts class petty stealing as "mischief" rather than "stealing." With the girls "truancy," "running away," "ungovernable or beyond parental control," and "sex offenses" are the most frequent charges, three-fourths of them having been charged with these offenses.

The great variation in the types of offenses with which children were charged in the different courts would indicate that the attitude and practices of the court as well as differing social conditions are the explanation of such variation. For example, the percentage of sex offenses among the girls' cases varied from 2 to 62 in the different courts. Among the boys stealing varied from 22 to 82 per cent of the cases.

The practice of the court in regard to handling cases unofficially (i. e., informal adjustments by the judge, referee, or probation officer, so that the cases are not placed on the court calendar by the filing of a petition or other legal paper for adjudication by the judge or referee) varied in different localities. Information is being recorded for both official and unofficial cases, the same cards being used for both, with the exception that separate lists of dispositions are used for the two types of cases. Twenty-three of the forty-two courts reported the practice of disposing of some delinquency cases unofficially. More than one-fourth of the delinquency cases (7,560) were reported to be dealt with in this way. In five courts, two of which reported a large number of cases, from 71 to 97 per cent of the delinquency cases were handled unofficially.

Analysis of 20,827 delinquency cases that had been handled officially by the courts shows that the dispositions of a large majority (88 per cent) were: (1) Dismissed or continued indefinitely (34 per cent), (2) placed on probation (39 per cent), or (3) committed to institutions for delinquents (15 per cent). A number of different but related methods of treatment of delinquent children are included under each of these three terms. For example, the entry "case dismissed" was made for cases closed without further action, cases referred to other courts for commitment to institutions for the feeble-minded, and cases dismissed because of lack of jurisdiction in the juvenile court. Cases were considered as "continued indefinitely" when no further action was taken nor supervision given the children but jurisdiction was maintained, so that if a like situation arose later the case might be brought into court again without the filing of a petition. Cases of children placed on probation to parents or com-

mitted to institutions with commitment suspended when no further action was contemplated were included in this classification. Orders for restitution, fines, and payment of costs were resorted to in only 6 per cent of the 20,827 official delinquency cases.

Of the 7,560 unofficial delinquency cases more than half (58 per cent) were reported closed after adjustment, one-seventh (14 per cent) were placed unofficially under the supervision of a probation officer, and of the remaining cases a large proportion were apparently dropped without action of any sort.

In official delinquency cases the offenses most often disposed of by dismissal or indefinite continuance were injury or attempted injury to person, acts of carelessness or mischief, truancy in the girls' cases, and what among the boys was classified as "other miscellaneous charges."<sup>150</sup> Probation was used more often than any other type of disposition in the following types of cases: Stealing (47 per cent of the 7,121 cases), ungovernable or beyond parental control (43 per cent of the 1,924 cases), sex offense in boys' cases (51 per cent of the 355 cases), violating liquor or drug law in boys' cases (47 per cent of the 99 cases), and running away in girls' cases (43 per cent of the 417 cases). Commitment to an institution was used more frequently for sex offenses of girls than for any other offense among either boys or girls. The contrast in treatment of boys and of girls for this offense is striking. The reports show that in 14 per cent of the 355 cases of boys charged with sex offenses the boy was committed to an institution for delinquent children and in 51 per cent he was placed on probation, whereas in 37 per cent of the 599 cases of girls who were sex delinquents the girl was committed to an institution for delinquent children and in 35 per cent she was placed on probation. On the other hand, when truancy was the charge, in only 5 per cent of the girls' cases as compared with 18 per cent of the boys' cases were the children sent to institutions for delinquent children. Commitment to an institution for delinquent children was reported in about equal proportions for the boys (25 per cent of the 1,201 cases) and the girls (27 per cent of the 723 cases) described as ungovernable or beyond parental control. Similarly, commitment to such institutions was used in 22 per cent of the boys' cases and 21 per cent of the girls' cases in which the child was charged with running away from home. Fines or costs were ordered chiefly in the cases of boys charged with acts of carelessness or mischief—15 per cent of the 3,533 cases.

### FAMILY COURTS

Public interest in the family court, or court of domestic relations (terms often used synonymously), is increasing, but proposals for legislation establishing new courts are often made without an adequate basis of information concerning the work of these first experimental courts or existing local court systems and the legal framework and social setting in which the new courts must find their place. The report of the study which the Children's Bureau has been making of courts especially organized to deal with family problems

<sup>150</sup> This discussion does not include the Philadelphia court, as figures showing disposition by charges are not available for Philadelphia.

is nearing completion. Part 1 of the report presents a general review of the legal aspects of the treatment of domestic-relations problems and of attempts to provide methods of organization and administration especially adapted to modern conditions, together with suggestions as to the general principles that should govern the establishment of new courts or the reorganization of existing courts. This section of the report was submitted to a number of the leading authorities on this subject, to whom the bureau is indebted for helpful criticism.

The general conclusions reached as a result of the study, in summary form, are as follows:

1. In considering the attitude of the law to domestic relations two factors must be kept constantly in mind: First, that law is a process of social engineering, that the organization of the society with which it deals is changing, and that it must discover and perfect new tools to fulfill its functions; second, that it is necessary to ascertain and deal with the facts, that sentimentalism is as dangerous as ignorance, and that changes in legal processes should be conditioned upon practicability.

2. Great need exists for the extension as rapidly as possible of the judicial technique developed by juvenile courts to matters bearing upon family relations coming within the scope of the report. This technique includes informal adjustment and reference to appropriate agencies of cases not requiring official court action, thorough social investigation, physical and psychiatric examinations when necessary, informal hearings conducted with a minimum of publicity, and constructive supervision of probationers.

3. Because of variation in local institutions and conditions a nation-wide formula for the adjustment of family problems coming before the courts is impossible. Wide differences exist not only in constitutional provisions and court systems but also in the degree of public interest in a social approach to legal problems involving child welfare and family life. Nevertheless, efforts of all interested groups should be directed toward the establishment and maintenance of tribunals that will have broad powers to deal with family problems.

4. The proper treatment of children's cases must be assured. The juvenile court requires continuing study, constructive criticism, and constant support by the public, whether it continues to exist as a separate court or becomes part of a court of broader jurisdiction. In general, where juvenile courts have been established they should be brought to a high standard of efficiency before an attempt is made to extend their jurisdiction further. It may be, however, that in a given situation it would be easier to obtain adequate administrative machinery for the juvenile court if it were absorbed in a new court with broad jurisdiction, but the plan for administration should always be worked out carefully in advance.

5. The new judicial technique seems particularly applicable to nonsupport and desertion, the support of children born out of wedlock, and certain offenses against children, especially contributing to dependency and delinquency. Some of these methods, especially investigation, should be extended also to cases of adoption, guardianship of the person of children, and commitment of mentally defective children. Divorce cases present special problems. Only a minority of divorce cases (somewhat more than one-third) involve children. The problem of ascertaining the real causes of marital difficulties and of adjusting them without resort to divorce procedure is very difficult, and at least under present conditions it is not one which courts are equipped or can reasonably be expected to become equipped to solve. Alimony and custody of children are subject to the continuing jurisdiction of the court, and the new technique of investigation and supervision is required in order to safeguard the interests involved. The possibility of vesting in the juvenile or family court jurisdiction as to divorce cases involving children, or as to custody of children and alimony for the support of children requires careful consideration.

6. Depending upon local conditions, social treatment of the cases mentioned above may be developed in one unified court, having also juvenile jurisdiction, in one court with separate branches for juvenile and domestic-relations work, or in separate juvenile and domestic-relations courts. Unified jurisdiction is desirable when it can be obtained without the sacrifice of more important ends.

7. Whenever jurisdiction over domestic-relations cases can be centered in one court by some working agreement on the part of the several judges such action appears to be more desirable than appeal to a legislative body, provided that an adequate social-service staff can be maintained. This plan lacks the dramatic quality of the establishment of a new court, but it has the advantage of ease of accomplishment and flexibility.

8. Attempts to obtain the passage of legislation providing for the establishment of family courts or courts of domestic relations invariably should be preceded by careful study of the constitutional and statutory provisions of the State regarding courts and court systems, study of existing methods of dealing with juvenile cases and adult cases involving family problems in the locality which the proposed court would serve, and education of the public as to the need for socialized treatment of juvenile and family problems, its cost and its value.

9. Wherever jurisdiction is vested in a juvenile court, a family court, or a court of domestic relations, if it is to develop into an efficient instrument of social justice it must be free from political influence and must have am-



ple financial support and a staff of men and women fitted by nature, education, and experience to carry on the delicate tasks intrusted to them. The services of the social case worker, the physician, the psychologist, and the psychiatrist, all are necessary to its proper development.

10. The work of legal-aid bureaus and other social agencies dealing with domestic-relations problems should be strengthened and extended. A valuable contribution could be made toward the understanding and solution of marital difficulties and allied problems if funds were made available for the development in selected communities of domestic-relations clinics, staffed by psychiatrists, psychologists, and social investigators. These clinics should be available to any person desiring help in adjusting troubles growing out of the marital relation.

11. Finally, there emerge from this study the significant facts of overlapping jurisdictions, inadequacy of treatment, and other failures of law to meet family problems. Public responsibility for the correction of these conditions must be fulfilled though the particular type of organization selected for dealing with them may vary.

### DEPENDENT CHILDREN

#### Public aid to mothers with dependent children.

With mothers' aid legislation on the statute books of 44 States, interest in the administration of such laws has so increased that a specialist in this work was added to the staff of the social-service division of the bureau last autumn in order that requests, especially those for local consultation on administration problems, might be met. The preparation of a handbook on the administration of mothers' aid has been undertaken by the bureau at the request of the National Committee on Public Aid to Mothers of Dependent Children in Their Own Homes. The standards, policies, and procedures that have been worked out during the past 15 years will be presented in the handbook in a form suitable for reference by busy administrators.

To meet the demand for information as to the extent to which mothers' aid laws are actually applied at the present time the bulletin on public aid to mothers with dependent children issued in 1926 was brought up to date, and some additional information was incorporated. It is estimated that on any one date approximately 200,000 children are now receiving this form of public aid in their own homes. No estimate can be made of total expenditure, but information available for 20 States indicates an annual expenditure in these States of about \$18,000,000 for the support of children in their own homes.

A report of a study of administrative practices with reference to health, housing, education, and recreation of representative agencies that were administering mothers' aid in 10 different localities was in press at the end of the fiscal year.<sup>17</sup> Descriptions of the community

<sup>17</sup> Administration of Mothers' Aid in Ten Localities, with Special Reference to Health, Housing, Education, and Recreation, by Mary F. Bogue. U. S. Children's Bureau Publication No. 184. Issued Aug. 20, 1928.

resources for providing health care, education, and recreation that were available in each of the localities and information as to the extent to which these were utilized by the agencies also are included. In general, this report may be said to show the extent to which these agencies were providing, for the families under their care, the services that make of mothers' aid a general-welfare measure rather than a relief measure only.

#### Welfare of prisoners' families in Kentucky.

A report has recently been issued of a study of the influence of the imprisonment of the fathers upon the welfare of 210 Kentucky families with dependent children. The men whose families were included in the investigation had been imprisoned in the State penitentiary or the reformatory for periods ranging from nine months to nine years. Although the case histories showed that the majority of the mothers and older children did everything in their power to earn a livelihood for the family, only 33 of the 210 families were known to be self-supporting at the time of the study. The compensation paid the prisoners for the labor they performed in the State institutions had been fixed by the State board of charities and corrections at 10 cents per day. The possible contribution by the men through their own labor to the support of their families was therefore so small that it had little effect upon the condition of the family, even in the cases where assignments were made regularly by the fathers. The burden of assisting in the support of the families fell usually upon relatives, in many cases with a lowering of the standard of living for both families. Many of the families were showing the results of hardships endured during the father's absence in lowered physical resistance, interruption of the children's schooling, and separation of families. (A 1926 law applicable only to prisoners employed on road work makes possible for such prisoners compensation greater than that specified above.)

During the time that the field work for this study was in progress (March-July, 1926) Kentucky had made no public provision for aid to dependent children in their own homes nor for organized county agencies for case work with families in need, and private social agencies served only a few of the more populous counties. The only agency providing assistance to any number of the families was the Mutual Welfare League, maintained by the prisoners in the reformatory. Within the last year a law has been enacted creating a State children's bureau and county children's bureaus, and authorizing the counties to provide aid for mothers with dependent children.

#### Children of illegitimate birth.

A report is in press based on 253 selected case histories of children of illegitimate birth whose custody had been retained by relatives. Thirty-five histories are given in detail as illustrative of the methods of care by which the mothers or other relatives were enabled to keep the children with them. A brief analysis is included of the general findings of the study and the policies of the agencies from which the histories were obtained.

A chart containing an analysis and tabular summary of State laws relating to illegitimacy in the United States in effect January

1, 1928, and the texts of selected laws of a number of States which reflect the recent tendencies in legislation being enacted for this group of dependent children was prepared at the request of the League of Nations for the meeting of its Advisory Commission on the Welfare of Children and Young Persons, in March, 1928, and will be available for general distribution shortly.

## STATE AND COUNTY CHILD-WELFARE AGENCIES

### Methods of administration of State child-welfare activities.

Since 1917 new legislation defining the responsibilities and activities of State departments concerned with child welfare and establishing new administrative machinery has been passed in a number of States. In order to make the history of the development and experience of these States available for comparison field work has been begun in connection with a study of these State departments, boards, or commissions, as they are variously called. The practice in 10 States that illustrate different types of administration will be studied as fully as possible.

Plans are in progress for a special study of the achievements and methods of work of the children's bureau of the Minnesota State Board of Control, which was established in 1918 and has been a pioneer in the development of coordinated State and county programs. The report will include a general analysis of the functions and activities of the bureau and of the county child-welfare boards that serve as its local representatives throughout the State of Minnesota and an evaluation of the type of work done and the extent to which the needs of local communities have been met.

### County studies in Washington and Wisconsin.

A preliminary report of the study of child-welfare conditions and resources in six counties in the State of Washington has been prepared and presented to the Washington State Conference of Social Work, at whose request the study was made. The object of this study was to find out the social resources of the different localities, the number of children in the communities in whose behalf special activities were being carried on, and the extent to which legislation and State and local resources succeeded in providing adequately for all children in need of assistance.

Records were obtained for 7,419 children under 18 years of age in the six counties who had received assistance from public or private agencies during the year. A total of 6,576 had been aided in their own homes by overseers of the poor, mothers' aid boards, or private family-welfare agencies. A large number of the children (1,992) were in families receiving mothers' assistance, but comparatively small grants were permitted by law. Eight hundred and forty-three children had been cared for away from their families, 349 in family homes under agency supervision and 494 in institutions for dependents. Legislation that will safeguard children needing care away from their own families is greatly needed in Washington. At the time of the study parental guardianship could be transferred without court action. The State law did not safeguard adoptions by requiring a social investigation in all such cases before action by the court, and no State regulation of boarding homes existed.

In all the counties visited juvenile cases were heard either in juvenile branches or in special sessions of the superior court. A total of 2,406 cases were disposed of during the year—1,874 cases of delinquency and 532 cases of dependency or neglect. Institutional care for delinquents was used more extensively than probation; 281 of the children whose cases were heard officially during the year were committed to institutions, and only 115 were placed on probation.

One very evident weakness of the welfare program of the counties was the limited extent to which local authorities or agencies had attempted to carry out the laws providing for court action in cases of nonsupport and desertion, and proceedings to establish paternity.

Washington has no State department of public welfare, such as has been created in many States, with definite responsibility for studying the welfare conditions and needs of the State, developing local resources for caring for children, and aiding in the maintenance of adequate standards by the agencies caring for children. The evidence of the need for such a State department was encountered repeatedly in the counties studied. Although the standards of most of the private agencies and institutions giving care to children varied from acceptable to excellent a few of them fell far below the minimum standards that should be required by the State for the protection of these dependent children. The activities of public agencies, such as the administration of mothers' aid, poor relief, and the probation service of the juvenile court, differed greatly in quality in the counties. The cooperation of a State department in formulating policies, setting standards, and obtaining uniform reports should be of assistance to county and municipal authorities.

During the past year a plan was made and schedules were prepared for a study in Wisconsin that would provide information as to actual conditions affecting the welfare of children in several counties. This material was desired by the children's code committee of the Wisconsin Conference of Social Work for the development of a program. The Children's Bureau undertook to make the field study in four counties, local committees undertaking this work in six additional counties. Individual schedules were obtained of all children under the care of agencies and institutions, and information was gathered on the health and recreational resources of the communities and on the organization and activities of all available social agencies and institutions. The report will be prepared and published by the children's code committee of the Wisconsin Conference of Social Work.

### RECREATION

Field work has been completed on a study of the recreation of children living on farms or in villages in West Virginia. This study was undertaken at the request of the extension service of the West Virginia State College of Agriculture. Through interviews with the children in the schools of 12 rural districts in five counties schedules were secured for 1,932 children between 10 and 18 years of age. Information was thus obtained in regard to the amount of leisure time of the children and the use which was made of it. Special emphasis was placed upon the character of the social contacts of the children

and the extent to which the children participated in club activities and other organized recreation.

In addition to obtaining information as to the social life and recreation of individual children studies were made of community facilities and their use, the activities of agencies contributing to the social life of the children, and the character of the play leadership in the communities.

During the past year the bureau has cooperated with the agricultural extension service of the State university in six States in the development of recreation programs for club groups. Courses for recreation leaders in games, folk dancing, pageantry, and story-telling and in the planning of recreation programs were given to 14 groups of 4-H Club members and rural women attending camps or short courses organized by the extension service. A similar course was given under the auspices of the Young Women's Christian Association in one city.

### STATE CHILD-WELFARE COMMISSIONS

Official child-welfare commissions have been active during the past year in only three States—Georgia, Kentucky, and South Dakota. The Georgia commission sponsored several bills that were considered by the session of the legislature meeting during the summer of 1927. These measures, only one of which became law, were included in last year's annual report. Since the adjournment of the legislature the commission has been inactive. The Kentucky Child Welfare Commission sponsored a bill for its own abolition and the creation in its place of a State children's bureau. This bill, which also authorized the establishment of county children's bureaus and public aid to mothers of dependent children, became a law. The South Dakota Child Welfare Commission cooperated in the second annual conference of county welfare boards, which was held in conjunction with the State conference of social work. A second survey of mothers' pensions in the State is under way, and assistance is reported by the secretary in prosecutions of offenders against young girls. Members of the California Commission for the Study of Problem Children, authorized by a law passed in 1927, were appointed by the governor in February, 1928. The New Jersey Juvenile and Probation Study Commission, with the cooperation of the National Probation Association, made a study of probation and juvenile-court work throughout the State and published its findings and recommendations in pamphlet form. Bills sponsored by the commission relating to juvenile and domestic-relations courts and probation were introduced but not passed.

Unofficial committees interested in child-welfare legislation have been at work in several States. After the discontinuance of the Pennsylvania Children's Commission in 1927 the executive committee of the child-welfare committee of the Pennsylvania Public Charities Association resolved to undertake a general study of Pennsylvania statutes relating to children and the proposal of such revisions as should seem desirable in these statutes. The Illinois State Conference of Social Work and State department of public welfare have appointed a committee to review the recommendations made in 1920

by a children's committee appointed by the department of public welfare and to draw up a program for future action. Reference has already been made to the assistance given by the Children's Bureau to the Washington State Conference of Social Work and the children's code committee of the Wisconsin Conference of Social Work in the studies of child-welfare needs and resources in selected counties of these two States.

### CHILD-WELFARE LEGISLATION, 1928

During 1928 regular legislative sessions were held in 9 States—Kentucky, Louisiana, Massachusetts, Mississippi, New Jersey, New York, Rhode Island, South Carolina, and Virginia—and in Porto Rico and Hawaii. In addition, Congress legislated for the District of Columbia. Special sessions were held in a few States, including Illinois, Nevada, North Dakota, and Wisconsin, but so far as the bureau has been able to obtain information, no new child-welfare legislation was enacted in these special sessions.<sup>10</sup> Legislative material has been received by the Children's Bureau from the States having regular sessions and from Porto Rico.

#### Child labor and compulsory school attendance.

Measures relating to legal standards affecting the employment of children, either directly or through requiring attendance at school, were enacted by Congress for the District of Columbia and by the States of Kentucky, New Jersey, New York, Rhode Island, South Carolina, and Virginia. Porto Rico established a research division in the department of education.

The new District of Columbia child labor law constitutes a great advance over the former law, particularly in regard to the enforcement and administrative provisions and to the regulation of the work of children in street trades and in dangerous or injurious occupations. It removes the poverty exemption for children 12 years of age or over and establishes a minimum age of 14 in all gainful occupations except housework or agricultural work performed outside school hours for the child's parent or guardian, with the proviso that children 12 years of age and over may sell newspapers and children 10 years of age and over may distribute newspapers on regular routes. It also fixes an 8-hour day and 48-hour week and a 6-day week for children between the ages of 14 and 18 years. Work between 7 p. m. and 7 a. m. is prohibited for boys under 16 and for girls under 18 years of age, and work between 10 p. m. and 6 a. m. is prohibited for boys between 16 and 18. Specified dangerous or injurious occupations are prohibited for minors under 16 and under 18 years of age, and a general clause prohibits the employment of any minor at employment dangerous or prejudicial to his life, health, safety, or welfare. At least two inspectors must be appointed by the board of education to enforce the law.

The workmen's compensation law passed by Congress for the District of Columbia covers all employees and would therefore apply to minor as well as adult workers.

<sup>10</sup> In Illinois a law relating to mothers' aid which had been passed in 1927 was reenacted in order to indicate clearly which of two laws passed in that year is in effect.

In Kentucky a bill was passed strengthening the enforcement provisions of the compulsory school attendance law and setting a maximum fine of \$15 for the parent's failure to send his child to school.

In New Jersey the educational requirement for employment certificates for children between 14 and 16 years of age was raised from completion of the fifth grade in certain subjects to completion of the sixth grade in those subjects or completion of a program in a pre-vocational or vocational school approved by the commissioner of education equivalent to one year beyond the fifth grade. This provision becomes effective September 1, 1929.

In New York the compulsory school attendance and employment certificate laws have been rewritten. The former law is greatly clarified and simplified, the application of the law is broadened, and the administrative provisions are improved. A physical examination is required when the child goes to work and each time he changes his employment instead of only when he first goes to work, as formerly. The definition of street trades is extended to include bootblacks as well as boys who deliver or peddle newspapers, the street trades law is limited to cities of 20,000 or over instead of being state-wide in application, street work is prohibited after 7 p. m. instead of after 8 p. m., and proof of age and a physical examination are required before a boy may obtain a street-trades badge. The length of required attendance at day school is made 190 instead of 180 days, and in cities the board of education is given power to require minors 16 years of age to attend full-time day school if not employed. In one respect, however, the new law lowers the standard of the old, since it requires attendance at continuation school of minors up to 17 years of age instead of 18 as would have been required by September, 1928, under the former law. The localities in which continuation-school attendance is compulsory are changed from cities and districts with a population of 5,000 or more in which there are 200 or more employed minors under 16, to places with a population of 20,000 or more and school districts in which there are 200 or more employed minors under 17 years of age.

The Rhode Island Legislature passed three laws raising the standards of the child-labor legislation of that State. The maximum hours of labor for children under 16 in manufacturing, mechanical, and mercantile establishments were reduced from 10 per day and 54 per week to 9 per day and 48 per week. The night-work prohibition for children under 16 was made to begin at 7 p. m. instead of 8 p. m. The street trades law formerly applying only to Providence was extended to cover all cities of more than 40,000 inhabitants, so that it now applies to Pawtucket and Woonsocket in addition to Providence.

A compulsory school attendance bill was passed by the South Carolina Legislature and is now in the hands of the governor, who has until January 3, 1929, to decide whether he will sign it or veto it. If it becomes law the compulsory school age will extend from 7 to 14 instead of 8 to 14, and attendance will be required for the full term; now attendance is required only for four consecutive months, or 80 school days.

In Virginia the new school code passed this year makes the age period during which attendance is required begin at 7 instead of 8

years of age and end at 15 instead of 14 years of age. The local school board, after a public hearing, may make this attendance period between 8 and 16 instead of between 7 and 15 years of age. Counties or cities without adequate buildings for enforcement of the law are allowed two years to make provision for carrying it out; further extension of time may be granted by the city or county tax-levying authorities in their discretion. The provision in the former law allowing school boards, with the concurrence of the board of supervisors or the governing body of the county or city, to except the county or city from the provisions of the law is eliminated.

Reports have been received of a number of attempted advances in the standards of State child labor and compulsory school attendance laws which failed of enactment, but information with regard to these bills is incomplete. The unsuccessful proposals of this type reported to the bureau are: In Kentucky, a bill to fix a penalty for violation of the compulsory school attendance law higher than that in the bill which passed; in Louisiana, a bill to reduce hours of labor for minors between 16 and 18 years of age and for women from 10 per day and 60 per week to 8 per day and 48 per week; in Massachusetts, a bill to raise the minimum age for employment of children; in New Jersey, bills to prevent the employment of migratory child workers during the time when the laws of their own State would require their attendance at school, to penalize employers failing to safeguard machinery after notification by the department of labor by subjecting them to the payment of double compensation to employees injured because of such failure, to reduce hours of labor in bakeries, and to strengthen the night work law for females; in New York, bills providing for a minimum-wage board to study wages paid to women and minors and recommend a living wage, relating to vocational and educational guidance of minors, establishing a division of research in the State department of education, eliminating exemptions to the 8-hour law for females, amending the compensation law so as to raise the wage basis for awarding compensation to minor workers, providing for a State medical inspector with assistants in connection with a program of medical inspection of pupils attending part-time or continuation schools, and extending the list of articles of which the manufacture in tenements is forbidden; in Rhode Island, bills to provide one day of rest in seven for workers in manufacturing and mercantile establishments and to provide a maximum 45-hour week and 9-hour day for all employees in manufacturing, mechanical, business, and mercantile establishments (a bill for a 9-hour day and 48-hour week for minors under 16 in such establishments, however, passed).

A few reports have been received of bills attempting to lower existing standards, which failed to pass. These are: In Massachusetts, a bill to permit the employment of women in textile mills after 6 p. m.; in New York, a number of bills reducing from 18 to 16 the age for compulsory attendance at continuation school or permitting the substitution of evening-school attendance for attendance at day continuation school (the education law which was passed reduced the age to 17 but added no exemptions), and a bill exempting females 16 years of age and over employed in restaurants from the hours of labor and night work law.



In some States administrative authorities have power to make rulings or orders in regard to child labor which have the effect of law. In California, New York, and Pennsylvania orders of this kind were put into effect. In California the department of industrial relations ruled that children under 16 should not be permitted to work in close proximity to moving machinery, on building or construction work, or in delivering goods, merchandise, papers, or packages from motor vehicles. In New York the industrial board adopted rulings prohibiting the employment of minors under 16 and of minors between 16 and 18 years of age in the operation of machines not guarded in a prescribed manner. The Industrial Board of Pennsylvania prohibited the employment of children under 16 on power-driven meat-grinding machines.

**Public aid to dependent children in their own homes.**

Kentucky and Mississippi enacted laws authorizing public aid to mothers with dependent children, so that 44 States and the District of Columbia have now provided for this method of keeping dependent children with their mothers. A bill providing for the establishment of a system of mothers' aid was introduced in South Carolina, but did not pass. No State funds are available for mothers' aid in either Kentucky or Mississippi, the counties being authorized to grant the necessary amount. The Kentucky mothers' aid provision is part of an act which abolished the child-welfare commission, and created in its place a State children's bureau with an appropriation of \$5,000 a year for the ensuing biennium. The bill as originally introduced called for an appropriation of \$10,000 per year for the bureau and \$35,000 as a State fund for allowances. Under the law as passed counties are authorized to levy a tax to provide the necessary funds, and county children's bureaus, authorized by this act, make investigations before granting allowances. The Mississippi act authorizes the board of supervisors in each county to set aside out of the poor fund or the county general fund a "children's aid fund" for the purpose of providing home care and maintenance and support for dependent and needy children. Aid is payable upon order of the chancery court. The act requires investigations of applications by the court, and visitation and reports after allowances are granted.

In New Jersey the amount of aid authorized under its law was increased, the new maximum amounts being \$16 a month for one child under 16 years of age, \$30 a month for two such children, and \$12 a month for each additional child under such age.

Louisiana amended the law relating to aid to mothers with dependent children by making it optional with parishes and municipalities, instead of mandatory, to provide funds for this purpose.

In New York bills which did not become law would have provided for State contribution to mothers' aid funds and would have extended the benefits of the law to classes not now covered by it. A Rhode Island bill which did not pass would have extended the mothers' aid law to alien mothers under certain specified conditions.

**Other State and local public-welfare measures.**

Kentucky amended the law creating a State board of charities and corrections for the purpose of unifying and clarifying the laws relating to that department, and New York amended a number of

articles of the State charities law. In New York a new public welfare law was proposed, to replace the present poor laws and related statutes and to provide for a permissive system of county administration throughout the State. The bill passed the senate unanimously but was not reported by the assembly committee. Porto Rico established the insular commission of public charity to study the medical-assistance features of the system of public charity in the island and recommend reforms to the legislature at its 1929 session.

In Massachusetts the poor-relief laws were amended so as to eliminate the word "pauper" from the statutes, and to change "overseers of the poor" to "board of public welfare" and "almshouse" to "infirmiry." New Jersey increased from \$6 to \$12 per week the amount authorized which may be paid for maintaining children in incorporated charitable institutions. Another New Jersey act requires counties to levy in the year 1929 a tax of one-half mill on all property on which municipal taxes are levied for a State institution construction fund, to be used for State charitable and correctional institutions.

#### Juvenile courts and probation.

In New York the special juvenile-court laws for Buffalo and Syracuse were amended. The New York State division of probation was made one of the statutory divisions of the department of correction with general supervision over the administration of probation throughout the State, including probation in children's courts. Another New York law requires that before any person is placed on probation the court shall consider his social history, previous court record, and the circumstances of the offense, and that in case of a felony the district attorney shall be given an opportunity to be heard before sentence is suspended or the defendant placed on probation.

In New Jersey bills providing for the establishment by popular vote of juvenile and domestic-relations courts in other than first-class counties (which already have such courts), these courts to have exclusive jurisdiction over children's cases and to use chancery or civil procedure in such cases, and bills coordinating and strengthening the probation laws were sponsored by the juvenile and probation study commission created by the 1927 legislature but failed to pass.

Louisiana provided for a State industrial school for colored boys 17 years of age or under committed by the juvenile courts.

#### Offenses against children.

Kentucky increased the penalty for kidnaping, making it an offense punishable by death or life imprisonment, and New Jersey made 30 years' imprisonment the minimum punishment for such offense. New York provided that the consent of the person kidnaped shall not be a defense unless such person is over 16 years of age.

#### Nonsupport and illegitimacy.

New Jersey withdrew from justices of the peace jurisdiction over cases of nonsupport of wife and children or other proceedings for relief of the poor, providing that such cases shall be heard in the future by courts of common pleas and criminal courts of record, and assigned to the latter courts exclusive jurisdiction in illegitimacy cases. Administrative features of the nonsupport and illegitimacy laws of New York were strengthened. A Kentucky bill which was not passed would have extended the provisions of the nonsupport law to children under 16 years, instead of under 14 as at present.

**Compensation to prisoners' families.**

Massachusetts authorized the establishment of a system of compensation for inmates of the State prison, the Massachusetts reformatory, and the reformatory for women, to be paid out of the profit from prison industries. One-half of the amounts so earned by prisoners may be paid to their dependents monthly, or at other intervals to be established by rules and regulations. Kentucky failed to pass a bill which would have required the board of charities and corrections to set aside to the credit of inmates of the reformatory or the penitentiary at least 30 cents a day from the prisoner's wages, such amount to be sent to his dependents at the end of each month.

**Adoption and guardianship.**

Kentucky enacted a law providing that the mother and father are equally entitled to the services and earnings of a minor child. New Jersey amended the law relating to guardians of minors, granting to mothers and fathers equal rights to dispose of their children by will with the consent of the other parent. In New York bills amending the adoption and guardianship laws were proposed but not enacted, and a New Jersey bill relating to the custody rights of a nonsupporting father failed to pass.

**Physically handicapped children.**

New Jersey passed six new laws affecting the welfare of physically handicapped children. The crippled children's commission created in 1926 was continued, with an authorized appropriation of \$5,000. It is to submit recommendations to the 1929 legislature. The membership of the State commission for the rehabilitation of physically handicapped persons was increased from three to five. The two additional members, one of whom must be a woman, are to be chosen because of their special interest in crippled children and knowledge of methods used in their care, treatment, and education. The term "physically handicapped" was amended to include those incapacitated for education as well as those incapacitated for remunerative occupation, and the limitation to persons over 16 years of age was removed. A third New Jersey act authorizes counties having no county home or hospital for the treatment and care of crippled children to assist in maintaining such institutions in the county, and to defray the expenses of diagnosis, investigation, treatment, care, and maintenance of crippled children under 21 in private homes and hospitals in any county of the State. State aid was also granted to local school districts providing special classes or home teaching for crippled children. The New Jersey education law authorizing special facilities for the care, physical restoration, and instruction of physically handicapped children was amended in a number of respects so as to provide, among other things, for home teaching, transportation, and maintenance of such children while in attendance at special classes in other than their home districts, and for the establishment of special classes in any hospital, convalescent home, or institution where there are at least eight physically handicapped children. Boards of education are required under a new provision to maintain a register of all physically handicapped persons under 21 years of age. Copies of this list are to be furnished at least annually to the commissioner of education, who in turn furnishes

copies of the State register to the commission for the rehabilitation of physically handicapped persons. Another New Jersey law requires the physician, midwife, or person acting as midwife at the birth of any child with visible congenital deformities to report such condition to the State rehabilitation commission within 30 days after birth.

Kentucky authorized boards of education in cities of the first class to provide for the transportation to and from public schools of crippled children and of other children for whom the board after investigation deems it necessary. Massachusetts required deaf children between 7 and 18 years of age, with certain exceptions, to attend some school for the deaf approved by the department of education. Louisiana did not pass a bill for compulsory school attendance of blind or partly blind children between 6 and 21 years. In New York the powers of the Chautauqua County court with reference to physical and mental examination and care of handicapped children were enlarged.

#### **Mentally defective children.**

No legislation relating specifically to mentally defective children is known to have been enacted, but Mississippi passed a law authorizing sterilization of inmates of State institutions for the insane and feeble-minded. In New York bills to create a bureau of psychiatric instruction in the department of education and to authorize sterilization of mental defectives in institutions receiving State funds were not reported out of committee. In Louisiana a bill authorizing sterilization of inmates of State and city institutions for mental defectives was not passed.

#### **Child hygiene and public health.**

A New Jersey law requiring private nursing homes to be licensed was amended so as to make this licensing provision apply also to private hospitals. Rhode Island authorized two or more towns to unite in the employment of a health officer. Porto Rico established in the department of education a division of child hygiene with a physician as director.

#### **Marriage of minors.**

Kentucky raised the minimum marriage age of boys from 14 to 16 years and of girls from 12 to 14 years. New Jersey authorized the annulment of marriages contracted by girls under 18 years of age and not ratified after reaching this age. Formerly this was permitted for boys under 18 but for girls under 16 only. Owing to an error in the New York marriage bill passed in 1927 requiring proof of age, the prohibition of marriages of boys under 16 and girls under 14 was repealed. At the 1928 session this provision was restored. A New York bill requiring written consent of a children's court judge to the marriage of girls between 14 and 16 years passed the senate but not the assembly.

A Louisiana bill to prohibit the marriage of insane, feeble-minded, or venereally diseased persons, to create a State hygienic marriage board, and to require physical examination of applicants for a marriage license did not become a law.

New Jersey did not pass a bill providing that clerks issuing licenses contrary to the provisions of the marriage act and appli-

licants for a marriage license or identifying witnesses making false statement should be subject to a penalty of \$100 for the first offense and \$200 for each subsequent offense.

#### Recreation.

Bills relating to recreation were introduced in New York and Rhode Island, but the New York bills did not pass. In Rhode Island the law that prohibited the admission of boys under 14 and girls under 16 to motion-picture theaters unless accompanied by an adult was amended so as to prohibit the admission of any child under 15 unless accompanied by a person 18 years of age or over, except that attendance of children over 10 and under 15 is permitted outside school hours and between the hours of 9 a. m. and 7 p. m.

Of the New York bills that were not passed one would have repealed the law creating the motion-picture division of the department of education, and another would have authorized cities of less than 1,000,000 inhabitants and towns and villages to adopt ordinances regulating the attendance of children at motion-picture houses. Other New York bills proposed to authorize the establishment of camp departments by local boards of child welfare, for the vacation care of children between 10 and 14 years of age, and the creation of a temporary commission to examine the advisability and practicability of the State's establishing free camps for boys and girls.

### EXHIBITS

During the year 355 shipments of exhibit material were sent to National, State, and local agencies, including the American Medical Association and other medical societies, public-health services, boards of health, child-welfare societies, fraternal societies, educational institutions, Young Men's and Young Women's Christian Associations, The American Red Cross, Boy Scout Troops, Camp Fire Girls, women's clubs, State and county fairs, and social-service organizations. This material included 3,795 panels, 485 reels of motion-picture film, 1,766 slides and 30 film strips for still projectors, 14 models, and 4 projectors. Reports from approximately 75 per cent of the borrowers show an attendance of 382,000 at the motion pictures and 529,000 persons at the other exhibits—an average of 76,000 persons reached each month by the exhibits of the bureau.

A one-reel motion picture, *The Best-Fed Baby*, was produced during the year to illustrate the advantages of breast feeding over artificial feeding. In the preparation of the scenario and the production of the film the bureau staff had the cooperation of the New York State Board of Health through the director of its division of maternity, infancy, and child hygiene, and the special assistance of one of its consultants who is a well-known pediatricist. Advice was also given by a pediatricist from Oregon who is an authority on breast feeding. The film was reviewed at the conference of State directors of maternity and infancy work before being released.

At the request of the American Medical Association, the Children's Bureau cooperated with that organization during the year in the preparation of a special set of posters on the care of the baby. Photographs and text were supplied by the bureau for these posters, which were reproduced in color by the American Medical Association. The posters will be distributed by both organizations.

### REPORTS ISSUED, IN PRESS, AND IN PREPARATION

During the fiscal year 1928, 35 new and revised publications were issued. Eleven were in press at the close of the fiscal year and 20 in preparation.

#### Reports issued during the fiscal year ended June 30, 1928:

Fifteenth Annual Report of the Chief, Children's Bureau, 1927.

The Promotion of the Welfare and Hygiene of Maternity and Infancy—The Administration of the Act of Congress of November 23, 1921, for Fiscal Year Ended June 30, 1926. No. 178.

Proceedings of the Fourth Annual Conference of State Directors in Charge of the Local Administration of the Maternity and Infancy Act of November 23, 1921. No. 181.

Separate No. 1. The Problem of Compulsory Notification of Puerperal Septicemia, by George Clark Mosher, M. D.

Separate No. 2. The County Health Organization in Relation to Maternity and Infancy Work and Its Permanency, by John A. Ferrell, M. D.

Separate No. 3. Evaluation of Maternity and Infancy Work in a Generalized Program, by Jessie L. Marriner, R. N.

Separate No. 4. Breast-Feeding Demonstrations, by Frank Howard Richardson, M. D.

Separate No. 5. Foundation for Permanent Child-Hygiene Program in New Hampshire, by Elena M. Crough, R. N.

Separate No. 6. Standards for Training of Public-Health Nurses, by Elizabeth Fox.

Child Management, by D. A. Thom, M. D. (revised September, 1927). No. 143.

References on the Physical Growth and Development of the Normal Child. No. 179.

Child Welfare in New Jersey, Part 4—Local Provision for Dependent and Delinquent Children in Relation to the State's Program. No. 180.

The Children's Bureau of Cleveland, by Mary Mather Leece. No. 177.

Public Aid to Mothers with Dependent Children; extent and fundamental principles, by Emma O. Lundberg. (Revised.) No. 182.

Welfare of Prisoners' Families in Kentucky, by Ruth S. Bloodgood. No. 182.

#### Dodgers, folders, leaflets, and posters issued during the fiscal year ended June 30, 1928:

Keeping the Well Baby Well. Folder No. 9.

What Is Happening to Mothers and Babies in the District of Columbia?, by Dorothy Reed Mendenhall, M. D.

Is Your Child's Birth Recorded? Revised October 15, 1927, and March 15, 1928. Dodger No. 3.

Transverse Lines in X-Ray Plates of the Long Bones of Children, by Martha M. Elliot, M. D., Susan P. Souther, M. D., and E. A. Park, M. D. (Reprinted from Bulletin of the Johns Hopkins Hospital, vol. 41, no. 6 (December, 1927), pp. 364-388).

#### Lesson Material on Care of the Preschool Child:

No. 1. Your Child's Health Examination.

No. 2. Your Child's Physical Defects.

No. 3. Your Child's Teeth.

No. 4. Your Child's Nutrition.

No. 5. Your Child's Food Likes and Dislikes.

No. 6. Your Child's Posture.

No. 7. Your Child's Need of Sunshine and Open Air.

No. 8. Your Child's Behavior.

No. 9. Protecting Your Child against Communicable Diseases.

References on Prenatal, Infant, and Child Care, and Child Management. Newspaper Sellers in Washington, D. C. (Separate from Publication No. 183, Children in Street Work, by Nettie P. McGill.)

Alcoholism among Parents of Juvenile Delinquents, by Alice Channing. (Reprinted from The Social Service Review, vol. 1, no. 3 (September, 1927).)

The Extent of Child Dependency and Delinquency in Seven Pennsylvania Counties. (Revised.) (Separate from Publication No. 176, Child-Welfare Conditions and Resources in Seven Pennsylvania Counties, by Neva R. Deardorff, Ph. D.)

El Bienestar del Niño. (Papers presented by delegates of the United States to the Fifth Pan American Child Congress.)

John and Elsie posters. (A set of 13 posters showing child-labor standards.)

List of Publications, January 3, 1928.

**Reports in press at the close of the fiscal year ended June 30, 1928:**

The Children's Bureau (leaflet).<sup>19</sup>

The Promotion of the Welfare and Hygiene of Maternity and Infancy—The Administration of the Act of Congress of November 23, 1921, for Fiscal Year Ended June 30, 1927.<sup>20</sup>

Child Labor in New Jersey, Part 2—Children Engaged in Industrial Home Work.<sup>21</sup>

Child Workers on City Streets.

Children in Agriculture.

Children in Street Work.<sup>22</sup>

State Laws and Local Ordinances Regulating the Street Work of Children. (Chart No. 15.)

Administration of Mothers' Aid in Ten Localities, with Special Reference to Health, Housing, Education, and Recreation.<sup>23</sup>

Analysis and Tabular Summary of State Laws Relating to Illegitimacy in the United States in Effect January 1, 1928, and the Texts of Selected Laws.

Children of Illegitimate Birth Whose Mothers Have Kept Their Custody. Public Dance Halls—Their Regulation and Place in the Recreation of Adolescents.

**Reports in preparation at the close of the fiscal year ended June 30, 1928:**

Sixteenth Annual Report of the Chief, Children's Bureau, 1928.

Proceedings of the Fifth Annual Conference of State Directors in Charge of the Local Administration of the Maternity and Infancy Act of November 23, 1921.

The Promotion of the Welfare and Hygiene of Maternity and Infancy—The Administration of the Act of Congress of November 23, 1921, for Fiscal Year Ended June 30, 1928.

Folders and leaflets—

Care of the Preschool Child.

Lesson Material on Infant Care.

Lesson Material on Prenatal Care.

Why Sleep?

The Incidence of Rickets among Children in Porto Rico.

The Incidence of Rickets among a Group of Children under Four Years of Age in Washington, D. C.

Relation of Posture to Physical Fitness.

Child Labor in Canneries.

Child Labor in New Jersey, Part 1—Employment of School Children.

Child Labor in New Jersey, Part 3—Continuation—School Children of Newark and Paterson.

The Trend of Child Labor in 1927.

The Child, the Family, and the Court; a study of the administration of justice in the field of domestic relations: Part 1, General Findings and Recommendations; Part 2, Organization and Administration of Family Courts.

Child Welfare in New Jersey, Part 3—State Provision for Institutional Care of Delinquent Children.

Child Welfare in Selected Counties in Washington.

Courts Having Jurisdiction in Children's Cases and Cases of Domestic Relations. (Chart No. 17.)

Institutional Care of Juvenile Delinquents.

Youth and Crime in Chicago; a study of the prevalence and treatment of delinquency among boys above juvenile-court age.

<sup>19</sup> Issued in September, 1928.

<sup>20</sup> Issued Aug. 26, 1928.

<sup>21</sup> Issued July 7, 1928.

## FOREIGN RESEARCH

The bureau has conducted general current research, listing acquisitions to the department library and reading a selected list of periodicals, English and foreign. It has maintained a foreign-language research and translating service, which has involved reading and summarizing of child-welfare material in various foreign languages. Some of the subjects on which information has been obtained during the year are: Neonatal, maternal, and infant mortality statistics of a number of foreign countries; rickets; child welfare in Latin-American countries for the use of delegates to the Fifth Pan American Child Congress held in Habana, December 8-13, 1927; material on social work for dependent children for the International Child Welfare Congress, Paris, July 8-12, 1928; dependent children in Europe and Latin America; child-labor provisions of foreign countries.

## DISTRIBUTION OF PUBLICATIONS

The number of publications distributed during the past year was 1,432,858, an increase of 126,794 over the preceding year. The distribution of the popular bulletins on the care of children was as follows:

	1927	1928
Child Care.....	60, 520	144, 519
Child Management.....	63, 912	48, 573
Infant Care.....	335, 235	418, 950
Prenatal Care.....	106, 399	159, 797

This statement showing increases in distribution for some and decreases for other bulletins is not a measure of the demand. The bureau has never been able to meet all requests for these bulletins. Quantity allotments are made to State and municipal departments of health, to Congressmen who make a practice of sending them to lists of mothers of newborn infants obtained from registrars of vital statistics in their districts, and so far as possible to health agencies such as the Red Cross and infant-welfare and district nursing associations. These allotments, however, have been only a fraction of the numbers requested. A number sufficient to meet individual requests of mothers must be kept in reserve. The decrease in the number of copies of Child Management distributed in 1928 was due to the fact that the publication was out of print for two months. A special appropriation for Infant Care permitted a somewhat more generous consideration of requests for quantities of this bulletin. Child Care was out of print the greater part of 1927, but was again available during the year under review. The distribution of dodgers, folders, and charts brings the total number of popular publications distributed to mothers to 1,262,431. As the interest in parental education grows the demand for the bureau's popular bulletins, folders, and charts continues to increase, even though a large amount of material is now available through State and municipal departments of public health and other agencies.

The bureau has been unable, also, to meet the demand for its technical publications. The issuing of small editions and the curtailment of distribution by circularization of the mailing lists were continued.



Letters containing money for the purchase of publications have been referred to the Superintendent of Documents as heretofore. The sales of the four popular bulletins by the Superintendent of Documents amounted to 280,000 in 1927, and the number ordered for sale in 1928 was 297,000.

The Child Welfare News Summary was issued twenty-nine times during the year. On July 1, 1927, there were 1,148 names on the mailing list; during the year 63 names have been added. The Summary is sent, on request only, to persons who are actively engaged in child-welfare work and to child-welfare agencies and publications. The list was in process of revision at the end of the fiscal year.

### COOPERATION WITH CHILD-WELFARE MOVEMENTS IN OTHER COUNTRIES

#### Pan American child welfare.

The Fifth Pan American Child Congress, the first to be held within convenient distance of the United States, met in Habana, Cuba, from December 8 to December 13, 1927. It was attended by 14 delegates designated by the Department of State and 5 unofficial representatives of organizations in the United States. The United States delegation, official and unofficial, included representatives of three Federal bureaus—the Children's Bureau, the Bureau of Education, and the Public Health Service—of the State of Indiana, of the Territory of Porto Rico, and of 10 private nation-wide organizations. Many of these organizations and several others contributed to the child-welfare exhibit held in connection with the congress. The participation of so representative a delegation can not fail to result in greatly increased cooperation between the children's workers of North America and those of South America.

Official delegates from 14 American countries attended the congress. It was divided into six sections—medicine, hygiene, education, sociology, psychology, and legislation. As a result of the deliberations a number of resolutions, covering practically all the subjects considered, were adopted. The resolutions commended the inauguration of the International American Institute for the Protection of Childhood in Montevideo, recommended that laws for the protection of childhood be enacted and that child-welfare laws be harmonized, and outlined in some detail the organization of juvenile courts. Many other subjects were covered by the resolutions, including the following: Rest before and after childbirth, prenatal care, child hygiene, psychological clinics, educational institutions for children of preschool age, courses in child care in the schools, parental education, visiting teachers, character education, training of social workers, prevention and treatment of juvenile delinquency, investigation of paternity, institutions for children, changes in marriage laws, and limitation of the liquor traffic. The Sixth Pan American Child Congress will be held in Lima, Peru.

The International American Institute for the Protection of Childhood, an outgrowth of the child congresses, has been functioning since July, 1927, with headquarters in Montevideo. It is to serve as a Pan American center of research, consultation, and education in child-welfare matters. A valuable quarterly bulletin is published, of which four numbers have been issued. Membership of

the United States in the institute was authorized by act of Congress approved May 3, 1928. This act authorizes an annual appropriation of \$2,000 per annum for the contribution by the United States toward the support of the institution. The Government of Uruguay has just appropriated \$30,000 in addition to its annual membership fee, to be expended over a three-year period. It is to be hoped that the American funds made available by Congress may be supplemented by private gifts from the United States, so that the institute may have adequate resources for the task it has undertaken.

The Child-Welfare Commission of the League of Nations.

The Chief of the Children's Bureau, who serves in a consultative capacity as the American member of the Commission on the Welfare of Children and Young Persons of the League of Nations, was not able to attend the March sessions of the commission, but material on child-welfare legislation in the United States and other reports have been supplied the commission as requested.

#### GENERAL DEVELOPMENT OF THE WORK OF THE BUREAU

The Children's Bureau was created to serve as a central bureau of information, research, and consultation so that unnecessary experimenting with the lives of children might be reduced to a minimum and the experience of each made available to all.

In 1921 the well-established principle of Federal aid was utilized to promote the health of mothers and babies, and the Children's Bureau was intrusted with the administration of this important measure. That Federal interest in this field was approved by the States is indicated in the acceptance of the maternity and infancy act by all but three States and the resolutions adopted by the Association of State and Provincial Health Officers, which declare that the administration of the act has quickened local interest and promoted local responsibility. This act, which comes to an end June 30, 1929, has served its purpose in demonstrating the usefulness of Federal, State, and local cooperation in the promotion of the health of children. In some States the work will go forward, although less rapidly, should the Federal Government adhere to the policy of complete withdrawal; but in a larger number the time and resources available have not been adequate to make more than a beginning in the initiation of a state-wide program, so that the health of mothers and babies is certain to suffer if such a policy is followed.

In previous reports attention has been called to the importance of greatly increasing the resources of the Children's Bureau for investigation and consultation on request in methods of preventing delinquency. In recent years there has been much concern about crime and lawlessness in the United States. State and National commissions and associations have surveyed the situation. Some important recommendations have been made as to the improvement of criminal-court methods and the treatment of criminals, but all of them have pointed out that prevention must begin with the children. There is no single cause of the development of antisocial tendencies in children. There is no single remedy. The subject calls for continuing scientific research in problems and methods of treatment. The bureau has ex-

cellent working relationships with the agencies dealing with delinquents, and its assistance and cooperation are desired. We can only repeat, to delay in making possible the employment of the necessary experts by the bureau for this work is costly economy.

The United States has been very slow in the accumulation of the basic facts about children, except in a limited sense. We do not know the numbers of dependent, delinquent, feeble-minded, and crippled children in the United States or the number of children who go to work each year. Some progress is being made: The vital-statistics division of the Bureau of the Census can now tell us how many children are born and die in most States; the Children's Bureau has inaugurated a plan for uniform reporting of juvenile-court statistics, which has had a most encouraging reception; and the annual reporting to the bureau of the work permits issued to children is being undertaken by a considerably increased number of States and cities this year. All this work needs to be extended. A plan for uniform reporting of the facts with reference to dependency should be inaugurated. But money is needed for presenting the plans to the agencies, for printing schedules, and for tabulating and printing the findings.

If there is any subject endowed with national interest it is the welfare of the Nation's children. The Nation's future existence, the intelligent use of its resources, the rôle it will play in world affairs depend on its children—whether or not they are physically fit and whether or not they are trained in self-control, in respect for the rights of others, and in understanding of their own rights and obligations. That the first responsibility must rest with the nearest government—the State, the county, and the municipality—is the reason why the rôle that the Federal Government must play in the training of children is that of an intelligent and interested cooperator, ready to assist but not to control nor hamper.

Respectfully submitted.

GRACE ABBOTT, *Chief.*



6



A 7-YEAR-OLD COTTON PICKER

U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

(6)

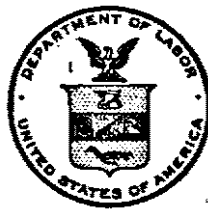
# CHILDREN IN AGRICULTURE

By

NETTIE P. MCGILL



BUREAU PUBLICATION No. 187



UNITED STATES  
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WASHINGTON

1929

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## LETTER OF TRANSMITTAL

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UNITED STATES DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
*Washington, June 19, 1928.*

SIR: There is transmitted herewith a bulletin entitled "Children in Agriculture," by Nettie P. McGill, which summarizes the principal findings of the published reports of investigations of the work of children in agriculture made by the Children's Bureau and by other agencies. It is the first of a series of bulletins being prepared under the direction of Ellen Nathalie Matthews, director of the industrial division of the bureau, in response to many requests for a brief analysis of available information on the various aspects of child labor.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,  
*Secretary of Labor.*

# CHILDREN IN AGRICULTURE

## THE CENSUS COUNT

On the six and a half million farms of the United States hundreds of thousands of children are at work. Even in midwinter, when almost no farm work is done, the census of 1920 found more than half a million boys and girls from 10 to 15 years old working in agriculture. How many there may be when farm operations are at their height no one knows.

The average American farmer depends in part for his labor supply upon his family, and the majority of the boys and girls reported in 1920 as engaged in agriculture (569,824 of the 647,309) were working on home farms. Still, many thousands were reported as hired laborers, and if the census count had been made at a rush season—for example, during the harvest months—the number would have been augmented by thousands of others. In California an authoritative estimate in 1924 placed the number of children working on the land at the height of the season at 5,000 compared with 1,832 reported by the census in January, 1920, and in Colorado the number of children working in the sugar-beet fields in 1919–20 was estimated by a representative of one of the sugar companies as 6,800, whereas in the winter of 1920 the census found only 1,955 child agricultural workers in the State.

Children work on farms wherever crops are raised, but 12 States—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas—have more than the average quota of child agricultural workers. The children at work on farms in these 12 States are 84 per cent of the total number of all children reported by the United States Census as employed in agriculture. These are among the States that lead in the production of cotton and tobacco; they have 74 per cent of the tobacco acreage and 99 per cent of the cotton acreage of the country. Both these crops require much hand labor, and children are useful as “hands” from an early age. In some localities compulsory-education laws do not prevent them from staying out of school to pick cotton, help with the tobacco crop, or do other farm work. The greater number of children working on farms in the sections of the country embraced in these States is accounted

for in part also by economic conditions and the type of farming. Although the 12 States listed as having the greatest number of child agricultural workers have only 45 per cent of the farms in the United States they have 62 per cent of the tenant farmers. Tenancy in these one-crop sections is largely on a share basis; the tenant's principal, and in many cases only, contribution is the labor supply, and the number of acres of cotton or tobacco he can cultivate is determined by the number of children he can put to work in the fields.

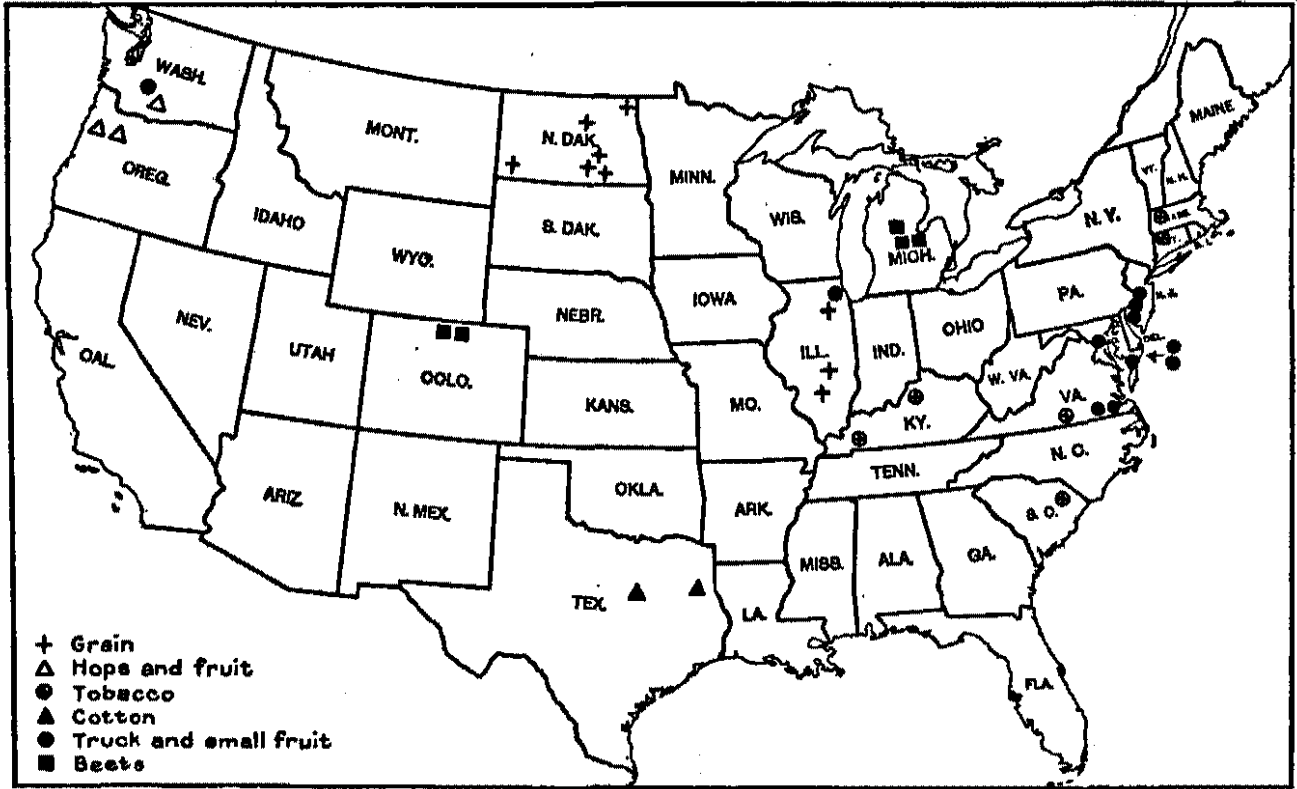
These facts the census reveals. But the census, being only a count, gives no information in regard to the amount and kinds of work the children do, beyond what may be inferred from the brief direction to its enumerators, to count as children engaged in agricultural pursuits those who work away from home as farm laborers or "somewhat regularly assist their parents in the performance of work other than household work or chores." Nor does the census, of course, describe the conditions under which the work is done nor indicate how it may affect the welfare of the children who do it.

## INVESTIGATIONS OF CHILDREN WORKING ON FARMS

Within the last 10 or 12 years attempts have been made to learn what sort of farm work children do, when and how long they do it, and other facts about their work on farms. Several private organizations, chief among which is the National Child Labor Committee, have made detailed investigations of various aspects of rural child labor in many different parts of the country, and a few of the State departments of labor have made more or less extensive inquiries into the work of children on farms in their own States and have set forth the facts in their official reports. A list of reports of such investigations is given on page 56.

In 1920 the Children's Bureau began a series of surveys of children in agriculture, the last of which was made in 1924. (See p. 56.) It was not practicable to study the conditions under which all the young agricultural laborers in the United States worked. The surveys hold a microscope, as it were, over typical farming areas in different sections, with the idea of obtaining a representative picture of the work of children on farms throughout the country. The map on page 4 shows where the surveys were made. They covered approximately 13,500 children doing farm work in 14 States, and included sugar-beet growing sections in Michigan and Colorado; cotton-growing counties in Texas; truck and small-fruit areas in southern New Jersey, Maryland, Virginia, Illinois, Washington, and Oregon; wheat, potato-raising, and grazing sections in North Dakota; a section in the Illinois corn belt; and tobacco-growing districts in Kentucky, South Carolina, Virginia, Massachusetts, and Connecticut.

The kinds of child labor employed on farms differ greatly in the different States and even in different sections of the same State. Child workers on the truck farms of southern New Jersey, for example, include both the children of farmers, chiefly immigrants who have taken up small holdings in the farming districts and become permanent residents, and children who come from the cities as seasonal workers. In the Eastern Shore section of Maryland most of the children working on the truck farms live on the farms the year round, whereas in Anne Arundel County, around Baltimore, though many of the child workers live on the farms or in small neighboring settlements, many also are migratory workers from Baltimore. In the Norfolk area of Virginia farm laborers come out to the farms from near-by villages or from the city of Norfolk to work by the day.



LOCATION OF DISTRICTS SURVEYED BY THE UNITED STATES CHILDREN'S BUREAU IN STUDIES OF CHILDREN IN AGRICULTURE

In the tobacco-growing districts of the South, as in the Cotton Belt, most of the children who work on the farms are farmers' children, whereas in the Connecticut Valley many of the children working on the tobacco plantations are day workers from Hartford and Springfield. On the truck farms around Chicago, also, most of the hired workers come out from the city by the day, whereas on the grain farms of the Middle West and Northwest the child workers are farmers' children.

What the Children's Bureau found in its surveys, first, in regard to children working on home farms, and second, in regard to children working out as hired farm laborers, including migratory child workers in industrialized agriculture, is told briefly in the following pages. Tables at the back of the pamphlet show detailed figures for each of the sections surveyed. Farm children whose only work was chores<sup>1</sup> or whose field work had lasted less than 12 days were not included in the surveys, but migratory child workers were included if they had worked as many as 6 days. The earliest of the Children's Bureau studies were made in 1920, but studies as late as 1925 by the National Child Labor Committee in these same sections revealed practically the same conditions.

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<sup>1</sup> In North Dakota children who customarily spent 3 hours a day at chores or at farm work other than field work were included in the Children's Bureau survey.

## CHILDREN'S WORK IN AGRICULTURE

Children working on their parents' land generally do a variety of field work in the course of the season—plow and plant, transplant, cultivate, weed and hoe, and finally gather in the crops, besides doing the thousand and one odd jobs which may differ with the crops raised, the type of farm, and the system of farming but which are to be found in some form on every farm. Hired children, if they live near the farms, often transplant, weed, or hoe, and occasionally do some other kind of work, but generally they, like city children, are employed only for harvesting. A notable exception is sugar-beet cultivation, in which large numbers of children are hired for thinning out the young plants and hoeing as well as at harvest time.

The following paragraphs describe the work done by children on the principal crops produced in sections included in the Children's Bureau surveys. Most of these crops are characterized by a large amount of handwork which young children are capable of doing. Tables 31 to 45 (see pp. 75-81) show for children working on home farms and for hired workers of different kinds the numbers engaged in various farming operations and their ages in the different sections.

### ON COTTON PLANTATIONS

Almost all the children who do field work in the Cotton Belt help with cotton picking, and almost as many hoe or chop either cotton or corn. Cotton picking lasts from late August or early September into November or December. Some of the cotton plants grow shoulder high, with cotton bolls nearly all the way to the ground. Little children can pick with less stooping, but older children and adults have to stoop more or move along on their knees. The worker picks rapidly with both hands and puts the cotton into a big sack, which he drags along after him by a shoulder strap. "Chopping the cotton to a stand" is cutting out with a hoe superfluous plants after they are well started, usually about the 1st of May. The crop usually requires at least one hand hoeing during the season, work which is done at intervals during the early summer. It is heavier work than cotton picking and requires a stooping position.

Although picking cotton and chopping and hoeing cotton and corn are the most common kinds of field work that children do in the Cotton Belt, they are by no means all their work. Children of 8 or less are often experienced cotton pickers, but boys of 11 or 12 are almost as



OPERATIONS ON THE TOBACCO CROP: 1. DRAWING PLANTS FROM THE BED (FLORENCE COUNTY, S. C.). 2. SETTING PLANTS (FLORENCE COUNTY). 3. SETTING PLANTS BY MACHINE (MASSACHUSETTS). 4. SETTING PLANTS (FLORENCE COUNTY). 5. HANDING PLANTS TO THE SPEARER (CONNECTICUT VALLEY). 6. CARRYING LEAVES TIED IN BUNDLES TO THE PACKER (CONNECTICUT VALLEY)





PICKING SHADE-GROWN TOBACCO IN THE CONNECTICUT VALLEY: 1. FIRST PICKING. 2. SECOND PICKING. 3. THIRD PICKING. 4. FOURTH PICKING

often all-around farm hands, able to do their share of the plowing, harrowing, and planting.

The following accounts of work done by individual children included in the Children's Bureau survey in Texas illustrate the extent and kinds of work done by children on cotton plantations:

An 11-year-old boy who had begun to do field work at the age of 4 years lived on a rented farm of 65 acres. He had worked in the fields whenever there was work to do for  $8\frac{1}{2}$  months. Beginning in February he had plowed and cut sprouts the equivalent of half a month; in March he had harrowed and planted. In April he began cultivating, which lasted into July; in May he began planting and spent two weeks at it; about May 25 he began to chop cotton, work which occupied him 15 days. In June his principal work was hoeing. During part of August he cut wood. Cotton picking began August 24, and he picked cotton for more than 3 months. His brother, aged 10, had had precisely the same program, but his 9-year-old brother had only hoed, chopped, and picked cotton.

A 13-year-old boy had done plowing, harrowing, planting, and cultivating on Saturdays and after school during January, February, March, and April. He worked 2 hours after school and 10 hours on Saturdays. In May, June, and July he had hoed, chopped, and cultivated. In July he had cut, raked, shocked, pitched, loaded, and hauled sorghum for five days. Beginning August 15 he had picked cotton or gathered corn until December. His 12-year-old brother had done practically the same work with the exception of the plowing, harrowing, planting, and cultivating. The father, a native white Texan, owned a 78-acre farm.

Three negro boys, aged 10, 12, and 14, had done a variety of work. All had hauled wood for five days in January and had plowed for nine days in February, and all except the youngest had harrowed one Saturday in February. They had planted and cultivated field crops during part of March, April, and May and had spent four Saturdays of these months on the garden. In May and June they had hoed and chopped cotton. In September they had picked cotton, corn, and peas, the cotton picking extending into November. The father cultivated 80 acres on shares.

The 12-year-old son of a native white farm owner had plowed, harrowed, planted, cut sprouts, and cultivated during March, April, May, and June, withdrawing from school on March 12, 20 days before school closed. In May also he had hoed or chopped cotton most of the month. Beginning in July he spent 10 days cutting wood, 7 cutting and baling hay or cane, and 21 raking, loading, and hauling. He picked corn for more than three weeks in September; beginning September 24 he picked cotton until December 28. He entered school on December 29, 50 days after school opened.

An 11-year-old boy, son of a prosperous farmer owning 150 acres, had entered school 15 days late the preceding school year and had withdrawn 18 days early. In all, he had missed 46 school days for farm work. He had completed only the second grade. His work had extended over a period of more than six months. He had plowed, harrowed, planted, and cut sprouts in March, April, and May, and had cultivated from April to July. In June he had cut oats and raked, loaded, and hauled. He had spent half of September and October picking cotton. During half of September he had also cut wood.

The 12-year-old son of a white tenant cultivating 50 acres on shares worked during a period of eight months. He worked at plowing, harrowing, planting, and hoeing in February, March, April, May, and June; he cultivated and chopped

cotton in April and May. He spent a few days during the summer cutting wood, raking, loading, and hauling. Beginning September 1 he picked cotton for about six weeks. He had been out of school 45 days on account of farm work, having withdrawn in February, 40 days before the end of the school term. He had completed only the first grade.

Two brothers, aged 11 and 12, sons of a white half-share tenant, had each been absent from school 45 days on account of farm work. They had chopped cotton during June and July, and during the latter month and part of August had hoed; they had picked corn also for two weeks in August. For three weeks in September and throughout October, November, December, and part of January they had picked cotton. They had not entered school until January 13. School had begun November 10.

The 14-year-old daughter and 9-year-old son of a Bohemian tenant cultivating more than 200 acres of land, worked during a period of about 6 months, the former missing 16 days of school for farm work. They had both harrowed for two days in May, and the boy had also spent a few days planting. The girl had hoed and chopped during May and June, and the boy had hoed through June and cultivated one week in July. They had both picked cotton, the girl about 2½ months, the boy about 1 month.

Large numbers of children work in the cotton fields of California as well as in the South Atlantic and Gulf States.

#### "MAKING" THE TOBACCO CROP

Tobacco is planted, hoed, weeded, suckered, wormed, topped, gathered, and prepared for curing and market, all by hand. Much of the work requires merely watchfulness and care rather than physical strength, so that children may be valuable tobacco hands.

In the late winter or early spring in the South children help prepare the plant beds for the tobacco seed, cutting, carrying, and piling on the plot selected for the beds the brush and poles that are burned to sterilize the soil; or, if sterilization is by steam, the children help to carry water. They also work the soil with hoe, spade, or plow, and some plant the seed and cover the beds with cheesecloth to protect the seeds and later the plants from cold. At the same time that the seed beds are being prepared and sowed the fields are put in shape by plowing, harrowing, and fertilizing. Then come the final harrowing and marking off of rows for transplanting. Many boys plow and harrow.

Most of the children take some share in transplanting, which is often done by hand in some districts, drawing the plants from the seed bed, dropping them at the marked intervals in the rows, and setting them in their places. Almost as many children help in cultivating, which begins soon after the field has been set and continues throughout the season. Much of the work is done by machine, but some hand hoeing is necessary, and this the children often do.

The next process is topping, which is done, when about half the plants have developed seed heads, by breaking off the top of the plant so as to force all the growth into the leaves left on the plant. Topping

is followed immediately by suckering, which continues until harvest time, and consists of breaking off the lateral branches or suckers which develop in the axils of the upper leaves after the top of the plant has been removed. As suckers continue to come out during the growing season the workers must go over the field two or three and sometimes four times. This is a tedious task, the more so as the worker must bend lower and lower over the plant as he removes first the topmost suckers and then the next ones. Suckering is done during the hottest months of the year, and almost all children working on tobacco farms do it. Nearly as many children examine the tobacco leaves for worms.

Where tobacco is harvested by cutting, as in Kentucky and Virginia, usually only the older children help cut, but others carry and drop the empty sticks on which the stalks are hung after being cut, fill and carry the filled sticks to wagon or barn, or load them upon the wagon. A single stick filled with tobacco stalks may weigh 25 pounds or more. Children also help in housing tobacco, handing the sticks filled with the green tobacco to men who hang them up in tiers in the barn, or, more rarely, themselves hang the sticks. Some of the children help "bulk" or put in piles the sticks of tobacco after it is dried, and many do "stripping," which consists of removing the dried leaves from the stalks, sorting and grading them according to size, and tying them into bunches. Where harvesting is by picking, as in South Carolina, many children pick.

Weeding, hand transplanting, hoeing, topping, suckering, worming, and picking compel the worker to bend or stoop steadily, while his hands are busy; and small children must at times kneel or sit and hitch themselves along, or near the end of the season must reach higher than is easy, or must hold their arms horizontally with the heavy stalks which they hand to the spearers. Machine work involves continuous walking, managing of horses or mules, and regulation of the machine, whether it be comparatively simple like a plow or more complicated like a cultivator. Much work on the tobacco crop is done when the summer heat is at its worst.

In the Connecticut Valley few of the city children brought out to the farms do any work on the tobacco crop except harvesting, but rural children, as in the South, help in nearly all the different operations—transplanting, usually by machine, hoeing, topping, and suckering, as well as harvesting. No worming is done. Almost all the city girls are employed in the tobacco sheds, and most of the city boys are employed in the fields.

The harvesting of sun-grown tobacco in the Connecticut Valley is done by cutting, which few children do. But many hand the cut tobacco to the workers who spear it upon the laths, two boys to each spearer. Since the tobacco stalks must be kept up from the ground so that the leaves will not be injured, the smaller children must hold

their arms out horizontally, and this is very tiring for them. More than half the children who did this work in the Connecticut Valley were under 12 years of age.

Shade-grown tobacco is so named because a covering of cloth is placed over it which is not removed until after the harvest. Some of the plants attain a height of 8 feet, and the leaves of adjoining rows of plants extend well past each other. The atmosphere under the cloth is close and hot. Turning from side to side to pick from two rows at once, the pickers break off the lowest leaves and put them in neat piles under the plants, to be collected by other workers. To work in this manner and in such postures all day long strains the muscles of child workers. For the next picking some children stand, but many kneel, preferring this to the constant stooping. During the last two or three pickings they always stand, and young children have to reach higher than is easy for them in order to pick the upper leaves. Care must be exercised, for shade-grown tobacco is used for the most part in cigars, and if the leaves are broken they are valueless. The tobacco pickers are constantly under supervision.

In the tobacco sheds the girls string the leaves on laths, standing all day at the work.

#### WORK ON SUGAR BEETS

When the beet seedlings show a few inches above the ground, about the 1st of June or a little earlier, the work of blocking and thinning begins. The blocker, usually an adult, walks down the rows of beets, chopping out superfluous plants with his hoe. Close at his heels come the children. Straddling the beet row, they kneel and, bending over, crawl from plant to plant on hands and knees. They usually work at high speed, for thinning must be completed before the plants grow too large. The youngest working children can thin; and because they are active and their fingers are nimble, they are believed by some to be the most effective workers.

Somewhat fewer children work at hoeing beets, which begins soon after thinning is completed and may extend into August. It requires more physical strength than thinning, and the time over which the work can be extended is longer, also, than that for any other operation in sugar-beet culture, so that there is not the same need for utilizing every worker as there is in thinning and in the harvest.

In harvesting the worker pulls up the beets from the loose soil (prior to this a horse-drawn machine has loosened the beets and lifted them to the surface), knocks off the dirt caked upon them, cuts off their tops, and throws them into piles. Almost all child workers in the beet fields work at pulling and topping. The smaller children usually pull up the beets and throw them into piles for adults or larger children to top, but this division of the work depends on the working force, and occupations are shifted as the occasion



**THINNING BEETS (COLORADO)**

A working day of 11 or 12 hours was not uncommon



**HOEING BEETS (COLORADO)**

Four-fifths of the working children hoed—the majority 9 hours or more a day



**TOPPING BEETS (COLORADO)**

A sharp heavy knife with a hook at the end is used in this operation



**MOTHERS AND CHILDREN WORK SIDE BY SIDE (COLORADO)**

The 9-year-old boy (left) had worked 11 hours a day for over three weeks at pulling and topping

demands. Cuts on the legs or the knees from the topping knives are common, and occasionally a worker sustains a serious injury, such as the loss of a finger.

Steady stooping and lifting along the beet rows day in and day out for several weeks is heavy work. Although the average beet with its top on weighs only a little more than two pounds, a child lifts a considerable load in the course of his long day's work. In Colorado a child who pulls or tops one-fourth of an acre a day (the average reported for one child) handles daily about  $2\frac{3}{4}$  tons, or allowing one-third extra weight for tops and dirt, almost 4 tons of beets. "We all get backaches," is a common complaint. "Hardest work there is," say many workers. "Couldn't sleep nights, hands and arms hurt so," "Children all get tired because the work is always in a hurry," "Children scream and cry because they are all tired out," "Children get so tired that they don't want to eat, and go right to bed," "Beets are harder work than working in a coal mine"—these are some of the comments of beet-field workers.

Often the thick beet tops heavy with frost, which comes early in the mountain regions, soak the workers from the knees down, unless, as is rarely the case, they wear high rubber boots. "Fall is the meanest time," declared a Colorado contract laborer. "Women are wet up to their waists and have ice in their laps and on their underwear. Women and children have rheumatism." Often the clothing freezes stiff in the frosty air, and only by midday does the warm sun dry off the cotton skirts or overalls. In wet years the workers say they "get muddy to the skin." During the last week of the harvest light falls of snow frequently add to the discomfort. The children's hands are chapped and cracked from the cold, and their fingers are often sore and bleeding.

The following are accounts of the work in the beet fields of some of the Colorado workers included in the Children's Bureau study:

Four Russian-German children, ranging in age from 9 to 13 years, came to the beet fields with their parents on June 1. They worked at thinning and blocking for more than three weeks,  $14\frac{1}{2}$  hours a day, beginning at 4.30 a. m. They took 5 minutes in the morning and again in the afternoon for a lunch when, as they said, they "just got chunks in." They took 20 minutes for dinner. About July 1 they went home, remaining until the middle of the month, when the hoeing began. They spent 5 weeks,  $14\frac{1}{2}$  hours a day, hoeing, and again went home, returning September 21 for the harvest, which lasted 4 weeks. During the harvest their working day lasted 10 hours only. On October 25 they returned to town for the winter, having spent a total of  $12\frac{1}{2}$  weeks at work. These four children and their father and mother cared for 51 acres. Ten acres was the generally accepted average for an adult, according to statements made to the Children's Bureau by the sugar companies. The family owned a car and their town house was being repapered and repaired; two men were working on it at the time of the agent's visit.



How hard two other boys, 10 and 12 years of age, worked is indicated by the fact that they, with their parents and one other adult, worked 65 acres of beets. If each adult cared for 15 acres, which is half as much again as the average, each child would have had to care for 10 acres, the average amount supposed to be cared for by a full-grown worker. These boys worked  $8\frac{1}{2}$  hours a day during the hoeing season and 10 hours daily during the fall and spring processes, covering about 11 weeks. The 12-year-old boy also worked between the beet processes at cultivating and planting other crops.

A Mexican family that came to Colorado from Texas about the middle of May had only one child at work, a girl of 12 years. She had spent more than 14 weeks working in the beet fields—almost 9 weeks thinning,  $3\frac{1}{2}$  weeks hoeing, and more than 2 weeks pulling and topping. The family remained in the country throughout the season, and the girl had picked beans and gathered potatoes during the interval between the completion of hoeing and the beginning of the beet harvest. She had completed only the first grade, in spite of the fact that the family had moved much less frequently than was customary among Mexican beet-field laborers. This family, consisting of father, mother, and 12-year-old girl, had cared for 27 acres, a fact which indicated that their work must have been fairly steady.

Three boys of 8, 10, and 12 years, with their 15-year-old sister and their mother and father, worked on contract for more than 14 weeks 11 and 12 hours daily, caring for 53 acres of beets. This family owned a car and a new house.

Fourteen-year-old Lizzie, the daughter of a contract laborer, worked  $10\frac{1}{2}$  weeks "in beets"—a little more than 4 weeks in June, a little more than 4 weeks in October, and 2 weeks in the summer. Her working day in hoeing and in the fall work was about 12 hours, but during the thinning and blocking process she worked between 14 and 15 hours a day. During the summer she had also gathered potatoes. This was her seventh year in the beet fields. She had completed only the fourth grade in school. Lizzie had lost a good deal of school each year, her father said, because of the beet-field work. School, he explained, had been compulsory for only a few years.

An 8-year-old Mexican girl worked at thinning beets 10 hours a day for 4 weeks in June. She did no hoeing. Up to the time of the agent's visit she had spent  $3\frac{1}{2}$  weeks on the beet harvest, working, as in the spring, 10 hours a day. Altogether she had worked  $9\frac{1}{2}$  weeks in the beet fields in addition to working 3 weeks gathering potatoes before the pulling and topping began.

A Russian-German family came out from town on March 22. In this family were 3 children working—12-year-old Frieda, 9-year-old Willie, and Jim, aged 7, who worked irregularly. They spent 3 weeks at the spring work, putting in a  $12\frac{1}{2}$ -hour day, 2 weeks at hoeing for 11 hours a day, and up to the time of the agent's visit had spent about 3 weeks at the harvest, which was not yet finished. Altogether they had worked about 9 weeks, probably very hard, since the 3 children, 1 working irregularly, and 3 adults had cared for 50 acres.

Somewhat similar working conditions were found in a family in which 2 little girls, aged 12 and 13 years, with 3 adults, took care of 50 acres of beets. The children had worked altogether more than 11 weeks, 10 and  $12\frac{1}{2}$  hours a day.

A Russian-German family, with 4 working children ranging in age from 8 to 15, arrived at the beet field on May 25 and remained throughout the season. All the children worked almost 12 hours a day for 4 weeks at thinning. All except the youngest worked 2 weeks, almost 12 hours daily, at hoeing. All of them had been working 3 weeks at pulling and topping at the time of the agent's visit and expected to spend another 2 weeks at it. The 8-year-old boy worked

irregularly at this process, but the 12 and 15 year old boys and the 13-year-old girl spent 11 hours a day at the work. Altogether, the children had worked more than 9 weeks, and with the 2 adults had cared for 43 acres. This family said that the work was profitable because the children could help. The family owned a car.

In addition to their work on the beet crop, many children in sugar beet growing districts do a variety of other farm work. For example, both boys and girls take part in threshing and haying, help cultivate various crops, tend stock, and, more rarely, load beet wagons. Some of the boys 12 years of age and older do heavier work, such as plowing. Many of the farmers' children who do such work as this, work only a few weeks on the beet crop. Others, however, spend as much time in the hand work that the cultivation of sugar beets requires as the laborers' children. Although it is usually the farmers' children who do the miscellaneous farm work, it is not uncommon for the contract laborers' children to do other jobs in the intervals between the work on the beet crop. Many weed onions, gather potatoes, and hoe beans.

#### ON WESTERN GRAIN FARMS

In general farming in the Corn and Wheat Belts children do a good deal of plowing, harrowing, disking, cultivating, and other work requiring the management of machinery and horses, such as planting corn, driving corn and grain binders, and mowing.

Although the younger children as a rule do not use the heavier farm implements, in the course of investigations made by the Children's Bureau boys as young as 6 and girls as young as 10 were reported to drive hay forks, and to rake hay and harrow, and children under 10, or even under 8, as well as older girls and boys, hoe, pick up potatoes, pick and husk corn, shock grain, and do hauling of all kinds. At harvest time they help by hauling water or straw for engines, hauling bundles to machines, pitching to the threshing machine, loading or leveling with a shovel the threshed grain, hauling grain to granaries or elevators, and unloading grain at elevators or freight trains. In many cases they help with loading or unloading the wagons, pitching, leveling, or shoveling as need arises.

Besides their work in the fields many children herd cattle, some build and mend fences, help butcher, clean seeds, clear fields of stones and thistles, prepare manure for fuel, help with the sheep shearing, and otherwise make themselves generally useful.

Most of the children in these sections working on farms away from home work at threshing time or help harvest potatoes, though some are hired by the month as general farm hands.

Much of the work that children do on these grain farms is heavy. Plowing in some sections is commonly done with a horse-drawn, double gang plow, and the child must use both foot and hand levers

and manage four or more horses. Children are sometimes thrown from plows with more or less serious results. Short of stature and light in weight, sitting with feet dangling from the saddle of the plow, they have little chance of escaping a fall if the plow jolts over a stone or comes to a sudden stop. Disking is more hazardous than plowing, for the ground to be disked is almost always rough, and the child may be thrown under the disks. Although the machines vary in size they are of one type; the driver regulates the depth of the disks by hand levers operated from his seat. Often the disks are weighted and used to roll down freshly broken sod by driving over the field crosswise, work that is dangerous even for an adult.

Harrowing causes great discomfort; the worker is surrounded by a cloud of dust, and if he is walking the continued tramping over soft ground is exhausting. Cultivating also is hard work, as the worker's seat is above the row to be cultivated and the child must so guide the two sets of shovels on the cultivator by swaying his body and pushing with his feet that they will pass near the hills or rows without injury to them. Pitching bundles of grain into the threshing machine, which is fairly commonly done by children on some of the great grain farms of the Northwest, is a heavy job, requiring strength and skill. The child pitches the bundles to a moving belt that carries them under a set of moving knives that in turn cut the binding twine and spread out the bundles. This work is usually continued for long hours over many days. The worker comes in close proximity to the knives, belts, and other parts of the threshing machine.

A job that is generally considered not particularly dangerous but one in which children often meet with accidents is raking. Rakes are light and tip easily if they encounter any obstruction. Sometimes complicated raking machines drawn by several horses are used, such as the sweep rake, on the back of which the child sits, throwing his body backward from the waist when the rake is full to lift the teeth of the rake from the ground.

Herding cattle, a task often given to children under 10 years of age as well as to older ones, means that the child is alone on the prairies on foot or on horseback for long hours in the heat of summer, with the possibility of being thrown from horseback or attacked or trampled on by cattle.

#### WORK ON TRUCK CROPS

Truck crops, or small fruits and vegetables for long-distance shipment, are very extensively grown in the Atlantic Coast States, from southern New Jersey to Florida; in the Gulf States from Alabama to Texas; in the Pacific Coast States; in the northern belt of States east of the Rocky Mountains; and in the interior Southern States.

Kentucky grows onions, early potatoes, and strawberries in large quantities; Tennessee, strawberries; Arkansas, strawberries and cantaloupes; Oklahoma, early potatoes and watermelons; and New Mexico, Arizona, and Nevada, cantaloupes. Wherever truck crops are raised child labor can be used.

Children living on truck farms often do a variety of field work, the different crops grown in some trucking localities running into scores. Besides general farm work, such as plowing and harrowing, the children help with planting and transplanting, and they thin, weed, hoe, and spray—or as the negro children in the Norfolk trucking section of Virginia call these familiar operations, “grass,” “chop,” “scrape,” “shave,” “spoon,” and “bug.” They help to gather all kinds of small fruits and vegetables—cucumbers, peppers, radishes, eggplants, cantaloupes, watermelons, kale, spinach, cabbage, lettuce, and many others. When rush seasons come they, as well as thousands of hired child workers, are turned into the fields to pick strawberries, peas, beans, and tomatoes, gather potatoes, and cut asparagus.

The following accounts of the season's work of some Maryland children illustrate children's work on truck farms in many localities:

Three girls aged 15, 12, and 10, and one boy aged 13, living on a farm, did a great deal of farm work. The oldest girl and her 13-year-old brother during the months of April and May plowed and harrowed, and planted corn, beans, and potatoes; during May they transplanted tomatoes, sweet potatoes, and cabbage, and during the summer months cultivated, hoed, and weeded all crops and picked four kinds of vegetables; in September they gathered potatoes. Except for plowing, the two younger girls did the same kinds of work. In the months of April, May, September, and October the children's work was irregular; in the summer months they worked regularly every day except when it rained.

A 14-year-old boy had worked 7 days in April hoeing strawberries, 21 days in May planting corn and picking strawberries, and 7 more days in May hoeing strawberries and sweet potatoes. In June he had spent 14 days picking strawberries and in hoeing strawberries and an equal amount of time hoeing tomatoes and picking raspberries. Almost every day in July he had worked picking either beans or raspberries and 27 days in August he had worked picking blackberries.

Two boys, 13 and 15 years of age, sons of a large truck farmer, did the same work—plowed and harrowed; planted peas, beans, white potatoes, sweet corn, and peppers; transplanted cantaloupes and eggplants, and “dropped” sweet potatoes; thinned corn and eggplants; hoed or weeded all crops; sprayed potatoes and tomatoes; “bugged” potatoes; cut corn; picked strawberries, peas, beans, cantaloupes, eggplant, apples, and peaches; loaded wagons with vegetables, and sorted cantaloupes, sweet potatoes, eggplant, and peppers.

A negro girl of 12 in April and May “drew” strawberry plants from the old beds, transplanted sweet potatoes, weeded Irish potatoes, hoed and picked strawberries, and replanted corn. In June and July she picked beans, hoed and gathered Irish potatoes; in August she picked tomatoes; and in September and October picked up potatoes and “saved” corn fodder.

Boys of 12 or older working on home farms generally do plowing, harrowing, and cultivating, but girls and younger boys seldom do, even on their parents' farms. A child plowing on truck farms does not have to handle large numbers of work animals; one-share plows with one or two horses are in common use. But he must exert a good deal of strength, if walking to hold the plow in line or if riding to manipulate its levers, straining to reach them unless he is unusually well grown. Spike harrows are in general use in some truck areas; they have no seat, and hours of walking in the loosened soil make feet and ankles ache. Disk harrows provide a seat for the driver, but light-weight children run the risk of being thrown from the harrow under the disks.

When planting is done by hand even very young children help—dropping pieces of potato into a plowed furrow or corn seeds into a drill—and somewhat older children do machine planting. Transplanting is one of the commonest kinds of work for children of all ages; the youngest children walk along the plowed fields, dropping the seedling plants, followed by somewhat older workers, who dig the holes and set the plants. When transplanting machines are used children who are put to work on them generally "feed"; they sit two to a machine on a small seat only slightly raised from the ground, with their legs stretched out in front of them, and as the machine moves along they alternate in dropping plants into a furrow at intervals indicated by a spacer. "Feeders" get tired and cramped, as there is no way for them to change their position; they sit so close to the ground that on dry days they work in a cloud of dust stirred up by the machine.

Hired workers as well as those on home farms do a good deal of hoeing and weeding, tiresome and monotonous tasks under a hot sun, for the work has to be done during the hottest months, and many truck crops must be weeded three or four times a season.

Even in localities where comparatively few children help with planting or with the lighter work of weeding and hoeing almost every child who works in the fields "picks."

Picking most small fruits and vegetables requires little skill and can be done by the youngest workers. Whether or not picking is hard depends on how many hours the child must work, his back bent and knees cramped. If berries are plentiful, for example, the child can sit or kneel on the ground and pick for a long time without changing his position, but if they are scarce he must walk down the rows, continually bending over low-growing plants. In picking some fruits and vegetables the hardest part of the work is carrying the hampers. A five-eighths bushel basket of tomatoes, for example, commonly weighs, when full, about 40 pounds. Potatoes, cucumbers, melons, and many other truck crops are also heavy.

In potato harvesting the children crawl along the rows on hands and knees, pick up the potatoes, which have been loosened by a plow or a potato digger, knock or rub off the dirt with their fingers, and throw the potatoes in piles or into baskets. Sweet potatoes must be broken from the vines by the children as they crawl along.

Many children work on crops that are harvested by cutting, such as asparagus, rhubarb, lettuce, spinach, and parsley, or that are pulled, such as radishes, beets, and carrots. The worker crawls along the ground, sharp knife in hand, or walks and stoops to cut or pull the stalk or root. Often the children bunch these vegetables and help wash, box, pack, sack, crate, and load them.

Although most of the work that children do on truck farms does not require much physical strength, it requires endurance. Much of it is done in the summer months, the children—many with no shoes and stockings, some with no hats—walking back and forth over the soft earth, stooping and bending all day long, while the hot sun beats down unmercifully on the stretches of open fields.

#### PICKING FRUIT AND HOPS ON THE PACIFIC COAST

In the fruit orchards and hop yards of the Pacific Coast States the work of children is generally confined to harvesting, picking cherries, prunes, raspberries, and many other kinds of berries, and less often apples, peaches, and pears, as well as picking hops. However, a number of children hoe and weed, and older boys living on farms do harrowing and cultivating. Some farm children, as in other sections, have a variety of farm tasks, such as planting and transplanting, thinning fruit, cleaning out irrigation ditches, loading and driving teams, training and pruning berry bushes, training hop vines, or doing such orchard work as pruning, spraying, whitewashing trunks, propping up limbs, and cutting sprouts. Sometimes children are found doing work that subjects them to considerable physical strain. Such work is standing on top of platforms on sledges driven through the hop yards while the children work on the overhead wire trellises, or "bucking sacks," that is, hoisting onto their backs sacks of fruit sometimes weighing as much as 50 pounds and carrying them to the end of the rows on which they are working. In general, however, the work that children do on the fruit ranches and in the hop yards is not hard.

Picking up prunes is their simplest orchard work. Older boys sometimes go through the orchards and shake the trees in order to loosen the fruit, but generally children merely pick up the prunes from the ground, crawling or squatting as they work, and put them into pails. Picking prunes from the trees while the fruit is still green, as is done in some sections, is much harder work.

Picking berries for shipment requires care, but even the youngest children are permitted to pick berries for canneries. In some localities growers advertising for thousands of pickers call attention to the fact that "boys and girls over 7 years old can do as well picking berries as men and women."

Picking hops is simple work, as "yard men" are employed to do the heavy work of lifting and loading hop sacks and to lower the wire trellises so that the vines are within reach of all except the smaller children. The pickers grasp several clusters of the hops at a time and, stripping them from vines, drop them into a basket that stands on the ground. Hop pickers must stand for long hours under the hot sun. Some of them are sickened by the acrid odor of the hops, and sometimes they get a rash which they call hop poisoning.

Fewer children pick orchard fruit. Picking apples, pears, and peaches, particularly in orchards where fruit is carefully graded for shipping, is usually regarded as too hard for them, at least for the younger ones. They are not strong enough to manage the ladders and are not sufficiently careful in handling the fruit. Apple picking is particularly hard for children because apple pickers in these localities carry the burlap sacks in which they put the fruit; these sacks are attached by straps passing over the back of the neck and around the waist of the worker, and the pressure of the strap is said to result in pains in the back of the neck. In picking pears or peaches the worker is usually not hampered by a sack; but if the trees are not to be stripped at one picking, he must use judgment in selecting the fruit to be picked. On account of the fuzz from the peaches, which irritates the hands and arms of the workers, and the excessive heat at the time of the harvest, in August, the work is disagreeable as well as difficult. Cherries are easier than other orchard fruits for children to pick because the fruit is not heavy and because no judgment is necessary in selecting it, as the trees are stripped at one picking.

The Children's Bureau has made no study of children in agriculture in California, but it is well known that California has many children working on the land. A report of the California Bureau of Labor Statistics, after describing the employment of children in cutting asparagus, picking cotton, and picking walnuts during the time schools are in session, says:

Large numbers of children are working in other fruit crops during the regular vacation periods of the public schools. Children of school age, as well as children under school age, are used in the harvesting of prunes, grapes, apricots, peaches, and tomatoes. They are employed in the hoeing of beets and melons, they work in the sugar beets, and they harvest the onions. \* \* \* They are employed in the dry yards, cutting apricots and peaches and spreading them upon the drying trays.

In a report of the National Child Labor Committee, "California the Golden" and in several magazine articles (see "Little Gypsies of the Fruit," and "Raising Children to Move Crops," by Arthur Gleason, in Hearst's International Magazine for February, 1924, and March, 1924, respectively) conditions among the child agricultural workers of California have been described by eye witnesses.

#### ONION WORKERS

Onions, one of the most important of the truck crops, are often grown not only on a large commercial scale, but also, unlike most other truck produce, on farms specializing in the one crop. The combination of a great deal of hand work and large-scale production invites child labor, and workers on the onion crop were among the first groups of children in industrialized agriculture to attract the attention of those interested in child welfare.

Children are generally hired for weeding, onions sometimes requiring as many as four or five weedings a season. On the large onion farms they work in gangs of 10 to 20 with an overseer behind them to see that the work is properly done. In the first weeding they kneel down astride the rows and use both hands, or sometimes a small hook or weeder; but for later weedings they must stand and stoop over. It takes about an hour and a half to do a row. A considerate overseer sometimes gives the children a few minutes' rest at the end of a row, and older children sometimes turn back to help those who have not been able to keep up. Children also harvest onions, pulling them up and twisting or cutting off the tops, or if the tops have become dry and shriveled merely picking them up from the ground. Weeding and much of the harvesting are done in the hottest weather. Next to the heat the children complain most of breathing in the dust and getting dust into their eyes. After stooping for 10 hours, the customary working day in the onion fields, even the older boys say they are "awful tired."

Onions are grown extensively and on a large scale throughout the Great Lakes region—New York, Indiana, Ohio, Pennsylvania, Illinois. Some of the largest onion farms are on the peat or muck lands of Ohio and Indiana, vast tracts of which have been reclaimed for onion growing. It is impossible to estimate to what extent children are employed in the different onion-growing districts.

The Children's Bureau has never made a special study of children working in onion fields, but among the tobacco workers in the Connecticut Valley district of Massachusetts it found 115 boys and girls who had also worked on the onion crop, generally weeding, and of 501 child workers on the truck farms in the vicinity of Chicago all except 58 had worked on the onion farms.



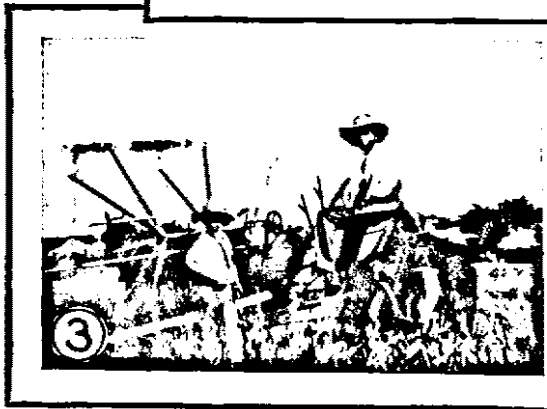
## CRANBERRY PICKERS

The production of cranberries, like onions, is on a large commercial scale, though it is limited chiefly to two States, New Jersey and Massachusetts. In both States crews of seasonal workers from neighboring cities are hired for the picking, and children form a considerable part of the labor supply. Cranberry pickers work in groups of about six or seven under a "row boss" or overseer, and strict discipline is enforced on the bogs, for cranberries are so small and so concealed by the branches of the plants that it is easy to lose a good deal of the crop through carelessness.

Hours for picking are long, as there is always danger of a frost before the harvest is completed. At the end of the day the pickers are tired and stiff and their fingers are sore. As the season advances they complain of the cold. When frost threatens the bogs are flooded every night to protect the berries and are still damp when the pickers begin work the next morning; at such times they sometimes come off the bog with their clothes wet to the knees.



ILLINOIS GENERAL FARMING: 1. HARROWING. 2. CULTIVATING. 3. REAPING AND BINDING. 4. SHOCKING GRAIN



ILLINOIS GENERAL FARMING: 1. HARROWING. 2. CULTIVATING. 3. REAPING AND BINDING. 4. SHOCKING GRAIN



NORFOLK TRUCK FARMING: 1. PICKING PEAS. 2. PICKING CUCUMBERS.  
3. "SPOONING" SPINACH. 4. CARRYING HAMPERS OF POTATOES. 5.  
"SCRATCHING" OR "GRABBLING" POTATOES JUST AFTER THEY ARE  
PLOWED

## CHILD WORKERS ON HOME FARMS

### WHO THE CHILDREN ARE

How generally the farmers employ their children for work other than chores depends on a variety of conditions, such as whether or not they can hire help, whether the work is of a kind that children can do, and whether it is customary in the locality for girls and younger children to do field work. The Children's Bureau surveys showed that in some sections—as, for example, in the Texas cotton-growing counties, and on the Eastern Shore of Maryland with its thousands of acres of strawberries and vegetables to be picked by hand—nearly all the children enrolled in school who had reached the age of 10, and many even younger, girls and boys, black and white, had worked in the fields. In the southern tobacco districts from a third to almost half the rural school children, and in the Connecticut Valley from two to three fifths had worked on the tobacco crop. Only about one-third of the children enrolled in certain county schools in Washington had worked on the fruit ranches of the vicinity, but in the districts studied in the State of Oregon two-thirds of the children enrolled in school had done field work, generally picking hops, a job that even young children can do. In the North Dakota and Illinois grain-growing areas about two-fifths of the school children were farm workers, but the proportion of workers was much larger—more than two-thirds—for boys and girls who were 12 years of age or older, and even larger for boys of 14 and 15.

Farmers' children working on their parents' cotton and tobacco plantations, as would be expected, are of native parentage. This is the case also in the Corn Belt, where the farming population is predominantly native, and to a slightly less degree it is true of the farmers' children on the Pacific Coast, though a fairly large proportion of the latter are of Japanese parentage.

But in some parts of the country farm work even on the home farm is confined to the children of the foreign born. Rarely do sugar-beet growers, unless they have the traditions of the "old country" behind them, permit their children to work in the beet fields. Native-born operators of the great grain farms of the Northwest comparatively rarely put their boys and girls to work. The great majority of the farmers in the Connecticut Valley whose sons and daughters work on their own tobacco crops (usually a very few acres) are of Polish, Italian, or other foreign nationalities, though only about a third of

the farms in the area have passed into the hands of the foreign born. In southern New Jersey the child agricultural workers on home farms are generally of Italian stock; many of the small farms in this section are owned by Italians, and the operators of the larger farms, whether natives or of foreign birth, as a rule do not use their own children for work in the fields. On the truck farms around Baltimore, too, fully half the children working on their parents' farms are in immigrant families—Polish or German—though only 11 per cent of the farms in the county are operated by the foreign born.

Although children who work on farms are in many cases children of tenants (many of whom in the South are "croppers" or other kinds of share tenants whose struggle for existence is often severe), many farm owners even in the South depend upon their children for help. In the New Jersey counties included in the Children's Bureau surveys, where many of the farmers are Italians owning only a few acres, almost all the children working on home farms were owners' children, and in the Illinois and North Dakota districts the majority were.

Table 2 (p. 58) shows the proportion of farm owners' children and of tenants' children in the group who did farm work.

#### YOUNG BOYS AND GIRLS DO FARM WORK

Table 3 (p. 58) shows the age distribution of the children who worked on home farms in the different localities surveyed by the Children's Bureau. The majority were under 12 years old and a very large proportion under 10. The ages of the workers were about the same for most of the different localities. Little fingers can pick strawberries as well as cotton, can worm tobacco as well as thin beets. Farms in the Corn and Wheat Belts are exceptions. Much of the work on these farms involves the use of heavy machinery that young children can not handle. Hence in those sections the child workers are older, and fewer girls are at work. More boys than girls work on farms everywhere, and on general or grain farms such as those in North Dakota and Illinois boys outnumber girls, three or more to one.

#### WORK IS SEASONAL

Many farmers' children have field work to do for a few days or a few weeks at a time from the breaking of ground in March or April until the last crops are harvested just before frost sets in. They probably average, in all, from about a month to four months of work during the season, according to the crops grown and the length of the growing season. Children 12 years of age or older, however, work longer than younger ones, and it is not uncommon in some localities for the older boys to total five or six months of work during the year.

Cotton picking alone is likely to keep a child busy for two or three months. The Children's Bureau found that the average duration of

cotton picking was about two and a half months for white children and about four months for negro children in one of the Texas counties surveyed and about one and a half months for both white and negro children in the other county.

It is often said that it takes 13 months to make a tobacco crop; before one year's crop is gathered preparation of the plant beds for the next year's crop must be started. The majority of the children do not take part in all the operations in tobacco culture, but about one-third of the child workers on southern tobacco plantations included in the Children's Bureau survey had worked at least three months, and boys of 12 or older in these families had averaged five months of work. Farm children working on their parents' tobacco crop in the North work about as long as children in the South, though the working season for hired children is shorter.

Five or six months of work a year is common for children on farms in some trucking localities, as for example in southern New Jersey, where aside from general work, the harvesting of one crop or another provides fairly continuous work from strawberry picking in May to cranberry picking just before the November frosts. In the New Jersey districts included in the Children's Bureau survey of truck-farm workers, the children on the farms were found to spend on an average between two and three months in field work a year. Those 14 or 15 years of age averaged between three and four months and the boys even longer.

On many farms farmers' children work only a few weeks during the year. This is true on general farms in the Wheat and Corn Belts, where there is comparatively little work that younger children can do, on some truck and fruit farms where the children's work in general is confined to gathering a few crops, and on sugar-beet farms, where only the growers with a small acreage in beets, as a rule, permit their children to work. In all sections studied, however, boys of 12 and older living on farms probably average several months of farm work a season.

The accounts on pp. 7, 11 and 15 of the work done by individual children working on sugar beets, truck crops, and cotton, give an idea of the amount of time that farm children spend in field work and the way the time is distributed as well as of the kinds of work that they do. The following examples will serve to do the same for children on southern tobacco plantations:

A 10-year-old girl and a 15-year-old girl in a tenant family in Virginia which worked 10 acres of tobacco in Halifax County had worked on the corn crop, planting, thinning, cultivating, and harvesting for more than one month, on tobacco transplanting one week, on cultivating about as long, and on suckering and worming two months. The younger girl had held sticks during harvest time for two weeks while the older one cut tobacco. Both had housed tobacco and taken it down from the barn during part of this time. After the field work

was done they had stripped tobacco for three months, working after school and often in the evening by lantern light. A 12-year-old boy in this family had done as much work on corn and tobacco as his sisters, and in addition had plowed for seven weeks.

Four sisters aged 9, 11, 12, and 15, whose father owned his farm, had worked on tobacco in the field and at the barn. The three older ones had worked on corn, peas, and sugar cane when they were not busy on the tobacco. For a few days they had helped make plant beds and weed them. They had transplanted for two weeks, the three older girls drawing and setting the plants, while the youngest one worked only at dropping them. All four girls hoed for four weeks, and all wormed and suckered for one month. Only the two older sisters had topped. They also had cut tobacco for two weeks during the harvest time, while the two younger girls carried sticks and held them. All four girls helped for two weeks in putting tobacco in the barn and had helped take it down when the curing was completed. The oldest girl had stripped while the other three tied for two months, much of this being done after school and on Saturdays.

An 11-year-old Kentucky boy had plowed one month, disked one week, and harrowed one week. He had transplanted tobacco one week, cultivated with hoe and machine two months, wormed six weeks, and suckered three weeks. At harvest time he had housed tobacco one week and later had stripped it one month. When not busy on tobacco he had planted, cultivated, and harvested corn for a total of more than two months and had helped make hay three days.

Another Kentucky boy 12 years of age had worked only on tobacco. He had transplanted one month, hoed six weeks, topped one week, suckered six weeks, and wormed (probably while suckering) one week. During the harvest he loaded and hauled five weeks.

#### FARM HOURS ARE LONG

The working day on the farm is long, and it is when there is necessity for haste, in order to take advantage of good weather or to get in a crop before it spoils, that children are most likely to be employed. A 9 or 10 hour day in the fields is common for children who live on farms, and the day's work often stretches out to 11 or 12 hours or more.

During the thinning process in beet cultivation, which must be completed before the plants grow too large, 85 per cent of the Colorado farmers' children included in the Children's Bureau survey and 67 per cent of those in Michigan worked from 9 to 14 or more hours a day. At harvest time, in order to get in the crop before it was caught by a heavy frost or otherwise spoiled, three-fourths of the Colorado children worked from 9 to 13 hours a day on their fathers' beet acreage, sometimes pulling and topping by lantern light or by the light of the moon.

Southern children working on cotton and tobacco crops often toil from sunrise to sundown, averaging between 10 and 11 hours a day. On the general farms of the Middle West, also, an 11-hour working-day is not infrequent and 9 or 10 hours is customary, and in the hop yards and fruit orchards of the Pacific coast 10 hours is the usual working-day.

Hours on truck farms are more variable. Many farm children in trucking sections work 10 or 12 hours or even longer some days;



three boys 13 to 15 years old, sons of a Hungarian farmer near Baltimore, had picked cucumbers from 5.30 a. m. to noon and from 1 to 8 p. m. the day before they were seen in the course of the Children's Bureau survey. But they sometimes work only 6 to 7 hours or even a shorter day owing to the fact that fruits and vegetables must often be sent off for shipment the day they are harvested and the workers stop as soon as it is too late to catch that day's shipment.

Tables 4 to 14 (pp. 59-64) show how many hours a day farmers' children of different age groups in the Children's Bureau surveys were accustomed to work on the various crops in different parts of the country.

#### WORK CAUSES ABSENCE FROM SCHOOL

Many country schools are almost emptied of their pupils during busy seasons on the surrounding farms. Cotton picking beginning in the late summer is often not completed until after Christmas, so that many cotton pickers do not enter school until "along in January." Many farmers' children in sugar-beet growing districts do not even enroll in school until after the middle of November, when the beet harvest is over.

Truck farming has much the same effect on children's schooling. In a study of rural school attendance, "Farm Labor versus School Attendance," made by the National Child Labor Committee, it was found that only slightly more than half the 585 children studied in 15 schools in Maryland had entered school the first week.

A school with a normal enrollment of 33 opened in the fall with 9 pupils; another with 52 normally enrolled, had 18 the first week; another had 17 of its usual enrollment of 40. In the spring when the strawberry season comes the situation is even worse. One county superintendent received a complaint from a rural teacher that most of her pupils would not take their final examinations because they were out picking strawberries. In another county eight schools had closed two or three weeks ahead of time because most of the children had dropped out to pick berries. Fifty per cent of the children in one school dropped out in March and April; in another (out of a total enrollment of 30) 1 girl was left at the time of the investigation; the rest were all picking berries. In still another school, with an enrollment of 38, 16 had withdrawn between February 17 and April 16. \* \* \* Nearly 70 per cent [of the absentees] gave farm work as the only cause [of absence].

Although the annual reports of the Maryland State Board of Education show that progress has been made in improving rural school attendance, the report for 1924 gave figures showing that more than 1,000 boys and girls in the one-teacher schools of the State had been absent illegally 40 days or more for work during the year. In some counties, 8 or 9 per cent of the enrollment in the one-teacher schools had had these long absences for work.

In Delaware, another truck-farming State, according to figures obtained during a study of attendance in one-teacher schools (The One-Teacher Schools in Delaware; a study in attendance, by Richard

Watson Cooper and Hermann Cooper), 807 boys enrolled in Sussex County, or nearly three-fifths of the total number enrolled in one-teacher schools, lost by late entrance or early withdrawals an average of 38 days, mainly for agricultural work.

A school in the rich trucking area of southern New Jersey surveyed by the Children's Bureau had only 1 of its 25 pupils in attendance throughout the last three weeks of the term.

Child agricultural workers in almost every locality in the Children's Bureau surveys had been absent from school during the year of the survey for farm work, and farm work was almost invariably the chief cause of absence. Where it was found to make no very serious inroads on school attendance it was because the children's principal field work came during the summer vacation, as on the truck farms around Chicago and the berry ranches of the Northern Pacific coast. Tables 15 to 29 (pp. 64-73) show how much time was lost from school for work by farmers' children in the different localities.

In the tobacco-growing districts of Kentucky almost half the farmers' children working on farms had missed from 1 to 60 days or more for work, the average absence being approximately 3 school weeks of the 7 months comprising the school term; in the South Carolina districts more than two-fifths and in Virginia half had stayed out of school to help with the tobacco crop, the average absence for the purpose being 16 days in each locality.

Notwithstanding the short terms and late openings more than half the children 12 years of age or older living on the Texas cotton plantations, in the Children's Bureau survey, and more than two-fifths of all these children attending school had missed part of the school term on account of farm work. The average absence for farm work was approximately one school month, and very prolonged absences were not uncommon. Thirty-three boys and 14 girls had lost at least 60 days on account of work. A 12-year-old white girl in the third grade stayed out 85 days for field work; school had opened September 18 and although it was November when the child's family was interviewed none of the children in the family had entered school. In another white family the children had not entered school until January, though it had opened in November. The girl, aged 13 years, had missed 40 days, and the 11-year-old boy 20 days for farm work. These children were handicapped also by the fact that they lived 3 miles from school, and during bad weather in January, February, and March they had been absent a day or two every week. A white girl aged 10 years stayed away from school 70 days to work on the farm which her father rented; she had completed only the first grade, having been handicapped by illness as well as farm work. A 12-year-old girl who had completed only the third grade had lost 64 days because of her work on the farm.



PICKING PRUNES, YAKIMA  
VALLEY, WASH.



RASPBERRY PICKER, PUYALLUP  
VALLEY, WASH.



PICKING HOPS, WILLAMETTE VALLEY,  
OREG.



OPERATIONS IN TRUCK FARMING: PICKING EGGPLANT (MARYLAND).  
PLACING HALF-BUSHEL BASKET FULL OF ONION SETS ON HEAD OF GIRL  
ABOUT TO CARRY IT TO SIFTER (ILLINOIS). CUTTING ASPARAGUS  
(ILLINOIS)

More than two-thirds of the North Dakota farmers' children in the Children's Bureau survey had been absent from school for field work, the proportion rising to four-fifths for boys 12 years of age or older; 13 per cent of the girls and 35 per cent of the boys were out of school at least a month for work. In the general-farming districts of central Illinois the children were not kept out of school for farm work to the same extent as in North Dakota, but the school attendance of a small group of Illinois children was seriously affected by their work on the farms. Half the boys had been absent from school for farm work, and 15 per cent had stayed out of school at least one school month for it. Although very long absences for work among children under 14 were rare, they did sometimes occur in the Illinois districts studied. For example, a 13-year-old boy whose father was a member of the local school board had lost 75 days for farm work during the school year preceding the inquiry, and his 11-year-old brother had lost 37½ days.

In the Colorado beet-growing districts almost half the boy workers whose fathers owned or rented farms and more than one-third of the girls had stayed out of school to work in the beet fields, their absences for the purpose averaging between three and four school weeks. Some schools in the districts where the survey was conducted closed during the height of the harvest so that children could work, and others excused from attendance during the harvest season children who had attended summer sessions arranged especially for beet-field workers. In Michigan about two-thirds of the beet-field workers whose fathers raised beets had been absent from school for field work.

More than half the farm children in the Maryland trucking districts stayed out of school to work on the crops, the average absence being a little more than one school month. The older boys, as a rule, had the longest absences. A 13-year-old boy who had completed only the third grade was 51 days late in entering school and reported an additional 31 days' absence for farm work. His two brothers, 14 and 15 years of age, had each completed only the fourth grade but were no longer attending school. In a Polish family were two boys of 12 and 14 who had completed the first and second grades, respectively. They had attended school not more than 30 days during the school year preceding the study; they had entered after Christmas and had withdrawn early in March, having stayed out in January and February to get wood and do other household chores. One of 22 children in the Eastern Shore district who had had 60 or more days' absence for farm work was an 11-year-old girl; the others, who were boys, were with three exceptions 12 years of age or older, able to use the plow, harrow, and cultivator.

A considerable part of the children's work on truck farms in southern New Jersey, also, is done in the spring and fall, when the schools are in session. Three-fifths of the farm children included in the survey in this section had been absent because of work in the fields; these absences were from several days to four months, the average being 20 days, or 4 school weeks. Among the 19 who had been absent from school for work 60 days or more were three farmers' children. Although their school opened September 30, two did not enter until October 25 and the third not until October 28, 16 and 18 days late; early in the spring they dropped out again, the oldest child 75 and the other two 72 days before the close of the term.

Additional evidence of the way in which farm work may interfere with schooling is furnished by the National Child Labor Committee's investigations of causes of absence from rural schools: In 174 white rural schools in Oklahoma half the boys and one-fourth of the girls had had absences for farm work—planting wheat, baling hay, picking cotton, herding cattle, cultivating potatoes, corn, sorghum, and other crops, dairying, and taking care of farm work. The absences averaged 33 days for tenants' boys, 26 for farm owners' boys and almost as many for girls. In 151 rural schools in Alabama half the boys and one-fifth of the girls had lost part of their schooling because of farm work—tenants' sons averaging 34 and tenants' daughters 27 days, and farm owners' sons 27 and farm owners' daughters 21 days. In 144 schools in North Carolina also half the boys and one-fifth of the girls had stayed away from school for farm work, boys averaging from 18 to 23 days, and girls from 13 to 18 days. Improvements in the school-attendance laws since the investigations were made in 1917 and 1918 may be expected to have improved conditions in these particular States.

Some State laws permit school officials to excuse children for farm work or give them authority to excuse children from school in such general terms, as "in cases of emergency" or "for other sufficient reason," that they may easily be construed to apply to agricultural work. (See p. 47.) A Maryland farmer told the Children's Bureau investigator that the "law only compels the children to make 100 days a year. \* \* \* After that I keep them out to work all I need them." The 100-day provision in effect at that time applied only to children of 13 and 14 years of age, but on the strength of it this farmer's 10-year-old daughter had lost 71 days from school during the preceding school term. But although some of the children's absence for farm work has the excuse of being legal, most of it is just as illegal as the absence of the factory-working mother's little girl who stays home to mind the baby or of the city boy who is kept out of school to run errands for his father's tailor shop or grocery store.

In many a country district enforcement of the school attendance law is never even attempted. Many counties have no attendance officers and others so few that prompt action is impossible, and by the time parents are warned the children have lost weeks of schooling. "What can one truant officer do," asked a Michigan county commissioner of schools, "with 162 school boards, 200 teachers, and over 7,000 children scattered over 900 square miles of territory?" Attendance officers are usually appointed by the local school districts, and, unwilling to disoblige their neighbors and sympathizing with the farmers' often pressing need for help, many wink at disregard of the law. One pocketed the notices to be served on parents and kept them until harvest was over and the children's help was no longer needed on the farms.

Many country children are lucky if they are able to go to school at all. The 1920 census tells us that 1,058,666 country children of school age, that is, from 7 to 13 years of age, including children living in communities with a population up to 2,500, were not in school. These children represented 12 per cent of the children of these ages in their communities and relatively more than twice as many as the number of city children of the same ages not attending school that year.

#### THE RURAL SCHOOL TERM

Farm work is largely to blame for the country child's inequality of opportunity as compared with that of the child who lives in a town or city, not only because it interferes with his school attendance but because it is also a reason for the shorter school term maintained in rural districts. The average rural school term in the United States as a whole in 1924 was 34 days, or nearly 7 school weeks, shorter than the average city school term. In South Carolina the State supervisor of elementary education, although he believed that a better compulsory education law was needed, said in 1926 "it is absolutely necessary for some of our farmers to have the help of their children at times."<sup>1</sup> In many cotton-growing counties the opening of school is regularly postponed to November or December to allow the children to get in the cotton crop. "The schools have to close before strawberry season" is a characteristic remark in certain trucking localities.

Children who must sacrifice a certain amount of time to such emergencies as bad roads and bad weather, as country children always do, run on a very narrow margin when the term is only six or seven months and they stay out of school a month or so to help on the farm. The case of a 10-year-old white boy in one of the Children's Bureau surveys, though a somewhat extreme example, is illustrative of what may befall a worker on the home farm. This child had been absent

<sup>1</sup> Fifty-eighth Annual Report of the State Superintendent of Education of the State of South Carolina, 1926, pp. 22, 23.

from school 76 days, or 60 per cent of the term. In the fall he had stayed out to pick cotton, not finishing this work until January. Then roads and weather were so bad that his parents "just kept him home till it was so he could go." In February he missed seven days because "the creek was up", and in the spring he had been ill. It is not surprising that he had not completed even the first grade.

#### FARM WORKERS ARE RETARDED IN SCHOOL

Normal progress in school is dependent on regular attendance so that children who habitually stay out of school for farm work fall behind in their classes. Besides the actual loss of time some farm-working children are too tired and listless, according to their teachers, to do the required work when they return to school, and their scholarship suffers.

Table 30 (p. 74) gives the percentage of white and negro farmers' children in each of the groups surveyed by the Children's Bureau who were behind the standard grades for their ages. Where comparative figures could be obtained the percentage of retardation was much higher among children working on farms than among those in the same schools who did little or no farm work.



## HIRED CHILDREN IN AGRICULTURE

### CLASSES OF WORKERS

Children hiring out as farm laborers may be day laborers, or they may be hired by the week or month as regular farm hands. These may be farmers' children helping their neighbors, or farm laborers' children working for their parents' employers, or children of non-agricultural workers in small communities in the vicinity of the farms; or where some crop is grown extensively on a commercial scale near a city, as truck crops are grown by the absentee landlords in the Norfolk area, tobacco in the Connecticut Valley, and onions and asparagus in the Chicago trucking districts, they may be city children—negroes, or Poles, Italians, or children from other immigrant groups—brought out to the farms by the truckload for a day's work and returning home each evening.

But besides these classes of hired laborers, there are the so-called migratory workers, who leave their homes, usually in the city, for seasonal work on the farms—to work in sugar-beet or onion fields, to pick strawberries, cherries, cranberries, and tomatoes, to harvest beans and peas and other truck crops, to pick hops, raspberries, and other fruit in Washington and Oregon and grapes, prunes, apricots, walnuts, cotton, and many other crops in California.

Table 3 (p. 58) shows the distribution by ages of the different types of hired child workers in the districts in which the Children's Bureau made surveys. Although hired workers, these children were no older on the whole than children working on home farms.

Migratory child workers go to the farms with their families, which in some cases include the father but often only the mother with the children of both sexes and all ages.

Many of the families in the Colorado sugar-beet fields come from small towns near by, though others are recruited from Denver, Pueblo, Trinidad, and Kansas and Nebraska cities, and even from Texas and New Mexico. In Michigan also they are brought into the beet fields from the Mexican border and from cities as far away as Cleveland and Pittsburgh. In Nebraska they come from Omaha, Lincoln, and the larger towns of the State. Baltimore supplies the Maryland truck farms, and Philadelphia and less commonly Trenton or other New Jersey cities the New Jersey truck farms, with seasonal labor. In Washington and Oregon the migratory workers come into the hop and fruit districts from small towns or rural sections in the State, though some are from Portland or Salem and others come from

Idaho, Montana, or more distant States, or from Canada. Labor pours into the Imperial Valley of California continuously, by automobiles laden with tents and families, by wagons, by train, and on foot from other parts of California, from Texas, Oklahoma, Arizona, and New Mexico.

On the Pacific coast many of the migratory laborers are automobile tourists "following the fruit" year in and year out, and creating new and special problems for the States whose crops attract them.

In most of the farming districts migratory laborers are of foreign stock. Beet-field workers in Colorado and Nebraska are chiefly Russian-Germans and Mexicans; in Michigan, Bohemians and Poles as well as Mexicans. In Maryland the migratory farm laborers are for the most part Poles, and in New Jersey Italians. The Texas cotton-growing districts have some Negro and Mexican migratory workers, though many are native whites. California migratory workers are largely Mexicans. In Washington and Oregon migratory workers are chiefly native whites, but they also include children of many foreign nationalities.

#### RECRUITING FARM LABOR IN CITIES

Farm laborers living in the open country or in little settlements near the farms on which they work usually get their jobs directly from their employers; they apply in person or the farmer sends for them. "The farmer came to our street," and "the farmer sends one or two wagons to the village and those who want work simply go and climb in," are typical accounts of how day laborers for the farms are recruited in the Norfolk trucking section. Laborers from the city are sometimes engaged through a row boss or an agent. "The row boss stands on the corner," said a Norfolk farm laborer, "and shouts 'Strawberry hands! Strawberry hands!' and everybody goes that wants to"—sometimes only the children, sometimes the whole family, including the father, but usually the children with their mothers. Chicago children, who form a large proportion of those working on farms in the Chicago trucking area, often travel long distances by street car to outlying points in or near the city where the farmers congregate sometimes as early as 3 or 4 o'clock in the morning to bargain for the day's labor supply, and there sell their services to the highest bidder. Mothers sometimes accompany their children to work on the farms in this district, but more often the children go alone, selecting their own employers and making their own wage agreements.

Agents of the beet-sugar companies generally recruit the migratory labor for the beet fields. In the Atlantic coast trucking section the "row boss" or the "padrone," frequently a man of the same nationality

as the workers, visits the cities and engages the families, often his relatives and friends, at so much a head. On the Pacific coast growers advertise extensively and sometimes send trucks to the docks and railroad stations of the cities to pick up any laborers they can find. Some of the large hop companies have offices in Portland or Salem, others employ agents, and others put up signs to attract tourists or canvass the tourist camps for workers, though many complain of the instability of the tourist workers or "gasoline gypsies," declaring that it is necessary to have three crews of pickers, "one coming, one going, and one working."

In order to hold the workers it is customary in some of the districts for farmers to hold back part of the pay, until the end of the season, or, as in some of the sugar-beet sections, to give a bonus, payable only at the end of the season. Under these circumstances if working and living conditions are unsatisfactory the migratory workers coming from a distance are at a disadvantage, as they have to wait weeks or months until they are paid before they can leave.

#### HOUSING OF MIGRATORY WORKERS

Farmers are beginning to realize that they can not attract and hold the better class of laborers unless they provide comfortable quarters; still only too often the living arrangements for migratory workers are the veriest makeshift, violating every standard of decency as well as comfort.

Laborers' families in sugar-beet sections often occupy any kind of shelter that is available for temporary use—abandoned farm-houses, rude frame or tarpaper shacks, and even tents and caravan wagons—though some sugar companies provide one or two room portable cottages for their laborers. The dwellings are in many cases in bad repair, dark, ill ventilated, and far from weatherproof. Beet-field laborers sometimes describe their quarters as "not fit for chickens to live in" or "nothing but a dog house." Overcrowding is extreme. A Michigan migratory laborer tells of having been forced to live for two weeks, while waiting for quarters for his family of five, in two rooms containing 19 other people; during this time his baby caught cold and died. Sanitation is poor and the water supply, especially in the irrigated districts, is often neither plentiful nor protected against contamination. Many of the beet-field laborers occupy their "beet shacks" for five or six months a year.

The migratory laborers in the hop yards and orchards of the Pacific coast live in camps on the grower's premises, some of them villages in themselves, housing several hundred persons. Nearly three-fifths of the families in the Willamette Valley district in Oregon included in the Children's Bureau study and nearly all in the Yakima Valley district in Washington lived in tents. The others occupied

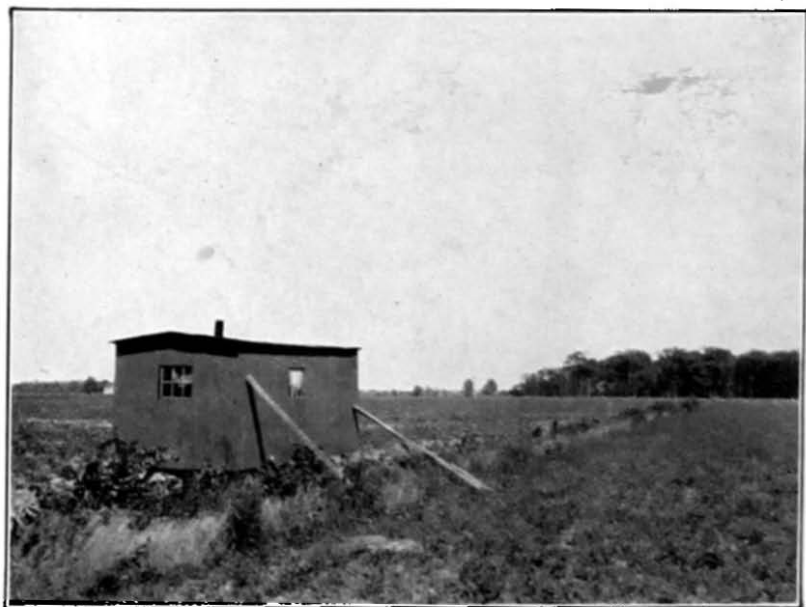
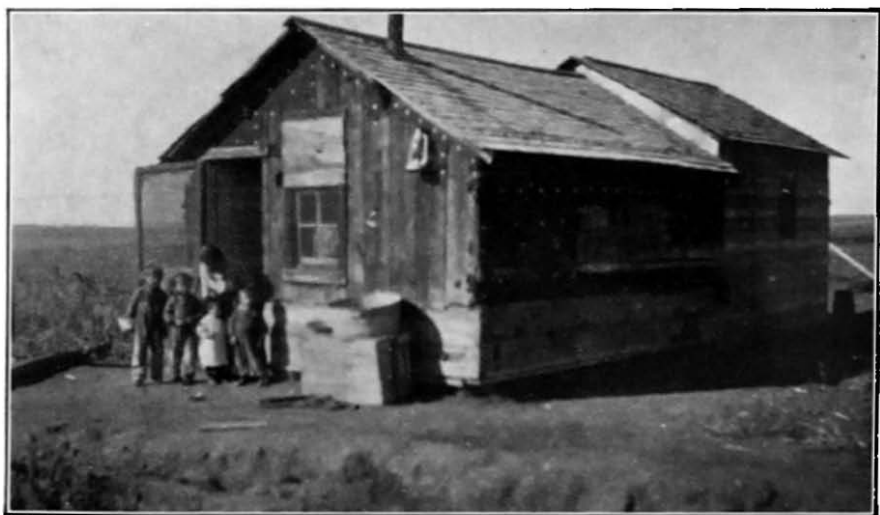
one-room frame houses built in rows, each with one window. In both tents and "bunk houses" extreme overcrowding was found; two-thirds of the families in one district and almost all in the other had three or more persons a room and in the latter the majority had five or more. A regulation of the Washington Board of Health called for a specified amount of air space for each person in frame houses in laborers' camps, but the regulation did not extend to tents, as a similar one in California does, and Oregon had no such regulation for either houses or tents. The Washington regulation was not enforced in the camps visited. Sanitation of labor camps in Washington and Oregon is regulated, and sanitary conditions were better than in farm-labor camps visited by the Children's Bureau in some other sections.

In Maryland, in the country around Baltimore, individual farmers maintain camps for the migratory workers. Most of them contain but one building known as a "shanty," which serves as sleeping quarters for all the workers, a weather-beaten or unpainted structure the windows of which usually lack either glass or shutters, or both. As a rule there is but one room on each floor, with stairs on the outside leading into the upper room. On each side of a narrow aisle down the center the floor is divided into sections or pens by boards 10 or 12 inches in height, each section being about six feet long and from four to six feet wide and covered with straw for a mattress. Each family is allotted one of these pens. At night men, women, and children, partly clad, one family separated from the next by the plank, lie side by side. More than half the families in the district surveyed by the Children's Bureau had no toilet facilities. Twelve of the 25 camps had no privy, and only 1 had adequate toilet arrangements. Some of the privies were located dangerously near the water supply. "Here we are like fish in a barrel," many families declare, describing the way in which they live as "like hogs," "like sheep," and "like cattle beasts." Some of the negro migratory workers in the Norfolk trucking section live in the most primitive way, several families often occupying a one-room shack, sleeping on hay or wooden crates, cooking over camp fires, and having no toilet accommodations.

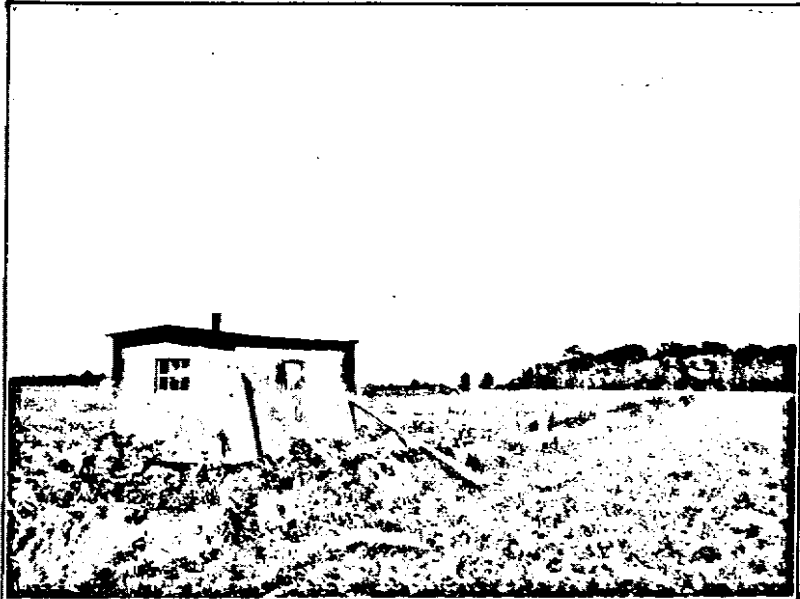
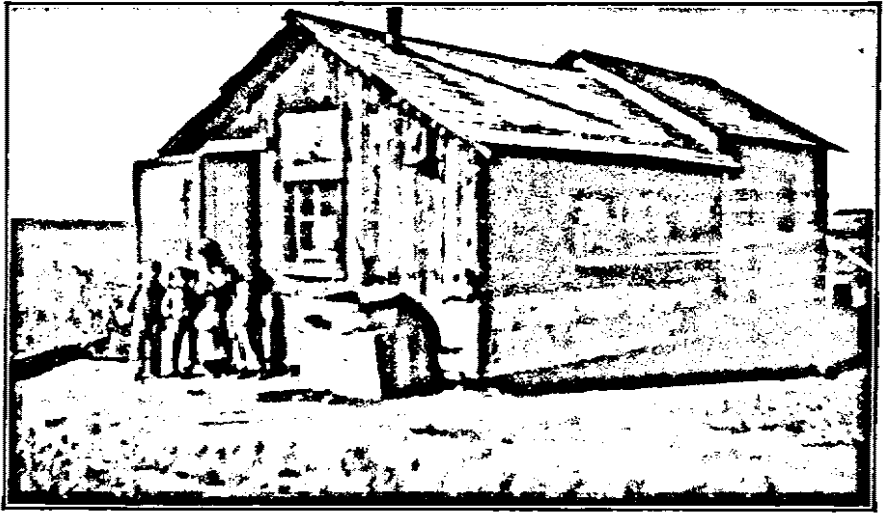
In southern New Jersey the truck-farm laborers are generally housed in labor camps on the growers' premises, the camps varying in size from a rude building or two, housing half a dozen families, to large well-organized settlements, villages in themselves housing 300 to 400 pickers. The camp buildings are either one or two room rows or large two-story barnlike structures divided into small rooms upstairs and down and housing many families, or in some cases, as in Maryland, not divided into rooms but having the family spaces with their straw and rough bedding, merely marked off by a board



ILLINOIS TRUCK FARMING: 1. WEEDING ONIONS. 2. TWISTING DRY ONIONS.  
3. PULLING AND HAULING CARROTS



SHACKS OCCUPIED BY BEET-FIELD LABORERS IN COLORADO AND IN MICHIGAN



SHACKS OCCUPIED BY BEET-FIELD LABORERS IN COLORADO AND IN MICHIGAN

set on edge. Some camp buildings are in good repair, but even in the best camps congestion is very great and the amount of cubic air space inadequate. No provision is usually made for disposal of garbage or of waste water and the privies are often insanitary or entirely lacking.

In California the State immigration and housing commission, which enforces the State law regulating labor camps passed about 15 years ago (see p. 54), is said to have revolutionized living conditions for migratory farm laborers in the State since the days when ranchers used to bring in hordes of workers, many without assuming any responsibility for their housing, merely permitting them to sleep on the ranches.

#### CONDITIONS OF WORK

Children working as hired laborers do not have the variety of work that farm children have, unless they are regular laborers living on or near the farms. In such cases their work is like that of the farmer's son, except that there may be more of it. For example, a 13-year-old boy in one of the Children's Bureau surveys was employed as a laborer in a trucking district at \$1.50 for a 10-hour day; on the day before he was seen he had been loading cabbages into a cart, hauling them away from the field, packing them in crates, and taking the packed crates to a boat landing at the edge of the field. Another regular farm hand, 12 years of age, on his last day of work had been in a strawberry field for six hours—from 8 a. m. till 2 p. m.—picking and capping berries. This boy had plowed, harrowed, and cared for every crop raised on his employer's farm, including kale, spinach, strawberries, beans, cucumbers, potatoes, and watermelons.

In some sections where there is a succession of crops throughout the year, as in the Norfolk trucking district where the mild climate permits the production of hardier vegetables such as kale and spinach throughout the winter, country children living near the farms work on a variety of crops. But as a rule the child who is hired for farm work, even if he is a country child, is wanted only for hoeing or weeding or gathering the crops, and the city child is brought out to the farms only for harvesting.

Child workers in industrialized agriculture, day laborers from the cities and children in migratory families, are employed only when speed is essential. They work at piece rates, at monotonous and repetitive operations, under the eye of the row boss. The conditions of their work are not very different from those of factory hands, except that they work out of doors; but their hours are much longer than factory hours.



Tables 4 to 14 (pp. 59-64) show the length of the working day for hired child workers on farms in the localities where the Children's Bureau made surveys.

In most places children who are hired for farm work have a longer working-day than farmers' children in the neighborhood. Thus, in the southern New Jersey trucking districts one-fourth of the children living in the locality and hiring out as farm laborers worked 10 hours or more a day whereas only one-eighth of the farmers' children had as long a working day. In the selected hop and fruit growing sections of Washington almost all the hired children living near the farms compared with about one-third of the ranchmen's children had a working day of 10 hours or longer. In some places, however, day laborers hiring out for work on neighboring farms had a somewhat shorter day on the whole than children working on their parents' land.

On New Jersey truck farms 41 per cent of the migratory child workers of all ages worked at least 9 hours a day, and 12 per cent worked 10 hours or more. The 9 or 10 hour day for children was even more common in the hop yards and fruit orchards of Oregon, where in the districts surveyed 33 per cent of the migratory child workers worked at least 10 hours a day; and in Washington, where the children were employed chiefly in picking hops, 87 per cent worked 10 hours or more a day. The migratory children who picked cotton in Texas worked at least 8 hours a day, and 68 per cent had a working day of at least 10 hours. Perhaps the longest hours of all were those reported by beet-field workers; from 50 to 75 per cent of the contract laborers' children in the Colorado and Michigan districts (the proportion varying with the different operations) worked 10 hours or more a day, the working day in some cases running to 13 or 14 hours.

Little attempt has been made to restrict the hours of agricultural work for children (see pp. 50-52), even when they are hired by others than their parents, nor to fix a minimum age for farm work, and children under 10 years of age and even under 8 sometimes work these excessive hours in many parts of the country.

Most hired farm hands work fewer days in the year than farmers' children in the same localities who do any appreciable amount of work on their parents' farms. Migratory workers are usually hired for a few weeks at the height of the harvest, and it is only when their families go from crop to crop that their year's work totals several months. Beet-field workers are an exception. The beet farmer with only a small acreage (as a rule it is only the small grower who lets his children work "in the beets") needs his children's help for only a few weeks, whereas the contract laborer contracts for as many acres as he thinks his family can possibly take care of.

## THE SCHOOLING OF HIRED LABORERS

Children are often hired to do farm work when school is in session, particularly in trucking sections. In places where farmers' children do much work in the fields hired children living in the neighborhood of the farms are not kept out of school for work quite as much as farmers' children are. However, they often have long absences. In the Maryland and also in the New Jersey truck-farming districts studied by the Children's Bureau half the local children hired for farm work had been absent in order to work, and their absences had averaged about one school month whereas in each place more than half (in New Jersey two-thirds) of the farmers' children had had absences for work, the average absence being longer than one month. Negro children in the Norfolk district are often regular farm hands who do not attend school, and of those who are enrolled in school a large proportion are absent many days in order to work. Those who had been absent for work on the crops had an average absence for work of about five school weeks. City children hired as day laborers to work on truck farms near Chicago and on the tobacco crops in the Connecticut Valley miss very little time from school on account of their work, as most of the work comes during school vacation.

In almost every locality local children working as hired hands on the farms are seriously retarded in school, as Table 30 (p. 74) shows.

On the tobacco and cotton plantations of the South, as on the grain farms of the West, comparatively few children are hired for farm work, and in the sugar-beet districts of Colorado and Michigan, as on the fruit ranches of the Pacific Coast States, the larger number of hired child workers are migratory children.

One of the most serious effects of migratory farm work on children is its interference with their schooling and with normal home and community life. The children leave school in the spring to go to the farms, and it is often November or later before they return; where the families have no settled home even in the winter but follow the crops the year around, the children are never long enough in one place to enter school or else they are enrolled in so many different schools during the year that they are unable to make any progress.

The beet-field workers are likely to be withdrawn from school for the exodus to the beet fields in March, April, or May, not to return until November or December, and sometimes even January. A Children's Bureau study of the school attendance of Colorado beet-field workers attending school in Denver, Colo., and Lincoln, Nebr., showed that these migratory children had attended school only from 42 to 68 per cent of the term. In a study of farm-labor families in Denver made by the National Child Labor Committee it was found that 597 children of compulsory school age in families leaving Denver for farm work in the spring of 1925 or returning from farm work in

the fall of 1924 had attended school an average of only 43 per cent of the term. More than two-fifths of the migratory beet-field workers included in the Children's Bureau study in Michigan and Colorado were retarded in school. Comparison of the children working in the beet fields with nonworking children based upon the school records of several thousand children showed that the percentage of retarded children was 20 to 30 per cent higher among the employed than among the nonemployed children.

The bean pickers and other migratory child workers on the truck farms of Anne Arundel County, Md., had lost from four to six weeks of the school term in Baltimore because they had withdrawn from school to go to the country, and 70 per cent of these workers were below the grades in which they should have been.

In Washington and Oregon the beginning of the hop harvest in September coincides with the opening of the schools in many places from which the migratory workers come, and the strawberry season in June in some sections of Washington and Oregon begins before all the schools are closed. Children in families which follow the crops suffer most from irregular attendance, as they either do not go to school at all in the districts where their parents find work or else go irregularly to several schools in one year. Although county attendance officers and local school boards in some districts make unusual efforts to get the migratory children to go to school, in families which move from county to county and from State to State the children's schooling is at the mercy of the parents' standard of what schooling is necessary. Fifty-three per cent of the migratory workers in districts in Washington and Oregon included in the Children's Bureau survey had missed at least one school month, twice as many in proportion as local workers who had lost as much time as that from school, and from 26 to 60 per cent of the migratory workers were retarded in school.

Although the actual time worked by the migratory children in southern New Jersey is seldom more than three months, the work extends over a period beginning sometimes as early as March and lasting until after the cranberry harvest in October or November. The Children's Bureau survey showed that as a rule no effort was made to send the children imported for farm work to school during their residence in New Jersey. The local school authorities assumed no responsibility, on the ground that the children were not residents of the State. The farmers were not usually interested in getting the children in school, as they felt that they needed the children's work in order to get their crops to market. Parents were for the most part intent primarily upon the money that the children's labor added to the family income, which would have been diminished if the children of the family had been compelled to spend part of the day in school.

Half the migratory children included in the Children's Bureau study in New Jersey had lost 8 weeks or more from school, and about 29 per cent had lost at least 12 weeks. The average absence for farm work was 43 days. Three-fourths of the children were retarded in school.

A supplementary study of 869 Philadelphia school children leaving school to work on farms, principally in New Jersey, showed that the average school attendance of these children was only between 70 and 75 per cent of the term, and 18 per cent of them had attended school less than 60 per cent of the term. The average absence for farm work was between 15 per cent and 20 per cent of the school year. Almost three-fourths of these children were below the standard grades for their ages.

## IS FARM WORK GOOD FOR CHILDREN?

Whether or not the work that children do on farms is physically harmful depends on many things—whether, for instance, the work is too heavy for their years and physical development or too long continued, whether it is hurried and therefore conducive to overstrain and excessive fatigue, whether it is of a kind that requires unnatural postures for long periods or causes overdevelopment of one set of muscles at the expense of others. Whether it is otherwise harmful depends on the time and energy it may take that should be devoted to education and training and to free, spontaneous play, which to the developing child is not merely recreation but life and growth itself. For city children migrating for farm work the exposure while in the country to promiscuous and insanitary living conditions, even though temporary, and the recurrent interruption of their home and community life are serious disadvantages in the work.

Little is known concerning the effects of excessive farm work on the health and physical development of children. Comparatively few probably suffer injuries that appear to be connected with the work they do—like the little girl who complained that her “back was getting crooked from working in the beets” or the boy whose father said, “He got a rupture; we put him too young at the plow.”

One of the few studies of the physical condition of boys and girls working on farms, a study of children working in the beet fields of Colorado, made by the Children's Bureau, showed that two in every three had winged scapulae or protruding shoulder blades. This percentage is as high as was found among children applying for clinical care in a large hospital and much higher than that among groups of healthy children studied in children's institutions. Flat foot was two or three times as prevalent among the beet-field workers as among other children. Both of these conditions may be brought about by undue strain on immature muscles. The children examined were largely farmers' children whose working conditions were in general better than those of contract laborers.

A report of the committee on rural recreation of the National Country Life Association concludes that although farm work provides for an abundance of physical exercise in the open air, farm boys and girls do not develop symmetrically. Farm work seems to overdevelop the major or fundamental muscles, while the finer or accessory muscles are neglected and young men reared on farms tire more easily than young men reared in cities. These conclusions were based

in part on the fact that farm boys in the Army camps were slower to respond to play stimuli and reached the point of fatigue more quickly than city boys in activities that required the use of the whole body.

J. Mace Andress, in *Health Education in Rural Schools*, says:

The work that the [farm] boy does with his hands is frequently pulling weeds, hoeing, or the like. Such work tends to cramp the chest and bring the shoulders forward. If he drives a team he sits on a seat that has no back and assumes a cramped position. Children on the farm may develop considerable muscular strength, but this is becoming less important each year. There is little exercise which develops vital strength, vigor of heart, lungs, and digestion.

How seriously farm work interferes with schooling has been shown again and again, especially in the case of boys of 12 or over. Boys whose farm work cuts short their school days are not being given a fair chance in life, for in farming, as in every other industry and business, education pays. The successful farmer of to-day needs at least a high-school education; he must be prepared to understand and adopt improved business marketing methods, and have an understanding of the economic and social questions involved in agriculture. His ranks must furnish the leaders to further his interests. Agriculture offers large opportunities for leadership to those with the proper qualifications and training.

Staying away from school to work on the farm is sometimes defended on the ground that farm work provides valuable training. The social and moral value for growing boys and girls of almost any work, providing it is not too hard or otherwise injurious, especially work that is done to assist parents, can not be gainsaid. Much of the farm work that children do is not educative in any other sense. The work that thousands do, especially in the one-crop sections, is not of a kind to train them to be better farmers than their parents.

So much for the farm boy or girl. As for the city child whose schooling is interrupted in order that he may thin or pull beets, weed onions, or pick berries, tomatoes, cotton, hops, or tobacco, his work is mere drudgery, wholly lacking in any element of training for his future in the ranks of urban workers.

## THE OUTLOOK FOR CHILDREN IN AGRICULTURE

Children who do a reasonable amount of farm work, suited to their years and under the supervision of their parents, are fortunate. Such work inculcates habits of industry and develops family solidarity, both desirable objectives in any system of child training.

But what of the overworked child on the home farm? His disappearance is not to be expected as a result of prohibitive legislation. Apart from the fact that the majority of the children are working for their parents and public sentiment is opposed to interference in such circumstances, the administration of child-labor laws regulating the employment of children in agriculture presents serious difficulties. Agricultural employment of necessity is spread over considerable areas, and laborers even on one farm are often working in widely separated fields, so that efficient inspection is difficult and costly if not impossible.

Other means must be depended upon to protect child workers on farms. Among these is the strict enforcement of adequate compulsory school attendance laws. For the effective enforcement of school-attendance laws in rural districts a larger unit of school administration is advocated in which the personal element is less influential than under the district system. Ten States now have a county-unit form of administration in which the county rather than the district school authorities are responsible for enforcing compulsory school attendance. But the greatest effectiveness demands that the county unit be reinforced by State authority. In some States, among which is Connecticut where the law provides for State agents to assist in and supervise the local enforcement of the law, help is now given by the State.

Until the individual farmer is converted to the importance of education he should be compelled by law to send his child to school, but improvement in rural schools would be a great help. The school must take an important place in the life of the rural community, and this can be looked for only when its work is conducted and supervised by specially trained men and women acquainted with rural conditions and able to awaken the interest of parents as well as children. Too often rural teachers neither understand nor are interested in rural life, and are not prepared to assume educational leadership in a rural district.

One of the most obvious and at the same time most important ways of reducing excessive child labor on farms is to lengthen the school



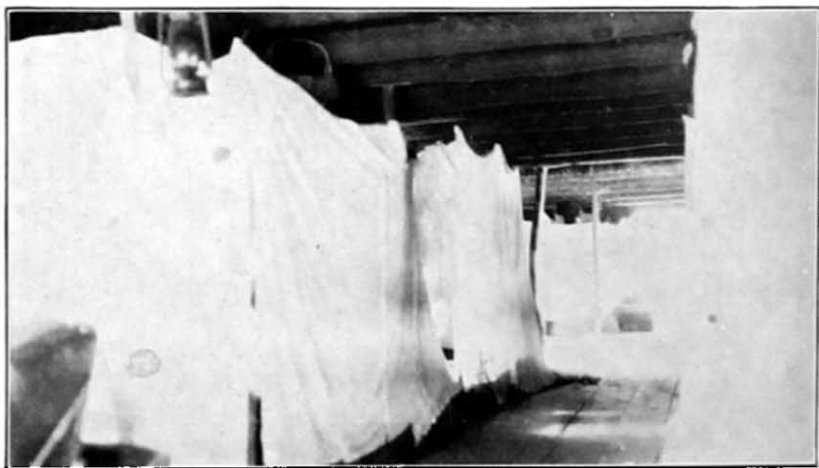
SHANTY IN SEASONAL WORKERS' CAMP, HOUSING 95 PERSONS, MARYLAND TRUCK FARM

[Dimensions, approximately 60 by 20 by 16 feet]





FAMILY SECTIONS IN SEASONAL WORKERS' SHACK SEPARATED ONLY BY  
BOARDS 10 INCHES HIGH (MARYLAND)



INTERIOR OF SHANTY CURTAINED FOR PRIVACY BY THE WORKERS  
(MARYLAND)

term. Possibly some adaptation of the school term to the needs of farm labor in the community may be found necessary. Such adjustments may result in many rural children receiving eight or nine months' schooling a year where they now receive but half that amount. But before taking this step school authorities should be certain that, as one county farm bureau phrases it, the demand for child labor is not more a habit than a need, for the broken school year has its drawbacks.

Improvements in rural schools and extension of school terms of course demand more adequate financial support than is now given. The United States Bureau of Education in a recent biennial survey says:

Two important factors are more clearly and widely recognized than ever: Local support as the sole dependence for rural schools is inconstant, inadequate, and inequitable; and rural schools frequently, from causes inherent in rural conditions, cost more rather than less than urban schools, if equally efficient. \* \* \* The unusual interest in questions of the adequacy and method of support of schools in rural communities, growing during the decade, culminated in unwonted activity during the biennium [1925-1926] in all matters concerned with State school funds and their distribution.

Farm parents must be educated in regard to the importance of training and of recreation, if the country child is to be given a fair chance. The boys' and girls' clubs conducted by the cooperative extension service of the United States Department of Agriculture and the State agricultural colleges, in which 600,000 farm boys and girls are now enrolled, are valuable potential agencies, provided leaders do not lose sight of educational objectives, in bringing about the enlightenment of farm parents and in training farm children. Somewhat similar results may be expected from the home-project movement for giving credit in schools for work done at home, in which the father instructs the boy how the work should be done and the school finds ways of making the performance of the work a part of the boy's education. In these ways parents come to realize that some kinds of farm work and ways of doing it are educative and other kinds are not, with the result that the children may be assigned to work of the more educative sort.

Farm organizations, too, may do their part in raising the standards of education and training that the individual farmer will seek for his children.

Finally, the welfare of children on farms, including the amount and kinds of work they do and the opportunities for schooling that they get, is bound up with the economic welfare of the farmer and a satisfactory solution of his problems. If he is trying to make a living on a farm that can not be expected to yield adequate returns, and he has no skill in farm management and can work profitably only when directed and supervised, the sooner he abandons farming the

better. The standard of living for the farmer will be raised, and the opportunities enjoyed by his family will be increased, by anything that tends to restrict the number of low-grade farm operators.

As for the employment of children in gangs in industrialized types of agriculture, the possibility of restricting the age at which they may work and their daily hours of work claims serious consideration, in spite of the difficulties presented by any regulation (see pp. 50-52). An indirect approach to the regulation of children's work in this type of agriculture, as in work on home farms, may be made through compulsory school attendance laws. But this, also, has its difficulties. The school authorities in the cities from which migratory workers go out to work on the farms usually do not attempt to follow up children leaving the city, and the local schools in the farming communities to which they go are apt from financial and other reasons to ignore the presence of children who come in for farm work, though their residence in some instances covers a considerable part of the school year.

An effort to provide schooling for migratory child workers by legislative methods was made in 1927 by the introduction in the New Jersey and Pennsylvania Legislatures of bills making it unlawful for nonresident children to be employed during the time when the laws of the State of the child's residence require his attendance in school. These bills were proposed as a result of several conferences between school and labor authorities of Pennsylvania and New Jersey and certain welfare interests of the two States; and it was hoped that after these States had taken the lead, similar legislation would be passed in the neighboring States of Maryland and Delaware. Neither bill became law, however.

In Nebraska the department of public welfare found that the beet-sugar companies, not being able to depend on advance contracts, were taking the families to the fields in the spring from two weeks to a month before their services were needed, in order to be certain of securing the labor before some other company had a chance to do so. The children thus lost considerable time from school at the end of the school year. In an attempt to check the spring migration the department adopted the following method: By cooperation with the school authorities and with the beet companies, a date was fixed which was to be the earliest that the children should be taken out of school. In this way the beet companies were assured that they would have a fair chance to get the labor when the time for shipment arrived. The date agreed upon was only four or five days ahead of the time when the schools regularly closed, but early enough to get the help to the field by the time it was really needed. In 1925 resident parents of Lincoln and several other cities who attempted to leave with their children before this date were prosecuted, the

sentences being suspended provided they did not leave until after the date fixed. This action of the court stopped the exodus. In the spring of 1926 four fathers left Lincoln with their children in advance of the date agreed upon. Complaints were filed against them, and in the autumn on their return three of them (intention to return was not established in the case of the fourth) were each fined \$5 and costs. The costs included the expenses of an officer sent by the court from Lincoln to the beet fields in western Nebraska so that each man paid a fine of approximately \$53. In the plan which the department of public welfare has recommended to local school officials removal of children before the close of school is not sanctioned, but the policy of prosecuting all parents leaving before the chosen date and of not initiating prosecutions after that date is recommended as the best method of insuring maximum attendance of the children.

In California, in accordance with an act of the legislature of 1921, special schools were established and maintained from September, 1921, to January, 1923, for migratory children in the various harvest centers of the State, particularly in areas where walnuts, cotton, and asparagus were extensively grown. As a result of this experiment the State board of education arrived at the following conclusions in regard to the schooling of migratory children:

The conclusion of first importance \* \* \* is that for the school attendance of the children of migratory laborers a separate system of State schools is neither necessary nor desirable.

It has been found that under certain conditions of preparation and cooperation the existing public-school system can be stretched to make room for the migratory children during their successive periods of stay in different districts, and that this can be done without undue financial burden upon any one district and without school confusion for the resident children.

The conditions are:

(1) Each county subject to seasonal influx of family labor must have the services of a competent full-time supervisor of attendance who, through cooperation with growers' associations, farm advisers, and labor agencies, can anticipate the approximate number of children needing additional school facilities and can assist the trustees in providing them; who can make the compulsory education law known to parents and employers and who can interpret the emergency needs of a district to the county superintendent of schools.

(2) The financial burden should be shared by district and county—the district providing building, equipment, and supplies, and the county (from the supervision and emergency fund) paying the salaries of additional teachers at least for the first year. In the initial year, when there has been no preceding increased attendance to furnish additional school funds, the school building has sometimes proved a financial difficulty and has led to the use of tents, partitioned-off ends of warehouses, empty houses, and the like. At times the growers have come to the rescue and provided housing. In fact, the most successful schools have had this assistance. Such aid is entirely optional with the growers, but when it has been given, school attendance has been increased by their interest and a better school has attracted and held better labor.

After the first year or two the individual districts profiting by the returns on increased average daily attendance are able to carry on the work as part of the regular school business of the district and to make budgetary provision therefor.

(3) There should be separate ungraded classes for all children who can not slip easily into the regular school because of language handicap or retardation. \* \* \*

(4) When the agricultural work is very light and without hazards, there should be an adjusted school day beginning not later than the field work. This provides for the whole family leaving the camp at the same time, the adults going to the field and the children to school. It safeguards the children against working before school and from being left alone at the camp. It also means that the school day is over when the midday meal is ready. It provides also that the children may work in the afternoons. The last is not a concession to child labor; it is a concession to labor-camp life. The whole adjustment is made in view of what seems best for the child in relation to his camp life and arranges that when he is not in school he is with his family. The school session comes first and is a full session meeting regular requirements of time for study and recreation. The hours remaining for work can not then exceed five.

(5) There should be a State representative who cooperates with county superintendents of schools, county supervisors of attendance, growers' associations, and labor-supply agencies in making the enforcement of school attendance law uniform, and in demonstrating to the heads of families that this law is operative in every district in the State and can not be evaded by changing camp.

The second conclusion reached was that, while the school attendance of migratory children could be secured while in each harvest, their education by such start-and-stop method was a doubtful accomplishment. Even with the hundred per cent efficiency that would enroll the child upon arrival and keep him in attendance until departure, the time lost in transit between camps and the confusion incident to changes in teachers, school building, playgrounds, and the like would allow for little school progress.

It would appear that the problem of the education of migratory children must be approached not only with the mechanics of their school attendance in mind but with the whole question of their migration as well. To this end it is recommended that the State department of education cooperate to the fullest degree possible with any effort to lessen the areas of migration of the followers of the fruit.

The provision of suitable living quarters for migratory workers may be expected through State regulation of labor camps, judging from the success of some of the States in improving the housing of seasonal laborers. These attempts to cope with the problem of the schooling and housing of migratory child workers, though not furnishing a solution, indicate a growing appreciation of the importance of the situation. It is hoped that the present problems are temporary, that through the development, in towns in the vicinity of farming areas, of supplementary industries that require large numbers of seasonal workers, a local adult labor supply may become available. By cooperative arrangement for the daily transportation of laborers from the towns to the farms when needed this labor supply could serve a large farming area, and children of such farm laborers would grow up not as nomads but as residents of the towns that serve these agricultural districts.



HOUSES FOR WORKERS ON LARGE TRUCK FARM, SOUTHERN NEW JERSEY  
SHANTY HOUSING 47 PERSONS, SOUTHERN NEW JERSEY



COOKING ARRANGEMENTS, HOP PICKERS' CAMP, WILLAMETTE VALLEY, OREG.

## LEGAL REGULATION <sup>1</sup> OF THE EMPLOYMENT OF CHILDREN IN AGRICULTURAL PURSUITS<sup>2</sup>

Few State laws apply specifically to the work of children in agricultural pursuits. Although in a number of States general child-labor laws, particularly those affecting the work of children during school hours, apply to "any gainful occupation" or "any occupation" and so would nominally cover the employment of children in farm work, the only regulation of this type of child labor in most States is that which results indirectly from the operation of the general requirements of compulsory school attendance laws. In six States, however—Massachusetts, Nebraska, New York, Ohio, Pennsylvania, and Wisconsin—specific regulatory provisions of one kind or another affecting the employment of children in agricultural work are found in the child-labor or the compulsory school attendance laws. (See pp. 50–52.)

### COMPULSORY SCHOOL ATTENDANCE LAWS

Compulsory day-school attendance laws,<sup>3</sup> applicable in most States to children up to 16 years of age<sup>4</sup> indirectly affect the work of children on farms. This is true, of course, only to the extent that their provisions are strictly enforced, and special difficulties of enforcement often exist in rural districts. Many school-attendance laws, also, contain general exemptions permitting children to be excused for "sufficient reasons," "satisfactory reasons," or "necessary absence," which might be used to cover absence for farm work.

The following compulsory school-attendance laws have provisions specifically permitting the exemption of children for farm work without regard to age:

*Georgia:* Child may be excused temporarily for "good reasons," the sufficiency of which shall be determined by the county or city board of education of the county or city in which the child resides. These boards are authorized to take into consideration the season for agricultural labor and the need for such labor in excusing children in farming districts.

*North Carolina:* The State board of education shall prescribe under what circumstances teachers, principals, or superintendents may excuse pupils for nonattendance due to "immediate demands of the farm and the home in certain seasons."

The following exemption affecting children working at home might be used to permit children to engage in agricultural work during school hours on the farm where his parents reside without regard to age:

*South Dakota:* Child who has completed the sixth grade may be excused from attendance at school for not to exceed 40 school days between April 1 and November 1, if there exists an extreme need for his assistance at home.

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<sup>1</sup> State laws as of May 1, 1928, so far as available on that date.

<sup>2</sup> This section was prepared by Ella Arvilla Merritt, specialist in legal research, Industrial Division, Children's Bureau, U. S. Department of Labor.

<sup>3</sup> Many of the compulsory continuation-school attendance laws also would nominally cover children employed in farm work, but continuation schools are not likely to be established in rural districts.

<sup>4</sup> In Arkansas the school-attendance requirements extend only to 15 years of age, and in Georgia, North Carolina, South Carolina, Texas, and Virginia they extend only to 14 years of age.

The following similar exemptions are applicable only to children 14 years of age or over:

*Minnesota:* Except in cities of the first or second class, child 14 years of age or over whose help is required in permitted occupations in or about the home of his parent or guardian may be excused from attendance at school between April 1 and November 1.

*Ohio:* Child 14 or over may be excused from school attendance for a limited period to perform necessary work directly and exclusively for parent or legal guardian, such excuse to be granted under regulations formulated by State department of education.

*West Virginia:* Child 14 or over may be excused from school attendance on written permission from city or county superintendent of schools to engage in profitable employment at home.

### CHILD-LABOR LAWS OF GENERAL APPLICATION

Many State child-labor laws either specifically exempt agricultural pursuits or regulate only certain specified establishments and occupations, among which agricultural work is not included. Certain States, however, have general child-labor provisions applying to "any occupation" or "any gainful occupation," or any "place of labor," from which agricultural work is not specifically exempted. But the administrative difficulties of applying to farm work a system of regulation adapted primarily to the control of child labor in industrial and commercial establishments are so great that these provisions, particularly as related to work outside school hours and to hours of labor, are not usually enforced against children engaged in agricultural pursuits.

These general child-labor provisions relate to minimum age, to employment certificates, to hours of labor, and to night work. They may be classified as follows:

#### 1. Minimum age during school hours: <sup>1</sup>

Alabama.....	14	Indiana <sup>2</sup> .....	14
Arizona.....	14	Kansas <sup>2</sup> .....	14
Arkansas <sup>6</sup> .....	14	Kentucky.....	14
California <sup>7</sup> <sup>8</sup> .....	15	Maine.....	15
(Child 14 may leave school for work on special permit if he has completed the eighth grade and his earnings are needed for support of family.)		Massachusetts (see also p. 50).....	14
Connecticut <sup>3</sup> .....	14	Minnesota <sup>5</sup> .....	14
Idaho.....	14	Montana.....	14
(Compulsory school attendance law apparently raises this age to 15.)		Nebraska (see also p. 50).....	14
Illinois <sup>9</sup> .....	14	Nevada.....	14
		New Mexico.....	14
		New York (see also p. 50).....	
		North Dakota.....	14
		Oregon.....	14
		Pennsylvania (see also p. 51).....	14
		Tennessee.....	14
		West Virginia.....	14

<sup>1</sup> In some of these States this provision may be interpreted to apply to all work during the school term.

<sup>2</sup> Law applies not only to work during school hours but also to work at any time in any remunerative occupation, except that during school vacation child under 14 may be employed by his parent or guardian in "occupations owned or controlled" by him.

<sup>3</sup> Act applies to specified establishments and to "any other place of labor."

<sup>4</sup> The minimum age is 16 unless child has completed a specified grade: California, seventh grade; Connecticut, sixth grade (local school board may raise grade requirements for children leaving school for work); Indiana, Kansas, and Minnesota, eighth grade.

<sup>5</sup> This provision in the Illinois law is that no minor under 14 years of age shall be employed at any work performed for wages or other compensation "during any portion of any month when the public schools \* \* \* are in session." According to information received from the bureau of labor statistics of the Illinois Department of Labor, this provision is not interpreted by the department to apply to farm work.



For provisions in New Jersey, Ohio, and Wisconsin affecting the minimum age for employment during school hours see page 48. In Rhode Island the compulsory school attendance law requires attendance at school of all children not physically or mentally disqualified up to 15 years of age<sup>10</sup> and up to 16 years of age unless they are employed.

2. *Employment-certificate provisions.*

As in case of the minimum-age laws the requirement of an employment certificate under some State laws is apparently broad enough in its application to cover the employment of children in any occupation or any place of labor or in any gainful or remunerative occupation, at least during school hours. This is the case in eight States.<sup>11</sup> In four other States (Massachusetts, New York, Ohio, and Pennsylvania) special certificate provisions apply to children going to work in agriculture (see pp. 50-52). In New Jersey the compulsory school attendance law, by requiring all children not physically or mentally incapacitated to attend full-time school up to the age of 16 unless they are 14 and have been granted age and schooling certificates for regular employment, would require such a certificate for employment in any occupation during school hours. In six States (California, Montana, Nevada, Oregon, Utah, and Washington) the work-permit requirement under the continuation school law applying to employed children up to 18 years of age (in California, Montana, and Washington, effective only where continuation schools are established) might be construed to cover employment in all types of occupations.

3. *Maximum hours of labor and prohibitions of night work.*

Arkansas, California, Colorado,<sup>12</sup> Illinois,<sup>13</sup> Minnesota, New Mexico,<sup>14</sup> and Oregon have provisions fixing a maximum 8-hour day and 48-hour week<sup>15</sup> and prohibiting night work (that is, work between specified hours), applying to employment of children under 16 in any occupation, or any gainful occupation, which do not specifically exempt agricultural pursuits. In Idaho the provisions for a maximum 9-hour day and 54-hour week and the night-work prohibition applying to employment of children under 16 in any gainful occupation do not exempt agricultural pursuits. Additional restrictions are: California, total hours of schooling and labor of children under 16 working outside school hours shall not exceed 8; Massachusetts, employment of child under 14 at any work<sup>16</sup> between 6 p. m. and 6.30 a. m. is prohibited; Ohio, not more than 9 hours per day is permitted for both school and employment for child under 16, when child is

<sup>10</sup> Exempting only those excluded "by virtue of some general law or regulation."

<sup>11</sup> Arkansas; California (set applies to specified establishments and to "any other place of labor"); Indiana (child can not remain at home to assist his parents, but must be actually employed); Kansas; Minnesota; Montana; New Mexico; West Virginia. The employment-certificate provision applies to children between 14 and 16 years of age in all the foregoing States except California and Maine, where it applies to children between 15 and 16 years of age, and Indiana, where it applies to children between 14 and 18. In New Mexico, however, children under 16 working for their own parents or guardians on premises or land owned or occupied by them are exempted from the provision requiring employment certificates. In West Virginia written permission may also be granted by the superintendent of schools under the school attendance law to child 14 or over to engage in gainful employment at home.

<sup>12</sup> Child between 14 and 16 (between 12 and 16 during summer vacation) may apparently be exempted on special permit.

<sup>13</sup> This provision in the Illinois law is that no person under the age of 16 years shall be employed "at any gainful occupation" for more than 6 days a week or 8 hours a day, or between 7 p. m. and 7 a. m. According to information received from the bureau of labor statistics of the Illinois Department of Labor this provision is not interpreted by the department to apply to farm work.

<sup>14</sup> Child working for parent or guardian on premises or land owned or occupied by him is exempted.

<sup>15</sup> In New Mexico a 44-hour week, except under special circumstances, in no instance to exceed 48 hours a week.

<sup>16</sup> In Commonwealth v. Griffith, 90 N. E. 394, the word "work" was given a broad signification.

attending school and working outside school hours, and not more than 4 hours per day for child under 14.

For provisions in Nebraska and Wisconsin limiting hours of labor in specific agricultural occupations, see below.

#### LAWS APPLYING SPECIFICALLY TO FARM WORK

Varying types of child-labor laws with definite application to agricultural work are found in six States—Massachusetts, Nebraska, New York, Ohio, Pennsylvania, and Wisconsin.

**Massachusetts:** No child under 14 shall be employed at work performed for wage or other compensation during the hours when the public schools are in session.

A child between 14 and 16 who wishes to leave school for farm work is required to obtain a special certificate issued by the superintendent of schools. To secure this certificate he must present the same evidence of age as is required for a regular employment certificate, must have a physician's certificate of physical fitness, and must be able to meet the requirements for completion of the sixth grade of the public schools. A child 14 years of age or over who possesses the same educational qualifications may be excused from school attendance by the superintendent of schools to engage in "profitable employment at home," after investigation of the nature and necessity of the work in which the child is to engage.

The employment of a child under 14 at any work <sup>17</sup> between 6 p. m. and 6.30 a. m. is prohibited.

**Nebraska:** Work in beet fields is included among the occupations for which a maximum 8-hour day and 48-hour week is fixed and in which night work between 8 p. m. and 6 a. m. is prohibited.

The child labor law also prohibits the employment of children under 14 in any gainful occupation during school hours (thus covering farm work during the hours when schools are in session).

**New York:** A minimum age of 14 is fixed for any employment in or in connection with or for factories, canneries, or other specified establishments and occupations, and for any employment in or in connection with or for any other trade, business, or occupation carried on for pecuniary gain, except that a child 12 years of age or over may be employed in farm work for his parent, guardian, or custodian <sup>18</sup> at such times as he is not required by law to attend school.

A child between 14 and 16 years of age employed in agricultural pursuits by any person other than his parent, guardian, or custodian must obtain the same type of employment certificate as is required for employment in other occupations. The requirements for this certificate are: (1) Promise of employment; (2) documentary evidence of age; (3) completion of eighth grade for child 14 and completion of sixth grade for child 15 if work is to be performed during school hours; (4) literacy test;<sup>19</sup> and (5) certificate of physical fitness. A new employment certificate is required for each new employer.

<sup>17</sup> Idem.

<sup>18</sup> Further exemptions are specified, applicable to children 12 years of age or over engaged in other outdoor work than farm work for their parents or guardians, provided such outdoor work is not connected with the establishments or occupations in which employment of children under 14 is prohibited and is carried on at such times as child is not required by law to attend school. Boys may engage in street trades at 12 years of age, outside school hours, under specified restrictions.

<sup>19</sup> Required only for minors under 16 who have not completed the work of the first seven years of the public-school course of study.

*Ohio: Employment certificates.*—No child of compulsory school age (between 6 and 18 years of age) shall be employed in any occupation during school hours, including agricultural work, without presenting an age and schooling certificate as a condition of employment. Such a certificate may be issued to (1) child 16 years of age or over who has completed seventh grade and has met certain other requirements (under certain conditions such child may obtain a "nonstandard" certificate without completion of seventh grade); (2) child 14 years of age or over who has been determined in the manner provided by law to be incapable of profiting substantially by further school instruction; (3) child under 16 who is high-school graduate (under same conditions as child 16 or over).

Notwithstanding the foregoing provisions, a child may be employed in "irregular service" without holding an age and schooling certificate. "Irregular service" is defined as follows:

\* \* \* Service not forbidden by Federal child-labor laws which (a) does not involve confinement, (b) does not require continuous physical strain, (c) is interrupted with rest or recreation periods, and (d) does not require more than 4 hours of work in any day or 24 in any week. The health commissioner of the district in which employment is afforded to any child shall determine whether the employment involves confinement or requires continuous physical strain so that it can not be deemed irregular service within the meaning of this section.

For employment in agricultural pursuits at other times than during school hours no employment certificate is required.

*Compulsory school attendance.*—The compulsory school attendance law affects employment in agricultural pursuits by requiring children to attend school or receive equivalent instruction elsewhere during the entire session between the ages of 6 and 18 years with certain exemptions, and prohibiting the employment in any occupation during school hours of any child required by law to attend school. The exemptions permitted are:

- (1) Child has graduated from a high school of the first grade;
- (2) child is employed on age and schooling certificate (which can not be obtained for work during school hours until child is 16, except in case of high-school graduate or child determined incapable of profiting substantially by further instruction); (3) child has been determined incapable of profiting substantially by further instruction (such a child, if under 14, may not be employed more than 4 hours a day); (4) child 14 or over may be excused for limited future period to perform necessary work directly and exclusively for parent or legal guardian under regulations of State department of education; and (5) child's bodily or mental condition does not permit his attendance at school.

*Hours of labor.*—No child under 14 shall be employed more than four hours in any one day, and no child under 16 shall be engaged in school and employed more than nine hours in any one day.

*Pennsylvania:* The compulsory school attendance law requires a child between 14 and 16 who wishes to leave school for farm work to obtain a special type of employment certificate, issued in accordance with regulations prescribed by the State superintendent of public instruction. To secure this certificate he must have completed the sixth grade and must present the same evidence of age as is required for an employment certifi-

cate, and it must be shown that his services are demanded by the urgent need of his family.

The employment of any child under 14 in any gainful occupation during school hours is prohibited.

*Wisconsin:* A law passed in 1925 gives the State industrial commission, which enforces the child labor law as well as other labor laws, power to fix reasonable regulations relative to the employment of children under 16 years of age "in cherry orchards, market gardening, gardening conducted or controlled by canning companies, and the culture of sugar beets and cranberries, for the purpose of protecting the life, health, safety, and welfare of such children." Under this law the following regulations relating to the work of children in the culture of sugar beets have been made, effective April 9, 1926:

*Order No. 1.*—No minor under the age of 14 years shall be employed or be permitted to work in the culture or harvesting of sugar beets more than 8 hours in any one day, nor more than 48 hours in any one week, nor before the hour of 7 o'clock in the morning, nor after the hour of 7 o'clock in the evening.

*Order No. 2.*—No minor under the age of 14 years who has not completed the eighth grade in school shall be employed or be permitted to work in the culture and harvesting of sugar beets during the hours when the public schools are in session in the school district in which such minor is actually living during the beet culture and harvesting season.

*Order No. 3.*—Companies engaged in the manufacture of beet sugar and who arrange contracts between the growers and the families who are to perform the work shall send to the Industrial Commission the following information when the family is finally placed with the grower:

(a) Name and address of the field agent; (b) name, location, and address of each family under his supervision; (c) last residential address of each migratory family; (d) name and age of each child under 16 years of age in the family; (e) name and address of grower with whom contract is made; (f) name or number of the school in the district.

*Order No. 4.*—Companies engaged in the manufacture of beet sugar who arrange contracts between the growers and the families who are to perform the work, shall advise parents and growers of the provisions of these orders.

The compulsory school attendance law requires children not physically disqualified to attend full-time day school (or receive equivalent instruction) up to 16 years of age, with these exemptions: Children who have completed the eighth grade; children living at a specified distance from any school, no transportation being provided; children having a legal excuse; children who have reached the age of 14 and are regularly, lawfully, and usefully employed.

STATE REGULATION OF LABOR CAMPS<sup>10</sup>

State laws specifically regulating camps for housing industrial workers<sup>11</sup> or giving some State board specific power to make such regulations, are found in the following States:

- California (all labor camps).
- Delaware (cannery camps only).
- Idaho (camps connected with canneries or food-manufacturing plants).
- Kentucky (all labor camps).
- Maryland (cannery camps only).
- Michigan (not clear whether all labor camps or only factory—including cannery camps).
- Minnesota (all labor camps).
- New Mexico (all labor camps).
- New York (department of labor regulations cover camps for factory (including cannery) workers; board of health regulations cover all labor camps).
- Pennsylvania (all labor camps).
- Utah (all labor camps).

In addition, it is known that in the following States regulations have been made by State boards under general powers:

- Oregon (hop yards, berry fields, orchards, and packing houses, where women or minors are employed).
- Washington (all labor camps).

The Minnesota, New Mexico, and Pennsylvania laws consist of general grants of power to regulate the sanitary conditions of all types of industrial or labor camps, this power being given to the State board of health in Minnesota, to the State department of public welfare in New Mexico, and to the commissioner of labor and industry in Pennsylvania. The rules prescribed in Pennsylvania apply to all types of labor camps and cover sanitary conditions in all living quarters, including shacks and tent bunk houses. A license must be obtained from the department of labor and industry for the operation of such a camp, the license to be renewed each year. The rules cover the material and the construction of the buildings, window space, ventilation of sleeping rooms, doors, screens, space requirements, sleeping accommodations, beds, air space of sleeping rooms, garbage disposal, water supply, washing, bathing and laundry facilities, toilets, and drainage.

The Delaware and Maryland laws relate only to camps for cannery workers, being in each case a part of a general law relating to the sanitation of canneries<sup>12</sup> under the jurisdiction of the cannery inspector in Delaware and of the State board of health in Maryland. In both States the legal provisions are general, specifying that living quarters shall have waterproof roofs and tight board floors and shall be provided with ample light and ventilation, that provisions shall be made for proper separation and privacy of the sexes, that there shall be adequate drainage, and that the surroundings must be kept in a clean and sanitary condition. The Maryland law contains the additional requirement of an ample supply of pure drinking water.

<sup>10</sup> Information as to laws and regulations as of Jan. 1, 1927.

<sup>11</sup> Omitting laws relating only to camps for workers on highways and public improvements and those relating only to boarding houses for laborers.

<sup>12</sup> In Maryland the law also covers factories, bakeries, etc., but the provisions as to camps apply only to canneries.

The Idaho law applies to establishments where foods and food products are manufactured, preserved, or handled, and requires that where living quarters are provided for employees by the manufacturer, these quarters shall be screened and supplied with ample ventilation, clean water, and sanitary sewage disposal.

The Michigan law, which is part of the general factory law, is administered by the department of labor and industry. It applies to "any employer engaged in construction of railroad or other work" and relates to premises for sleeping or living accommodations furnished by the employer for his employees, requiring that they "shall be maintained in a cleanly and sanitary condition and kept sufficiently heated and well lighted and ventilated." The application of the provision is somewhat doubtful, as the powers of inspection given in the act are limited to factories (including canneries), stores, and hotels. The law creating the department of labor, however, gives the commissioner and his appointees under his direction power to inspect "all manufacturing establishments, workshops, hotels, stores, and all places where labor is employed."

The New York law empowers the industrial commissioner to enter and inspect all labor camps but gives the department of labor power to regulate sanitary conditions of such camps only in case of an employer conducting a factory<sup>28</sup> and furnishing to his employees living quarters at a place outside the factory. The employer is required to maintain such living quarters in a sanitary condition and in accordance with rules adopted by the State industrial board (a division of the department of labor). The rules promulgated by the board cover construction of living quarters, air space and windows, beds, bathing facilities, toilets, water supply, drainage, number of rooms per family, sleeping accommodations, garbage and sewage disposal, cleanliness, and other sanitary conditions. In addition to these regulations, there should be considered also the regulations established by the State public-health council for labor camps in general (Chapter V of the Sanitary Code). These require that notice of any labor camp occupied by five or more persons shall be given to the local health officer, and a permit must be obtained if the camp is to be occupied by more than 10 persons for a period of more than six days. The provisions apply chiefly to drainage, water supply, pollution of waters, sewage, waste and garbage disposal, and communicable diseases.

The California law applies to all camps where more than five persons are employed and covers sanitary conditions in bunk houses, tents, and all other sleeping and living quarters. The provisions relate to structural conditions, cleanliness, sufficient air space, beds, bathing and toilet facilities, disposal of garbage, and general sanitary conditions. The State commission of immigration and housing has charge of enforcement and has issued a pamphlet<sup>29</sup> setting out supplementary and explanatory rules, and giving detailed directions, with illustrations, as to location and layout of camps, water supply, sleeping quarters, disposal of garbage and sewage, toilets, baths, and other sanitary aspects.

The Utah law requires persons establishing temporary or permanent industrial camps of any kind to report their location to the State board of health and to comply with the regulations of that board regarding their maintenance. These regulations require a permit to be obtained if the camp is to be occupied by more than 10 persons for more than 6 days, and cover construction, water supply,

<sup>28</sup> "Factory" includes a mill, workshop, or other manufacturing establishment and all buildings, sheds, structures, or other places used for or in connection therewith, where one or more persons are employed at manufacturing, including making, altering, repairing, finishing, bottling, canning, cleaning, or laundering any article or thing, in whole or in part, except certain establishments not pertinent to the present discussion.

<sup>29</sup> Advisory Pamphlet on Camp Sanitation and Housing (Revised, 1921). Commission of Immigration and Housing of California.

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ventilation, bathing facilities, screening, toilet facilities, drainage and sewage disposal, and other sanitary conditions.

The Kentucky law creates a bureau of housing under the State board of health, to promote better conditions affecting sanitary housing, including specifically "any houses provided as part compensation for labor." Under this power the State board of health has made a ruling requiring employers of labor providing housing for their workers to furnish pure and abundant drinking water, to prevent soil pollution, and to provide adequate housing room.

In Washington the State board of health under its general powers of "supervision of all matters relating to the preservation of the life and health of the people of the State" has made detailed regulations concerning the establishment of labor camps covering location, drainage, toilets, waste and garbage disposal, water supply, construction and ventilation of bunk houses and amount of air space, and isolation of diseased persons. The site and water supply of all labor camps housing five or more persons must be approved by State and local board of health officials.

The Oregon regulations are among the rulings made by the State industrial welfare commission, under its power to establish minimum wages and standard hours and conditions of labor for women and minors. They cover hop yards, berry fields, orchards, or packing houses in which fruits, vegetables, or fish are packed, dried, or cured, and prohibit the employment of minors under 18 and women unless the specified conditions are met. These cover water supply, toilets, and garbage disposal.

It would seem that in most States the State board of health might make regulations under its general powers, as has been done in New York and Washington, and that in States where industrial commissions are given general powers to establish standard conditions of labor for women and minors, regulations such as those of Oregon might be made.

## LIST OF REPORTS ON CHILDREN IN AGRICULTURE

### Children's Bureau:

- Child Labor and the Work of Mothers in the Beet Fields of Colorado and Michigan. No. 115. 1923.
- Child Labor on Maryland Truck Farms. No. 123. 1923.
- Child Labor in North Dakota. No. 129. 1923.
- Child Labor and the Work of Mothers on Norfolk Truck Farms. No. 130. 1924.
- Work of Children on Truck and Small-Fruit Farms in Southern New Jersey. No. 132. 1924.
- The Welfare of Children in Cotton-Growing Areas of Texas. No. 134. 1924.
- Child Labor in Fruit and Hop Growing Districts of the Northern Pacific Coast. No. 151. 1926.
- Child Labor in Representative Tobacco-Growing Areas. No. 155. 1926.
- Work of Children on Illinois Farms. No. 168. 1926.

### National Child Labor Committee:

- People Who Go to Tomatoes; a study of four hundred families. Pamphlet 215. 1914.
- Child Labor in the Sugar Beet Fields of Colorado. Pamphlet 259. 1916.
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- Farm Work and Schools in Kentucky. Pamphlet 274. 1917.
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- Child Labor in the Sugar Beet Fields of Michigan. Publication No. 310. 1923.
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- Child Labor among Cotton Growers of Texas; a study of children living in rural communities in six counties in Texas. 1925.
- Children Working on Farms in Certain Sections of the Western Slope of Colorado. 1925.
- Denver and Farm Labor Families. Publication No. 328. 1925.

### Public Education and Child Labor Association of Pennsylvania:

- Pennsylvania Children on New Jersey Cranberry Farms. Publication No. 102. 1923.

### State departments:

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- "Children in beet fields." Seventeenth Biennial Report, Colorado Bureau of Labor Statistics, 1919-1920, p. 20.
- "Child labor in the beet fields of Kansas." Third Annual Report of the Court of Industrial Relations of the State of Kansas, 1922, pp. 123-124.
- "Child labor in beet fields." Biennial Report of the Department of Public Welfare, Nebraska, 1918-1920, p. 7.
- "Investigation of the employment of minors upon truck farms, particularly onion and celery farms in some localities in Ohio." Ohio Public Health Journal, September, 1915, pp. 316-325.
- "Employment of children in beet fields and cranberry marshes of Wisconsin." Women's Department of the Industrial Commission of Wisconsin, 1920-1922, p. 30.
- "Children in sugar beet fields in Wisconsin." Industrial Commission of Wisconsin. Supplement to Wisconsin Labor Statistics, October, 1923.



## TABLES

**TABLE 1.—Children 10 to 15 years of age engaged in agricultural pursuits, by sex and State**

[Fourteenth Census of the United States, 1920, vol. 4, Population, pp. 482-595.]

State	Total		Boys	Girls
	Number	Per cent of population of same ages		
United States.....	647,309	5.2	459,298	188,071
Alabama.....	77,395	22.1	49,021	28,374
Arizona.....	1,961	5.2	1,283	698
Arkansas.....	45,688	17.6	30,294	15,393
California.....	1,832	.6	1,614	218
Colorado.....	1,955	1.9	1,749	206
Connecticut.....	655	.4	328	27
Delaware.....	398	1.7	368	25
District of Columbia.....	5	(1)	5	—
Florida.....	7,120	5.7	5,271	1,849
Georgia.....	77,105	18.0	51,038	26,067
Idaho.....	1,092	2.0	1,057	35
Illinois.....	5,801	.8	5,589	232
Indiana.....	4,944	1.5	4,702	142
Iowa.....	4,184	1.5	3,970	214
Kansas.....	3,755	1.6	3,613	142
Kentucky.....	21,036	6.6	13,836	2,900
Louisiana.....	23,718	9.2	16,369	7,349
Maine.....	823	1.0	805	18
Maryland.....	3,168	1.9	3,002	166
Massachusetts.....	831	.2	793	38
Michigan.....	2,588	.9	2,324	264
Minnesota.....	4,998	1.7	4,290	408
Mississippi.....	65,863	23.9	41,660	24,203
Missouri.....	9,622	2.4	8,892	730
Montana.....	678	1.1	643	35
Nebraska.....	3,171	2.0	2,959	212
Nevada.....	42	.6	40	2
New Hampshire.....	215	.5	210	5
New Jersey.....	998	.3	890	108
New Mexico.....	1,418	3.0	1,315	103
New York.....	2,401	.2	2,297	104
North Carolina.....	50,582	13.5	34,252	16,330
North Dakota.....	2,364	2.7	1,974	390
Ohio.....	8,721	.6	8,559	162
Oklahoma.....	19,732	6.8	14,584	5,168
Oregon.....	668	.8	640	28
Pennsylvania.....	5,523	.6	5,137	386
Rhode Island.....	119	.2	119	—
South Carolina.....	56,929	21.2	33,806	23,414
South Dakota.....	1,928	2.5	1,748	180
Tennessee.....	32,326	10.0	25,747	6,579
Texas.....	69,031	10.7	45,862	23,169
Utah.....	1,477	2.4	1,444	33
Vermont.....	310	1.3	286	24
Virginia.....	15,801	5.0	13,630	1,871
Washington.....	1,024	.7	947	77
West Virginia.....	4,112	2.1	3,724	388
Wisconsin.....	5,471	1.8	5,187	284
Wyoming.....	307	1.5	285	22

<sup>1</sup> Less than one-tenth of 1 per cent.

TABLE 2.—Farm tenure of chief breadwinner of children doing farm work, whose chief breadwinners were farm owners or tenants, by crop and locality represented

Crop and locality	Children under 16 doing farm work						Not reporting farm tenure of chief breadwinner
	Total	Reporting farm tenure of chief breadwinner					
		Total	Farm owner		Farm tenant		
			Number	Per cent	Number	Per cent	
Cotton: Texas.....	1,778	1,778	910	51.2	868	48.8	
Grain:.....							
Illinois.....	711	706	300	55.1	316	44.9	3
North Dakota.....	760	760	561	74.8	199	25.2	10
Hops and fruits:.....							
Oregon.....	184	184	164	89.1	20	10.9	
Washington.....	167	167	147	88.0	20	12.0	
Fruits: Washington.....	199	199	147	73.9	52	26.1	
Sugar beets:.....							
Colorado.....	299	299	135	45.2	164	54.8	
Michigan.....	402	402	297	73.9	105	26.1	
Tobacco:.....							
Connecticut Valley.....	288	288	269	93.3	19	6.7	
Kentucky.....	515	512	242	47.3	270	52.7	3
South Carolina.....	270	278	149	53.6	129	46.4	1
Virginia.....	313	313	140	44.7	173	55.3	
Truck:.....							
Illinois.....	83	83	41	49.4	42	50.6	
Maryland.....	887	887	663	74.7	224	25.3	
New Jersey.....	278	278	254	91.4	24	8.6	
Virginia.....	51	51	18	35.3	33	64.7	

TABLE 3.—Age distribution of children doing farm work, by crop, locality, and economic group of chief breadwinner

Crop and locality	Children under 16 doing farm work					
	Total	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Children of farm owners and tenants:						
Cotton—Texas.....	1,778	660	374	389	344	11
Grain:.....						
Illinois.....	711	96	175	220	206	5
North Dakota.....	760	114	203	251	192	
Hops and fruits—Washington and Oregon.....	650	64	130	168	186	3
Sugar beets—.....						
Colorado.....	299	66	86	87	60	
Michigan.....	402	98	98	116	90	
Tobacco—.....						
Connecticut Valley.....	288	62	73	98	56	4
Kentucky.....	515	108	130	180	107	20
South Carolina.....	270	46	66	80	53	24
Virginia.....	313	79	75	86	65	8
Truck—.....						
Illinois.....	83	10	18	31	24	
Maryland.....	887	292	190	207	196	3
New Jersey.....	278	57	66	85	68	
Virginia.....	51	12	13	15	9	3
Children whose parents were not farm owners or tenants:						
Cotton—Texas.....	210	82	36	45	46	2
Grain:.....						
Illinois.....	26	3	4	13	6	
North Dakota.....	46	10	10	14	12	
Hops and fruits—Washington and Oregon.....	1,263	184	279	401	411	8
Sugar beets—.....						
Colorado.....	774	223	201	219	181	
Michigan.....	361	69	100	99	63	
Tobacco—.....						
Connecticut Valley.....	321	77	103	369	201	6
Kentucky.....	48	11	14	12	8	3
South Carolina.....	12	1	1	6	1	3
Virginia.....	2	1	1			
Truck—.....						
Illinois.....	418	10	77	163	130	
Maryland.....	761	174	175	217	192	3
New Jersey.....	716	149	173	241	149	4
Virginia.....	844	223	206	235	174	6

TABLE 4.—Number of hours of field work of children on a typical day, by economic group; Texas

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,368	1,151	434	390	13
Resident workers:					
Children of farm owners and tenants.....	1,778	1,034	389	344	11
Under 8 hours.....	250	205	26	18	1
8 hours, under 10.....	328	202	67	58	1
10 hours and over.....	1,079	541	278	260	
Hours not reported.....	121	86	18	8	9
Other local.....	78	42	19	17	
Under 8 hours.....	9	6	2	1	
8 hours, under 10.....	16	8	7	1	
10 hours and over.....	46	22	10	14	
Hours not reported.....	7	6		1	
Nonresident workers: Migratory.....	132	75	26	29	2
Under 8 hours.....	12	11		1	
8 hours, under 10.....	25	13	4	8	
10 hours and over.....	77	38	18	19	2
Hours not reported.....	18	13	4	1	

TABLE 5.—Number of hours of field work of children on a typical day, by economic group and age period; Illinois grain-growing section

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	737	278	243	211	5
Children of farm owners and tenants.....	711	271	230	205	8
Under 8 hours.....	63	33	17	12	1
8 hours, under 10.....	248	90	83	73	2
10 hours and over.....	276	76	90	103	1
Hours not reported.....	130	72	40	17	1
Other local <sup>1</sup> .....	26	7	13	6	

<sup>1</sup> Number of hours not shown for groups of less than 50.

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TABLE 6.—Number of hours of field work of children on a typical day, by economic group and age period; Washington and Oregon

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,803	627	569	597	10
Resident workers:					
Children of farm owners and tenants.....	550	194	168	196	2
Under 8 hours.....	172	66	55	49	2
8 hours, under 10.....	122	36	43	62	
10 hours and over.....	97	24	36	43	
Hours not reported.....	149	68	40	41	
Other local.....	206	62	72	71	3
Under 8 hours.....	57	27	17	13	
8 hours, under 10.....	55	15	19	19	2
10 hours and over.....	44	3	17	24	
Hours not reported.....	52	17	19	15	1
Nonresident workers:					
Migratory.....	1,006	388	314	330	4
Under 8 hours.....	311	103	102	106	1
8 hours, under 10.....	296	84	93	106	3
10 hours and over.....	316	100	105	111	
Hours not reported.....	63	71	14	8	
City day laborers <sup>1</sup> .....	39	13	15	10	1

<sup>1</sup> Number of hours not shown for groups of less than 50.

TABLE 7.—Number of hours of field work (thinning and blocking beets) of children on a typical day, by economic group and age period; Colorado

Number of hours of field work, and economic group	Children under 16 doing farm work			
	Total	Under 12 years	12 years, under 14	14 years, under 16
Total.....	1,073	576	306	191
Resident workers:				
Children of farm owners and tenants.....	299	152	87	60
Under 8 hours.....	18	11	5	2
8 hours, under 10.....	97	45	21	21
10 hours and over.....	189	79	45	35
Hours not reported.....	25	17	6	2
Other local.....	97	62	24	11
Under 8 hours.....	5	3		2
8 hours, under 10.....	23	13	9	1
10 hours and over.....	53	31	13	7
Hours not reported.....	6	5		1
Nonresident workers: Migratory.....	657	372	195	130
Under 8 hours.....	19	16	3	
8 hours, under 10.....	145	82	43	30
10 hours and over.....	459	229	145	23
Hours not reported.....	54	45	4	5

TABLE 8.—*Number of hours of field work (thinning and blocking beets) of children on a typical day, by economic group and age period; Michigan*

Number of hours of field work, and economic group	Children under 16 doing farm work			
	Total	Under 12 years	12 years, under 14	14 years, under 16
Total.....	783	395	215	153
Resident workers:				
Children of farm owners and tenants.....	402	196	116	90
Under 8 hours.....	103	52	31	20
8 hours, under 10.....	132	60	38	34
10 hours and over.....	124	54	39	31
Hours not reported.....	43	30	8	5
Other local.....	137	75	33	29
Under 8 hours.....	9	5	2	2
8 hours, under 10.....	20	11	6	4
10 hours and over.....	105	56	23	23
Hours not reported.....	3	3		
Nonresident workers: Migratory.....	224	124	66	34
Under 8 hours.....	11	8	2	1
8 hours, under 10.....	36	21	11	4
10 hours and over.....	187	87	51	29
Hours not reported.....	10	8	2	

TABLE 9.—*Number of hours of field work of children on a typical day, by economic group and age period; Connecticut Valley*

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,109	380	462	257	10
Resident workers:					
Children of farm owners and tenants.....	283	135	93	56	4
Under 8 hours.....	69	43	11	13	2
8 hours, under 10.....	124	62	44	26	2
10 hours and over.....	28	15	13		
Hours not reported.....	57	15	25	17	
Other local.....	159	81	58	20	2
Under 8 hours.....	14	12	2		
8 hours, under 10.....	77	34	34	9	
10 hours and over.....	35	20	10	5	
Hours not reported.....	33	15	10	8	2
Nonresident workers: City day laborers.....	662	164	313	181	4
Under 8 hours.....	11	4	5	2	
8 hours, under 10.....	234	60	95	77	2
10 hours and over.....	75	13	39	15	1
Hours not reported.....	341	82	174	84	1

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TABLE 10.—Number of hours of field work of children on a typical day, by economic group and age period; Kentucky, Virginia, and South Carolina

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,169	533	334	234	68
Children of farm owners and tenants.....	1,107	504	316	225	62
Under 8 hours.....	203	117	53	28	5
8 hours, under 10.....	345	140	108	73	24
10 hours and over.....	432	163	131	111	27
Hours not reported.....	127	84	24	13	6
Other local.....	62	29	18	9	6
Under 8 hours.....	11	5	5	1	—
8 hours, under 10.....	22	13	8	3	3
10 hours and over.....	26	10	9	5	2
Hours not reported.....	3	1	1	—	1

TABLE 11.—Number of hours of field work of children on a typical day, by economic group and age period; Illinois truck-farming section

Number of hours of field work, and economic group	Children under 16 doing farm work			
	Total	Under 12 years	12 years, under 14	14 years, under 16
Total.....	501	124	214	163
Resident workers:				
Children of farm owners and tenants.....	83	28	31	24
Under 8 hours.....	41	14	16	11
8 hours, under 10.....	21	8	7	6
10 hours and over.....	13	3	6	6
Hours not reported.....	8	3	3	2
Other local.....	64	23	38	33
Under 8 hours.....	52	12	23	17
8 hours, under 10.....	20	4	8	8
10 hours and over.....	16	4	6	6
Hours not reported.....	6	3	1	2
Nonresident workers:				
Migratory <sup>1</sup> .....	12	4	4	4
City day laborers.....	312	69	141	102
Under 8 hours.....	149	35	63	51
8 hours, under 10.....	65	13	34	18
10 hours and over.....	72	14	32	26
Hours not reported.....	26	7	12	7

<sup>1</sup> Hours not shown for groups of less than 50.

TABLE 12.—*Number of hours of field work of children on a typical day, by economic group and age period; Maryland*

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total .....	1,648	831	424	387	6
Resident workers:					
Children of farm owners and tenants .....	887	482	207	196	3
Under 8 hours .....	471	284	105	80	2
8 hours, under 10 .....	182	81	56	51	
10 hours and over .....	144	48	42	53	1
Hours not reported .....	90	69	10	11	
Other local .....	443	229	104	108	2
Under 8 hours .....	190	113	37	39	1
8 hours, under 10 .....	104	55	25	23	1
10 hours and over .....	116	39	36	41	
Hours not reported .....	23	22	6	5	
Nonresident workers: Migratory .....	318	120	118	84	1
Under 8 hours .....	232	82	85	64	1
8 hours, under 10 .....	52	21	16	15	
10 hours and over .....	26	11	16	5	
Hours not reported .....	8	6	2		

TABLE 13.—*Number of hours of field work of children on a typical day, by economic group and age period; New Jersey*

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total .....	994	447	326	217	4
Resident workers:					
Children of farm owners and tenants .....	278	125	85	68	
Under 8 hours .....	154	75	42	37	
8 hours, under 10 .....	59	19	24	16	
10 hours and over .....	28	7	10	11	
Hours not reported .....	37	24	9	4	
Other local .....	167	66	62	38	1
Under 8 hours .....	56	23	19	14	
8 hours, under 10 .....	45	16	17	11	1
10 hours and over .....	36	12	16	8	
Hours not reported .....	30	16	10	5	
Nonresident workers: Migratory .....	549	256	179	111	3
Under 8 hours .....	149	54	61	34	
8 hours, under 10 .....	227	87	79	60	1
10 hours and over .....	51	20	20	11	
Hours not reported .....	122	95	19	6	2

TABLE 14.—Number of hours of field work of children on a typical day, by economic group and age period; Virginia truck-farming section

Number of hours of field work, and economic group	Children under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	896	454	250	183	8
Resident workers:					
Children of farm owners and tenants.....	51	26	15	9	2
Under 8 hours.....	37	19	11	7	
8 hours, under 10.....	7	5	1	1	
10 hours and over.....	5		3		2
Hours not reported.....	2	1		1	
Other local.....	666	327	170	136	4
Under 8 hours.....	470	280	120	75	1
8 hours, under 10.....	104	51	25	25	3
10 hours and over.....	64	16	21	27	
Hours not reported.....	22	10	4	8	
Nonresident workers:					
Migratory.....	64	29	22	13	
Under 8 hours.....	37	16	13	8	
8 hours, under 10.....	18	8	6	4	
10 hours and over.....	4	1	2	1	
Hours not reported.....	5	4	1		
City day laborers.....	114	43	43	28	2
Under 8 hours.....	63	24	23	16	1
8 hours, under 10.....	33	13	13	6	1
10 hours and over.....	3	2		1	
Hours not reported.....	15	4	7	4	

TABLE 15.—Absence of children from school on account of farm work, by economic group, sex, and age period; Texas

Absence from school for farm work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,067	618	238	203	8	921	533	196	187	5
Resident workers:										
Children of farm owners and tenants.....	945	551	213	174	7	838	498	178	170	4
Attending school and reporting.....	708	378	179	147	4	660	356	137	145	2
No absence for farm work.....	258	240	71	43	4	422	234	85	81	2
Absence for farm work.....	350	138	108	104		238	102	72	64	
Under 10 days.....	68	30	22	16		56	26	21	10	
10 days, under 20.....	99	46	26	18		94	41	24	19	
20 days, under 40.....	113	41	37	35		96	23	13	25	
40 days, under 60.....	47	15	17	15		18	8	3	7	
60 days and over.....	33	6	7	30		14	5	6	3	
Not reporting.....	78	30	20	19	3	43	20	12	9	
Not attending school.....	189	143	8	8		130	107	7	16	
Other local <sup>1</sup> .....	41	22	8	11		37	20	11	6	
Nonresident workers: Migratory <sup>2</sup> .....	81	45	17	18	1	61	30	9	11	

<sup>1</sup> Absence for farm work not shown for groups of less than 50.<sup>2</sup> School records for migratory children not available.



TABLE 16.—Absence of children from school on account of farm work, by economic group, sex, and age period; Illinois grain-growing sections

Absence from school for farm work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	597	232	199	162	4	140	46	44	49	1
Children of farm owners and tenants.....	575	227	188	156	4	138	44	42	49	1
Attending school and reporting.....	452	179	160	110	3	99	36	33	29	1
No absence for farm work.....	225	119	73	31	2	85	34	27	23	1
Absence for farm work.....	227	60	87	79	1	14	2	6	6	0
Under 10 days.....	115	40	43	26	1	12	2	5	5	0
10 days, under 20.....	44	15	18	11	0	1	0	1	0	0
20 days, under 40.....	30	3	11	16	0	0	0	0	0	0
40 days, under 60.....	24	2	9	13	0	1	0	0	1	0
60 days and over.....	14	0	1	13	0	0	0	0	0	0
Not reporting.....	117	48	28	40	1	35	8	9	18	0
Not attending school.....	6	0	0	6	0	2	0	0	2	0
Other local children <sup>1</sup> .....	22	5	11	6	0	4	2	2	0	0

<sup>1</sup> Absence for farm work not shown for groups of less than 50.

TABLE 17.—Absence of children <sup>1</sup> from school on account of farm work, by economic group, sex, and age period; North Dakota

Absence from school for farm work, and economic group	Boys <sup>1</sup> under 16 doing farm work				Girls <sup>1</sup> under 16 doing farm work			
	Total	Under 12 years	12 years, under 14	14 years, under 16	Total	Under 12 years	12 years, under 14	14 years, under 16
Total.....	553	248	172	133	253	89	93	71
Children of farm owners and tenants.....	520	235	161	124	240	82	90	68
Attending school and reporting.....	518	234	161	123	240	82	90	68
No absence for farm work.....	155	100	39	16	139	54	51	34
Absence for farm work.....	363	134	122	107	101	26	39	34
Under 10 days.....	103	60	34	9	42	13	21	8
10 days, under 20.....	77	35	24	18	27	6	8	13
20 days, under 40.....	95	30	38	27	23	9	7	7
40 days, under 60.....	37	5	9	23	8	0	2	4
60 and over.....	51	4	17	30	3	0	1	2
Not reporting.....	2	1	0	1	0	0	0	0
Other local children <sup>1</sup> .....	33	13	11	9	13	7	8	3

<sup>1</sup> Only children attending school were included in the study.

<sup>2</sup> Absence for farm work not shown for groups of less than 50.

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TABLE 18.—Absence of children from school on account of field work, by economic group, sex, and age period; Oregon fruit and hop growing section

Absence from school for field work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total	396	184	107	104	1	344	100	115	125	
Resident workers: Children of farm owners and tenants	98	41	28	29		86	27	32	26	
Attending school and reporting	89	28	18	18		55	20	20	14	
No absence for field work	50	22	14	14		52	19	19	13	
Absence for field work	9	1	4	4		3	1	1	1	
Under 10 days	6	1	2	3		3	1	1	1	
20 days and over	3		2	1						
Not reporting	36	16	10	10		31	7	12	12	
Not attending school	3	2		1						
Other local <sup>1</sup>	47	19	8	19	1	28	8	8	7	
Nonresident workers:										
Migratory <sup>2</sup>	245	121	70	54		227	64	71	90	
Town day laborers <sup>1</sup>	6	3	1	2		8	1	4	2	

<sup>1</sup> Absence from school for field work not shown for groups of less than 50.<sup>2</sup> Report of school attendance not available.

TABLE 19.—Absence of children from school on account of field work, by economic group, sex, and age period; Washington fruit and hop growing section

Absence from school for field work, and economic group	Boys <sup>1</sup> under 16 doing farm work				Girls <sup>1</sup> under 16 doing farm work			
	Total	Under 12 years	12 years, under 14	14 years, under 16	Total	Under 12 years	12 years, under 14	14 years, under 16
Total	230	74	78	80	194	57	67	70
Resident workers: Children of farm owners and tenants	96	39	26	41	71	18	28	25
Attending school and reporting	51	18	14	19	38	7	16	15
No absence for field work	37	16	8	13	34	6	15	13
Absence for field work	14	2	6	6	4	1	1	2
Under 10 days	7	1	2	4	2			2
10 days, under 20	6	1	4	1		1	1	
20 days, under 40	1			1	2			
Not reporting	45	11	12	22	31	11	7	13
Not attending school					2			
Other local <sup>1</sup>	30	6	13	12	31	8	13	10
Nonresident workers:								
Migratory <sup>2</sup>	94	34	34	26	81	28	27	26
Town day laborers <sup>1</sup>	10	5	4	1	11	5	4	2

<sup>1</sup> Absence for field work not shown for groups of less than 50.<sup>2</sup> Report of school attendance not available.

TABLE 20.—Absence of children from school on account of field work, by economic group, sex, and age period; Washington fruit-growing section

Absence from school for field work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	308	121	100	83	4	331	91	104	135	1
Resident workers:										
Children of farm owners and tenants.....	104	48	30	25	1	95	31	29	35	
Attending school and reporting.....	94	44	27	22	1	83	29	26	28	
No absence for field work.....	90	43	25	21	1	81	29	26	26	
Absence for field work.....	4	1	2	1		2			2	
Under 10 days.....	3	1	1	1		2			2	
10 days, under 20.....	1		1							
Not reporting.....	8	4	3	1		7	2	2	3	
Not attending school.....	2			2		5		1	4	
Other local children <sup>1</sup> .....	41	13	18	9	1	36	8	18	14	1
Nonresident workers:										
Migratory <sup>2</sup> .....	162	60	52	48	2	197	51	60	86	
Town day laborers <sup>1</sup> .....	1			1		3	1	2		

<sup>1</sup> Absence for field work not shown for groups of less than 50.<sup>2</sup> Report of school attendance not available.

TABLE 21.—Absence of children from school on account of work in the beet fields, by economic group, sex, and age period; Colorado

Absence from school for work in beet fields, and economic group	Boys under 16 doing farm work				Girls under 16 doing farm work			
	Total	Under 12 years	12 years, under 14	14 years, under 16	Total	Under 12 years	12 years, under 14	14 years, under 16
Total.....	569	335	161	93	484	241	145	98
Resident workers:								
Children of farm owners and tenants.....	163	85	46	30	136	67	39	30
Attending school and reporting.....	119	67	31	21	101	50	23	18
No absence for work in beet fields.....	63	28	15	10	64	32	21	11
Absence for work in beet fields.....	56	29	16	11	37	18	12	7
Under 11 days.....	20	7	9	4	11	7	3	1
11 days, under 21.....	19	10	6	3	10	3	4	3
21 days, under 41.....	13	9	1	3	18	7	4	2
41 days, under 51.....	4	3		1	3	1	1	1
Not reporting.....	41	15	17	9	31	16	6	9
Not attending school.....	3	3			4	1		3
Other local <sup>1</sup> .....	45	29	11	5	42	23	13	6
Nonresident workers: Migratory <sup>2</sup> .....	361	221	102	58	306	151	93	62
Attending school and reporting.....	255	149	66	40	213	108	68	37
No absence for work in beet fields.....	76	50	14	12	58	35	17	6
Absence for work in beet fields.....	179	99	52	28	155	78	51	31
Under 11 days.....	28	13	7	8	25	9	8	8
11 days, under 21.....	39	20	8	2	32	17	8	7
21 days, under 41.....	90	59	26	13	73	39	25	9
41 days, under 51.....	24	14	7	3	18	4	8	6
51 days and over.....	8	4	2	2	7	4	2	1
Not reporting.....	107	57	34	16	81	38	24	19
Not attending school.....	19	15	2	2	12	5	1	6

<sup>1</sup> Absence for farm work not shown for groups of less than 50.<sup>2</sup> Migratory workers include all those who left their homes and lived temporarily at the beet fields.

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TABLE 22.—Absence of children from school on account of work in the beet fields, by economic group, sex, and age period; Michigan

Absence from school for work in beet fields, and economic group	Boys under 16 doing farm work				Girls under 16 doing farm work			
	Total	Under 12 years	12 years, under 14	14 years, under 16	Total	Under 12 years	12 years, under 14	14 years, under 16
Total.....	438	227	122	89	325	168	93	64
Resident workers:								
Children of farm owners and tenants.....	233	114	56	53	169	82	50	37
Attending school and reporting.....	149	78	42	28	101	48	33	20
No absence for work in beet fields.....	50	30	9	11	37	18	13	6
Absence for work in beet fields.....	99	48	34	17	64	30	20	14
Under 11 days.....	40	26	16	5	39	16	13	10
11 days, under 21.....	23	8	10	5	12	8	2	2
21 days, under 41.....	13	9	5	4	11	6	4	2
41 days, under 51.....	5	2	1	2	1	1	1	
51 days and over.....	4	1	2	1	1	1		
Not reporting.....	70	35	22	13	63	32	17	13
Not attending school.....	8		1	7	2	2		1
Other local.....	81	44	19	18	56	31	14	11
Attending school and reporting <sup>1</sup> .....	39	20	9	10	26	15	8	3
Not reporting.....	40	22	10	8	26	16	4	6
Not attending school.....	2	2			4		2	2
Nonresident workers: Migratory <sup>2</sup> .....	124	69	37	18	100	55	29	16
Attending school and reporting <sup>1</sup> .....	14	6	7	2	13	11	2	
Not reporting.....	95	54	29	13	80	42	26	12
Not attending school.....	15	10	2	3	7	2	1	4

<sup>1</sup> Absence for farm work not shown for groups of less than 50.<sup>2</sup> Migratory workers include all those who left their homes and lived temporarily at the beet fields.

TABLE 23.—Absence of children from school on account of farm work, by economic group, sex, and age period; Connecticut River Valley

Absence from school for farm work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	721	367	296	163	5	378	113	160	94	5
Resident workers:										
Children of farm owners and tenants.....	178	89	62	35	2	110	46	41	21	2
Attending school and reporting.....	130	79	46	25		96	43	37	14	2
No absence for farm work.....	32	42	15	5		37	34	22	9	2
Absence for farm work.....	38	37	31	20		29	9	15	5	
Under 10 days.....	70	32	23	15		28	8	15	5	
10 days, under 20.....	12	5	3	4		1	1			
20 days and over.....	6		5	1						
Not reporting.....	23	9	6	9	2	9	3	3	3	
Not attending school <sup>1</sup> .....	2	1		1		3		1	4	

TABLE 23.—Absence of children from school on account of farm work, by economic group, sex, and age period; Connecticut River Valley—Continued

Absence from school for farm work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Resident workers—Continued.										
Other local.....	94	49	32	13	—	65	32	24	7	2
Attending school and reporting.....	79	41	27	11	—	57	29	21	6	1
No absence for farm work.....	60	34	20	6	—	52	26	20	5	1
Absence for farm work.....	19	7	7	8	—	6	3	1	1	—
Under 10 days.....	17	6	6	5	—	5	3	1	1	—
10 days, under 20.....	2	1	1	—	—	—	—	—	—	—
Not reporting.....	16	8	5	2	—	8	3	3	1	1
Nonresident workers: City day laborers.....	459	129	212	116	3	208	85	101	66	1
Attending school and reporting.....	242	71	116	65	1	96	18	61	26	1
No absence for farm work.....	229	68	111	49	1	86	17	47	21	1
Absence for farm work:.....	18	8	4	6	—	10	1	4	5	—
Under 10 days.....	17	7	4	6	—	9	1	4	4	—
Not reporting.....	180	57	89	33	1	79	17	40	22	—
Not attending school <sup>1</sup> .....	37	1	6	27	1	28	—	10	18	—

<sup>1</sup> Includes children attending continuation school part or all of year covered by study.

TABLE 24.—Absence of children from school on account of farm work, by economic group, sex, and age period; Kentucky

Absence from school for farm work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	414	190	115	90	19	149	73	47	25	4
Children of farm owners and tenants.....	384	174	106	83	19	131	64	42	24	1
Attending school and reporting.....	271	123	78	61	9	98	50	29	18	1
No absence for farm work.....	126	79	30	12	5	74	38	22	13	1
Absence for farm work.....	145	44	48	49	4	24	12	7	5	—
Under 10 days.....	57	21	22	13	1	10	6	2	2	—
10 days, under 20.....	36	14	11	11	—	9	4	3	2	—
20 days, under 40.....	33	7	9	16	1	5	2	2	1	—
40 days, under 60.....	12	2	4	4	2	—	—	—	—	—
60 days and over.....	7	—	3	5	—	—	—	—	—	—
Not reporting.....	112	51	30	21	10	33	14	13	6	—
Not attending school.....	1	—	—	—	1	—	—	—	—	—
Other local children <sup>1</sup> .....	30	16	7	7	—	18	9	5	1	3

<sup>1</sup> Absence for farm work not shown for boys of less than 60.

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TABLE 25.—Absence of children from school on account of farm work, by economic group, sex, and age period; South Carolina

Absence from school for farm work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	188	68	42	29	19	138	46	44	26	18
Children of farm owners and tenants.....	162	67	40	28	17	127	45	40	26	17
Attending school and reporting.....	85	30	24	21	10	84	28	29	16	11
No absence for farm work.....	40	18	12	10	.....	57	21	16	11	9
Absence for farm work.....	45	12	12	11	10	27	7	18	5	2
Under 10 days.....	17	5	6	2	4	20	7	9	8	1
10 days, under 20.....	12	5	3	2	2	5	.....	3	1	1
20 days, under 40.....	9	1	3	2	3	1	.....	1	.....	.....
40 days, under 60.....	3	.....	.....	3	.....	1	.....	.....	1	.....
60 days and over.....	4	1	.....	2	1	.....	.....	.....	.....	.....
Not reporting.....	67	37	16	7	7	41	17	10	8	6
Not attending school.....	.....	.....	.....	.....	.....	2	.....	1	1	.....
Other local children <sup>1</sup> .....	6	1	2	1	2	6	1	4	.....	1

<sup>1</sup> Absence for farm work not shown for groups of less than 50.

TABLE 26.—Absence of children from school on account of farm work, by economic group, sex, and age period; Virginia tobacco-growing section

Absence from school for farm work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	201	101	58	39	5	114	55	30	26	3
Children of farm owners and tenants.....	199	99	56	39	5	114	55	30	26	3
Attending school and reporting.....	123	68	33	18	4	79	49	20	17	2
No absence for farm work.....	47	35	9	3	.....	54	39	10	13	2
Absence for farm work.....	76	33	24	15	4	25	11	10	4	.....
Under 10 days.....	37	18	12	6	1	17	7	7	3	.....
10 days, under 20.....	16	8	5	2	1	7	3	3	1	.....
20 days, under 40.....	10	5	2	3	.....	1	1	.....	.....	.....
40 days, under 60.....	8	.....	5	3	.....	.....	.....	.....	.....	.....
60 days and over.....	5	2	.....	1	2	.....	.....	.....	.....	.....
Not reporting.....	58	26	18	13	1	27	18	8	5	1
Not attending school.....	20	5	7	8	.....	8	2	2	4	.....
Other local children <sup>1</sup> .....	2	2	.....	.....	.....	.....	.....	.....	.....	.....

<sup>1</sup> Absence for farm work not shown for groups of less than 50.

TABLE 27.—Absence of children from school on account of field work, by economic group, sex, and age period; Maryland

Absence from school for field work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	830	413	216	198	3	818	418	208	189	3
Resident workers:										
Children of farm owners and tenants.....	458	246	109	102	1	429	235	98	98	2
Attending school and reporting.....	314	176	78	60		314	186	76	50	2
No absence for field work.....	106	79	17	10		173	117	33	22	1
Absence for field work.....	208	97	61	50		341	69	43	26	1
Under 10 days.....	57	46	15	6		86	45	27	13	1
10 days, under 20.....	44	22	14	8		21	10	5	6	
20 days, under 40.....	43	19	14	10		25	11	7	7	
40 days, under 60.....	23	7	6	10		5	2	2	1	
60 days and over.....	31	3	12	16		4	1	2	1	
Not reporting.....	111	52	29	30		82	31	20	31	
Not attending school.....	33	18	2	12	1	33	19	2	12	
Other local.....	212	106	56	48	2	231	123	49	60	
Attending school and reporting.....	136	69	43	23		156	82	36	37	
No absence for field work.....	57	43	10	4		90	53	16	21	
Absence for field work.....	78	26	33	19		65	29	20	16	
Under 10 days.....	26	10	13	2		31	17	6	8	
10 days, under 20.....	20	9	9	2		19	5	9	5	
20 days, under 40.....	18	5	5	8		13	6	5	2	
40 days, under 60.....	8	2	4	2		1			1	
60 days and over.....	7		2	5		1				
Not reporting.....	53	29	13	18		48	23	10	15	
Not attending school.....	24	14	1	7	2	28	18	2	8	
Nonresident workers: Migratory <sup>1</sup> .....	180	61	51	48		168	69	62	36	1

<sup>1</sup> Report of school attendance not available.

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TABLE 28.—Absence of children from school on account of field work, by economic group, sex, and age period; New Jersey

Absence from school for field work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	536	262	163	118	3	453	195	163	96	1
Resident workers:										
Children of farm owners and tenants.....	158	75	46	37		120	50	39	31	
Attending school and reporting.....	116	55	33	28		85	27	35	23	
No absence for field work.....	21	13	5	3		25	13	13	9	
Absence for field work.....	95	42	28	25		50	14	22	14	
Under 10 days.....	17	6	6	6		19	6	7	6	
10 days, under 20.....	24	15	7	2		9	3	6		
20 days, under 40.....	30	13	8	9		12	3	6	3	
40 days, under 60.....	10	6	2	2		5	1	1	3	
60 days and over.....	14	2	6	6		5	1	2	2	
Not reporting.....	37	13	12	7		23	20	4	4	
Not attending school.....	5	2	1	2		7	3		4	
Other local.....	82	36	27	18	1	56	30	35	20	
Attending school and reporting.....	55	24	20	10	1	66	28	23	15	
No absence for field work.....	26	15	9	3	1	28	15	14	9	
Absence for field work.....	27	9	11	7		28	8	14	6	
Under 10 days.....	11	3	2	1		11	4	7		
10 days, under 20.....	7	1	3	1		6	1	3	2	
20 days, under 40.....	5		4	1		3	2	3	3	
40 days, under 60.....	2		2	2		2	1	1		
60 days and over.....	2			2		1			1	
Not reporting.....	23	8	7	8		14	5	5	4	
Not attending school.....	4	4				5	2	2	1	
Nonresident workers: Migratory.....	296	141	90	63	2	233	115	89	48	1
Attending school and reporting.....	132	67	42	33		129	53	55	21	
No absence for field work.....	16	7	4	5		17	6	7	4	
Absence for field work.....	116	50	38	28		112	47	48	17	
Under 10 days.....						1	1			
10 days, under 20.....	10	2	5	3		5	2	2	1	
20 days, under 40.....	41	19	13	7		43	17	17	9	
40 days, under 60.....	29	12	8	9		24	12	10	2	
60 days and over.....	36	17	10	9		39	15	19	5	
Not reporting.....	155	77	48	28	2	112	57	34	20	1
Not attending school.....	9	7		2		12	5		7	



TABLE 29.—Absence of children from school on account of field work, by economic group, sex, and age period, Virginia truck-farming section

Absence from school for field work, and economic group	Boys under 16 doing farm work					Girls under 16 doing farm work				
	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported	Total	Under 12 years	12 years, under 14	14 years, under 16	Age not reported
Total.....	426	233	114	72	7	469	221	136	111	1
Resident workers:										
Children of farm owners and tenants <sup>1</sup> .....	23	13	7	1	2	28	12	8	8	
Other local.....	311	183	71	54	3	365	174	99	81	1
Attending school and reporting.....	192	122	45	24	1	260	134	66	50	
No absence for field work.....	124	95	20	8	1	166	100	39	27	
Absence for field work.....	68	27	25	16		84	34	27	23	
Under 10 days.....	20	6	7	5		23	12	5	6	
10 days, under 20.....	9	4	1	4		28	14	10	4	
20 days, under 40.....	9	7	1	1		21	7	7	7	
40 days, under 60.....	13	5	5	2		6	1	2	3	
60 days and over.....	17	3	11	3		6		3	3	
Not reporting.....	50	28	13	9		63	24	24	15	
Not attending school.....	69	23	13	21	2	42	16	9	16	1
Nonresident workers:										
Migratory <sup>1</sup> .....	29	15	10	4		35	14	12	9	
City day laborers <sup>1</sup> .....	63	22	26	13	2	51	21	17	13	

<sup>1</sup> Absence for field work not shown for groups of less than 50.

<sup>2</sup> Report of school attendance not secured.

TABLE 30.—Progress in school of children doing farm work, by crop, locality, economic group, race, and age period

Crop, locality, economic group, and race <sup>1</sup>	Children 8 to 15 doing farm work <sup>1</sup>											
	Total			8 years, under 12			12 years, under 14			14 years, under 16		
	Total	Retarded		Total	Retarded		Total	Retarded		Total	Retarded	
	Num-ber	Per-cent <sup>2</sup>		Num-ber	Per-cent <sup>2</sup>		Num-ber	Per-cent <sup>2</sup>		Num-ber	Per-cent <sup>2</sup>	
Cotton: Texas—												
Children of farm owners and tenants—												
White.....	977	633	64.8	478	241	50.4	288	203	75.7	221	189	81.8
Colored.....	369	306	85.2	180	136	78.6	96	39	92.7	33	31	97.9
Other local children—												
White.....	46	25		24	10		12	5		10	10	
Colored.....	8	7		3	2		2			3	3	
Grain: North Dakota—												
Children of farm owners and tenants.....	733	311	42.4	390	81	27.9	251	111	44.2	192	119	62.0
Other local children.....	44	15		18	5		14	3		12	7	
Hope and fruits:												
Oregon—												
Children of farm owners and tenants.....	171	39	17.0	59	2	3.4	59	9	15.3	53	18	34.0
Other local children.....	54	22	34.4	22	1		16	5		26	15	
Migratory workers.....	449	142	31.6	169	41	24.8	140	44	31.4	140	57	40.7
Town day laborers.....	13	4		4			5	1		4	3	
Washington—												
Children of farm owners and tenants.....	157	35	22.9	43	2		45	19		65	24	36.3
Other local children.....	37	27	47.4	13	2		24	11		30	14	
Migratory workers.....	160	95	60.0	54	23	42.8	58	37	63.8	43	36	
Town day laborers.....	21	9		3	1		5	5		5	3	
Small fruits: Washington—												
Children of farm owners and tenants.....	185	33	20.4	75	13	24.0	57	3	14.0	24	12	22.2
Other local children.....	74	17	23.0	20	5		31	7		23	5	

<sup>1</sup> Children under 8 years are excluded from the table, as those under that age are considered normal if they are in the first grade. Children for whom age or grade is not reported are excluded also.

<sup>2</sup> Figures for colored children are shown only for localities having a considerable number.

<sup>3</sup> Not shown where base is less than 50.

TABLE 30.—Progress in school of children doing farm work, by crop, locality, economic group, race, and age period—Continued

Crop, locality, economic group, and race <sup>1</sup>	Children 8 to 15 doing farm work <sup>2</sup>											
	Total			8 years, under 12			12 years, under 14			14 years, under 18		
	Total	Retarded		Total	Retarded		Total	Retarded		Total	Retarded	
		Number	Per cent <sup>3</sup>		Number	Per cent <sup>3</sup>		Number	Per cent <sup>3</sup>		Number	Per cent <sup>3</sup>
Small fruits: Washington—Con.												
Migratory workers.....	337	86	25.5	102	14	13.7	106	29	26.9	127	43	33.9
Town day laborers.....	4	1	-----	1	-----	-----	2	-----	-----	1	1	-----
Sugar beets:												
Colorado—												
Children of farm owners and tenants.....	277	59	32.1	131	20	15.3	86	33	38.4	60	36	60.0
Other local children.....	85	27	31.8	50	10	20.0	24	8	-----	11	9	-----
Migratory workers.....	613	258	42.1	304	61	20.1	191	108	56.6	118	89	76.4
Michigan—												
Children of farm owners and tenants.....	376	108	28.7	172	34	19.8	115	34	29.6	89	40	44.9
Other local children.....	121	39	49.8	61	22	36.1	32	16	-----	28	21	-----
Migratory workers.....	194	36	44.3	102	29	28.4	61	38	62.3	31	19	-----
Tobacco:												
Connecticut Valley—												
Children of farm owners and tenants.....	267	49	19.1	117	8	6.8	91	25	27.5	49	16	-----
Other local children.....	150	38	25.3	75	8	10.7	55	15	27.2	20	15	-----
City day laborers.....	558	258	46.5	151	30	19.9	279	130	46.6	126	98	78.8
Kentucky—												
Children of farm owners and tenants—												
White.....	328	111	33.8	152	22	14.5	104	45	43.3	72	44	61.1
Colored.....	137	106	77.4	69	35	59.3	43	37	-----	35	34	-----
Other local children—												
White.....	10	2	-----	6	1	-----	2	-----	-----	2	1	-----
Colored.....	84	26	-----	18	12	-----	10	7	-----	6	6	-----
South Carolina—												
Children of farm owners and tenants—												
White.....	108	101	51.5	89	29	32.6	65	41	63.1	42	31	-----
Colored.....	40	35	-----	14	10	-----	15	14	-----	11	11	-----
Other local children—												
White.....	4	1	-----	1	-----	-----	2	1	-----	1	-----	-----
Colored.....	8	5	-----	1	1	-----	4	4	-----	-----	-----	-----
Virginia—												
Children of farm owners and tenants—												
White.....	188	95	51.1	88	41	46.6	60	27	4.06	40	28	-----
Colored.....	59	45	76.3	29	15	-----	17	17	-----	13	13	-----
Other local children—												
White.....	1	-----	-----	1	-----	-----	-----	-----	-----	-----	-----	-----
Colored.....	1	1	-----	1	1	-----	-----	-----	-----	-----	-----	-----
Truck:												
Illinois—												
Children of farm owners and tenants.....	81	14	17.3	26	-----	-----	31	7	-----	24	7	-----
Other local children.....	92	33	35.9	21	6	-----	39	14	-----	23	13	-----
Migratory workers.....	10	6	-----	4	1	-----	3	3	-----	3	2	-----
City day laborers.....	810	87	26.1	69	8	11.6	140	38	23.6	101	46	45.6
Maryland—												
Children of farm owners and tenants—												
White.....	422	172	40.8	212	54	25.5	125	62	49.2	84	56	66.75
Colored.....	309	209	67.6	156	88	56.4	75	53	70.7	76	68	87.29
Other local children:												
White.....	82	45	54.9	83	10	-----	29	18	-----	20	17	-----
Colored.....	268	208	77.6	135	82	60.7	79	68	84.4	61	58	96.1
Migratory workers (white only).....	284	163	59.7	77	30	39.0	88	68	77.3	69	66	94.2
New Jersey—												
Children of farm owners and tenants.....	244	187	56.1	101	43	42.6	82	82	63.4	61	42	68.8
Other local children.....	135	90	66.7	47	24	-----	56	40	71.4	32	26	-----
Migratory workers.....	467	372	79.7	206	129	62.6	170	134	90.6	91	80	97.8
Virginia <sup>4</sup> —												
Children of farm owners and tenants.....	32	28	-----	16	14	-----	12	10	-----	4	4	-----
Other local children.....	398	332	83.4	215	161	74.9	111	103	92.8	72	66	91.7
Migratory workers.....	49	45	-----	18	18	-----	19	18	-----	9	9	-----
City day laborers.....	92	81	88.0	37	28	-----	38	37	-----	17	16	-----

<sup>4</sup> All the children included in the truck-farming study in Virginia were colored.

TABLE 31.—Farm operations performed by children, by race; Hill and Rusk Counties, Tex.

Farm operations	Resident children under 16 doing farm work					
	Hill County			Rusk County		
	Total †	White	Negro	Total	White	Negro
Total.....	883	770	113	973	631	442
Plowing.....	79	68	10	183	99	84
Harrowing.....	93	83	10	90	55	35
Planting.....	124	107	17	253	125	128
Cultivating.....	134	122	12	142	64	78
Hoeing and chopping.....	622	547	75	778	400	372
Picking cotton.....	855	747	108	963	514	439
Picking corn.....	67	61	6	128	54	74
Picking peanuts.....				46	30	16
Picking peas.....				92	45	47
Pulling fodder.....				30	6	24
Shocking oats.....	89	86	3	2	2	2
Cutting sprouts.....				84	53	31
Cutting wood.....	4	3	1	33	26	8

† Some children performed more than one operation.

TABLE 32.—Farm operations performed by children, by crop and age period; Illinois grain-growing sections

Farm operation and crop	Children under 16 doing farm work					
	Total †	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total.....	737	99	179	243	211	5
General:						
Plowing.....	350	14	71	126	137	2
Harrowing.....	433	43	115	173	169	3
Disking.....	333	19	66	122	180	1
Hoeing.....	197	21	54	61	58	3
Corn crop:						
Planting.....	176	22	40	51	62	1
Rolling.....	161	14	42	52	52	1
Cultivating.....	492	30	109	170	171	3
Hoeing.....	122	27	29	49	17	
Husking.....	486	57	115	163	149	2
Cutting.....	145	10	32	53	50	
Shocking.....	105	4	20	37	44	
Grain crop:						
Driving binder.....	53	1	4	16	32	
Shocking.....	321	25	72	110	112	1
Threshing.....						
Hauling.....	91	4	11	26	50	
Loading.....	27	1	2	9	15	
Pitching.....	22	3	3	3	13	
Stacking.....	12		2	4	6	
Carrying or hauling water.....	312	46	94	124	47	1
Hay crop:						
Mowing.....	162	4	18	61	78	1
Raking.....	320	14	57	115	132	2
Driving fork or stacker.....	184	15	34	76	40	1
Pitching.....	90	3	15	18	54	

† Some children performed more than one operation.

TABLE 33.—Farm operations performed by children, by crop and age period; North Dakota

Farm operation and crop	Children under 16 doing farm work				
	Total †	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16
Total.....	806	124	213	265	204
<b>General:</b>					
Plowing.....	389	16	92	138	140
Disking.....	204	7	36	70	86
Harrowing (spike).....	325	20	76	121	100
Cultivating (any type).....	241	5	41	94	101
Hoeing.....	480	42	128	167	98
Hauling.....	490	31	112	180	136
<b>Corn crop:</b>					
Planting.....	22			8	12
Cutting by hand.....	22	2	8	4	8
Driving binder.....	28		6	8	16
Picking.....	188	20	48	68	47
Husking.....	138	12	37	47	42
<b>Grain crop:</b>					
Drilling.....	135	1	14	60	70
Driving binder.....	105	2	7	37	39
Shooking.....	397	46	106	120	118
Driving header.....	20		1	8	11
Driving header box.....	201	37	58	60	37
Loading header box.....	61	3	11	26	18
Stacking.....	46		6	22	18
Hauling bundles to threshing machine.....	67	3	7	10	36
Pitching bundles to threshing machine.....	92	8	12	22	64
Loading threshed grain.....	66	10	23	21	12
<b>Hay or forage crop:</b>					
Mowing.....	333	13	75	121	124
Raking.....	398	25	148	154	108
Driving stacker or hay fork.....	105	14	24	20	18
Stacking.....	121	5	19	43	54
Pitching.....	98	6	30	30	42
Picking up potatoes.....	266	66	102	106	86

† Some children performed more than one operation.

TABLE 34.—Farm operations performed by children, by crop and age period; Washington and Oregon hop and fruit growing sections

Farm operation and crop	Children under 16 doing farm work					
	Total †	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,184	100	266	365	379	5
<b>General:</b>						
Preparing ground †.....	79	1	9	20	49	
Hoeing.....	184	4	37	69	74	
Weeding and thinning.....	115	4	24	44	43	
<b>Harvesting hops or fruits:</b>						
Picking—						
Hops.....	791	100	187	252	239	6
Small fruits ‡—						
Strawberries.....	347	43	66	109	96	1
Loganberries.....	333	24	93	103	101	2
Orchard fruits —						
Cherries.....	110	11	35	38	26	
Apples.....	122	2	14	43	68	
Pears and peaches.....	148	7	12	50	79	
Prunes.....	72	3	10	30	29	
Picking up prunes.....	311	47	77	91	96	1
Harvesting vegetables.....	122	8	33	42	39	
Harvesting general farm crops.....	110	3	18	36	53	
<b>Other kinds of work:</b>						
Thinning orchard fruit.....	133	1	10	41	81	
Packing, loading, driving.....	66	2	10	17	36	
Training hops.....	52	1	7	15	29	

† Some children performed more than one operation.

‡ Includes plowing, harrowing, disking, dragging, and cultivating.

† Small fruits include strawberries, raspberries, loganberries, blackberries, and currants. Children in this group may have picked one or more varieties.

‡ Orchard fruits include apples, pears, prunes, peaches, and cherries. Children in this group may have picked one or more varieties.

TABLE 35.—Farm operations performed by children, by crop and age period; Washington small-fruit farms

Farm operation and crop	Children under 16 doing farm work					
	Total <sup>1</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total.....	639	58	154	204	213	5
General farm work:						
Preparing ground <sup>2</sup> .....	33		3	12	18	
Planting and transplanting.....	32		8	10	14	
Hoing.....	78	1	14	28	32	1
Weeding and thinning.....	73	4	17	29	22	1
Harvesting small fruits: <sup>3</sup>						
Raspberries.....	616	58	146	199	206	5
Strawberries.....	191	18	47	63	63	
Other small fruits.....	104	10	24	32	38	
Harvesting vegetables.....	45		15	15	15	
Pruning and training berry bushes.....	25		1	11	13	

<sup>1</sup> Some children performed more than one operation.

<sup>2</sup> Includes plowing, harrowing, disking, dragging, and cultivating.

<sup>3</sup> Small fruits include strawberries, raspberries, loganberries, blackberries, and currants. Children in this group may have picked more than one variety.

TABLE 36.—Operations in sugar-beet culture performed by children, by age period; Colorado

Operations in beet culture	Children under 16 doing farm work				
	Total <sup>1</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16
Total.....	1,073	289	287	306	191
Thinning and blocking.....	1,037	273	281	297	186
Hoing.....	860	197	231	261	171
Pulling and topping.....	959	241	255	287	176

<sup>1</sup> Some children performed more than one operation.

TABLE 37.—Operations in sugar-beet culture performed by children, by age period; Michigan

Operations in beet culture <sup>1</sup>	Children under 16 doing farm work				
	Total <sup>2</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16
Total.....	763	197	198	215	153
Thinning and blocking.....	759	195	196	214	153
Hoing.....	623	148	152	189	134

<sup>1</sup> Information was secured for only part of the season.

<sup>2</sup> Some children performed more than one operation.

## CHILDREN IN AGRICULTURE

TABLE 38.—Operations in tobacco culture performed by children, by age period; Connecticut River Valley

Operations in tobacco culture <sup>1</sup>	Children under 16 doing farm work					
	Total <sup>2</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,109	139	241	462	267	10
<b>Field:</b>						
Preparing beds.....	134	29	39	40	25	1
Transplanting.....	196	37	46	57	44	2
Suckering.....	354	63	72	129	67	3
Hoeing.....	220	36	47	79	69	4
Picking.....	482	34	101	220	114	4
Handing.....	286	72	77	94	40	3
Topping.....	206	34	49	76	46	1
Dragging baskets.....	141	9	19	36	56	1
Cutting.....	156	18	26	59	50	2
<b>Shed:</b>						
Stripping.....	234	48	58	79	48	3
Stringing.....	261	13	37	129	80	2
Handing.....	197	19	56	94	26	3
Housing.....	174	15	41	66	50	2

<sup>1</sup> Many children performed other farming operations.<sup>2</sup> Some children performed more than one operation.

TABLE 39.—Operations in tobacco culture performed by children, by age period; Kentucky

Operations in tobacco culture <sup>1</sup>	Children under 16 doing farm work					
	Total <sup>2</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total.....	563	119	144	162	115	23
<b>Field:</b>						
Preparing beds.....	194	29	53	57	37	8
Transplanting.....	556	117	143	161	112	23
Suckering.....	526	111	134	151	107	23
Worming.....	487	108	121	136	101	22
Cultivating.....	484	88	123	151	103	19
Hanging.....	276	34	66	86	75	13
Topping.....	340	50	84	104	88	14
Picking up leaves.....	227	61	73	53	32	8
Cutting.....	182	12	28	63	71	8
Carrying filled sticks.....	182	30	50	55	41	6
Carrying empty sticks.....	88	24	25	21	14	4
Loading.....	99	16	31	32	26	2
Hauling.....	115	9	14	42	48	2
<b>Nonfield:</b>						
Stripping.....	385	71	91	116	91	16
Bulking.....	114	15	32	38	26	3
Housing.....	137	13	31	46	41	6

<sup>1</sup> Many children performed other farming operations.<sup>2</sup> Some children performed more than one operation.

TABLE 40.—Operations in tobacco culture performed by children, by age period; South Carolina

Operations in tobacco culture <sup>1</sup>	Children under 16 doing farm work					
	Total <sup>2</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total .....	291	47	67	86	54	37
Field:						
Preparing beds .....	82	7	13	28	17	17
Transplanting .....	281	42	63	85	54	37
Suckering .....	279	44	67	85	49	34
Worming .....	259	43	59	77	47	33
Cultivating .....	223	27	50	71	47	28
Topping .....	171	23	46	53	31	25
Weeding .....	139	21	29	42	27	20
Picking .....	108	11	23	26	31	17
Loading .....	7			3	3	1
Hauling .....	110	18	34	29	16	18
Nonfield:						
Bulkling .....	66	6	14	21	15	10
Housing .....	75	11	21	18	13	12

<sup>1</sup> Many children performed other farming operations.  
<sup>2</sup> Some children performed more than one operation.

TABLE 41.—Operations in tobacco culture performed by children, by age period; Virginia

Operations in tobacco culture <sup>1</sup>	Children under 16 doing farm work					
	Total <sup>2</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total .....	315	80	76	86	65	8
Field:						
Preparing beds .....	83	4	13	35	30	1
Transplanting .....	311	60	75	85	64	7
Suckering .....	312	60	75	85	64	8
Worming .....	305	60	73	83	61	8
Cultivating .....	232	39	55	73	59	6
Topping .....	75	9	15	28	21	2
Weeding .....	134	25	29	43	34	3
Cutting .....	66	2	10	21	32	1
Loading .....	71	15	13	26	15	2
Hauling .....	36	4	2	15	13	2
Nonfield:						
Stripping .....	55	4	10	16	24	1
Bulkling .....	63	10	11	19	23	
Housing .....	250	51	61	75	67	6

<sup>1</sup> Many children performed other farming operations.  
<sup>2</sup> Some children performed more than one operation.

## CHILDREN IN AGRICULTURE

TABLE 42.—Farm operations on truck crops performed by children, by age period  
Illinois

Farm operations	Children under 16 doing farm work				
	Total <sup>1</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16
Total.....	501	29	95	214	163
Preparing soil.....	15	1	4	4	6
Planting.....	71	2	15	28	36
Transplanting.....	74	5	10	33	26
Weeding.....	412	22	79	177	134
Hoeing.....	160	6	19	65	70
Thinning.....	76	1	9	39	35
Machine cultivating.....	50	—	5	22	23
Operating wheeled hoe.....	28	—	1	12	15
Harvesting.....	490	27	91	210	162
Picking.....	169	10	27	75	57
Cutting.....	170	8	22	73	67
Pulling.....	159	8	28	66	57
Bunching.....	230	9	31	106	84
Twisting.....	248	18	53	107	70
Picking up.....	66	2	11	27	26
Boxing, sacking, and packing.....	54	5	7	23	21
Carrying or loading.....	59	2	7	22	28
Trimming or cleaning.....	42	1	4	20	16
Feeding.....	34	—	4	17	13

<sup>1</sup> Some children performed more than one operation.TABLE 43.—Farm operations on truck crops performed by children, by age period  
Maryland

Farm operations	Resident children under 16 doing farm work					
	Total <sup>1</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total.....	1,330	415	296	311	308	
Plowing.....	234	5	38	74	116	
Harrowing.....	207	4	32	71	90	
Planting.....	459	74	100	127	157	
Transplanting.....	671	140	150	189	188	
Cultivating.....	242	6	40	83	112	
Hoeing.....	606	80	131	182	212	
Weeding.....	357	59	87	111	96	
Spraying.....	66	8	8	17	35	
Thinning.....	286	44	68	81	92	
Picking.....	1,207	372	272	284	274	
Gathering potatoes.....	618	116	137	175	189	
Shucking or husking corn.....	84	9	15	30	30	
Saving fodder <sup>2</sup> .....	317	57	71	96	98	

<sup>1</sup> Some children performed more than one operation.<sup>2</sup> Includes stacking and pitching.



TABLE 44.—*Farm operations on truck crops performed by children, by age period; New Jersey*

Farm operations	Resident children under 16 doing farm work				
	Total <sup>1</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16
Total.....	1 445	89	102	147	106
General:					
Plowing.....	48	1	5	16	26
Harrowing.....	35	1	3	13	18
Cultivating.....	74	5	9	29	31
Weeding.....	167	24	35	55	53
Hoing.....	177	17	28	67	55
Thinning.....	39	3	9	14	13
Planting.....	146	19	28	50	49
Transplanting <sup>2</sup> .....	139	15	21	47	56
Dropping <sup>3</sup> .....	181	38	48	59	35
Harvesting:					
Gathering potatoes, sweet potatoes, beets, turnips, onions.....	212	35	51	76	50
Cutting asparagus, lettuce, rhubarb, spinach, kale, cabbages, watermelons, canteloupes, pumpkins, or other crops.....	105	14	25	33	33
Pulling beets, carrots, onions, radishes, turnips, or other crops.....	54	6	11	21	16
Husking.....	61	6	8	25	22
Sorting or bunching.....	46	8	9	16	15
Shocking.....	41	5	5	21	15
Carrying baskets, hampers, etc.....	34	2	5	15	12
Other:					
Driving or hauling.....	22		2	12	8
Loading.....	7			2	5
Other truck work.....	146	23	27	44	52
Other field work.....	44	2	5	22	15

<sup>1</sup> Some children performed more than one operation.<sup>2</sup> Includes 1 child for whom age was not reported.<sup>3</sup> Includes "setting out."<sup>4</sup> Includes children who, in connection with the planting or transplanting of any crop, did dropping only, though the same children may have both dropped and set out in transplanting some other crop.TABLE 45.—*Farm operations on truck crops performed by children, by age period; Virginia*

Farm operations	Children under 16 doing farm work					
	Total <sup>1</sup>	Under 10 years	10 years, under 12	12 years, under 14	14 years, under 16	Age not reported
Total.....	895	235	219	250	183	8
General:						
Plowing.....	75	1	13	32	27	2
Harrowing.....	55	1	10	25	17	2
Cultivating.....	39	2	8	13	14	2
Weeding.....	46	7	12	16	9	2
Hoing.....	105	7	19	32	45	2
Thinning.....	42	6	8	16	12	
Spooning kale or spinach.....	133	16	24	47	34	2
Planting.....	65	5	10	22	26	
Transplanting.....	80	6	17	24	41	2
Harvesting:						
Strawberries.....	761	100	191	222	155	3
Beans.....	585	134	138	167	110	7
Peas.....	236	61	63	67	45	
Cucumbers.....	56	9	10	17	12	2
Tomatoes.....	36	1	10	7	12	
Melons.....	10		1	6	3	
Kale or spinach.....	184	31	38	65	48	2
Radishes.....	217	35	61	70	49	2
Beets.....	91	14	26	28	23	
Potatoes <sup>1</sup> .....	407	91	104	132	77	3
Sweet potatoes <sup>2</sup> .....	33	4	11	8	8	2

<sup>1</sup> Some children performed more than one operation.<sup>2</sup> Gathering only.

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## NEWSPAPER SELLERS



1. "HOLLER SO' I COULD HEAR YOU AT THE TOP OF THE TIMES BUILDING," ADVISES ONE CIRCULATION MAN. 2. BOYS FROM 10 YEARS UP SELL ON THE DOWN-TOWN CORNERS IN OMAHA. 3. THE 9-YEAR-OLD NEWSBOY (RIGHT) SAID HE HAD NOT BEEN IN TOWN LONG ENOUGH TO ENTER SCHOOL. 4. SELLING PAPERS ALL DAY ON SATURDAYS AND VACATION DAYS IS COMMON. 5. WAITING TO SELL TO THE THEATER CROWD

U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

# CHILD WORKERS ON CITY STREETS

By

NETTIE P. MCGILL

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## LETTER OF TRANSMITTAL

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U. S. DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
*Washington, July 17, 1928.*

SIR: There is transmitted herewith a bulletin entitled "Child Workers on City Streets," by Nettie P. McGill, which, like the bulletin entitled "Children in Agriculture," summarizes the principal findings of the published reports of investigations made in this field by the industrial division of the Children's Bureau and by other agencies. It is believed that this and other bulletins which are to follow will meet the demand for a brief analysis of the available information on the various aspects of child labor.

Respectfully submitted.

GRACE ABBOTT,  
*Chief.*

HON. JAMES J. DAVIS,  
*Secretary of Labor.*

# CHILD WORKERS ON CITY STREETS

## SURVEYS OF JUVENILE STREET WORKERS

### EARLY ACCOUNTS OF NEWSBOYS AND OTHER STREET WORKERS

Fifty years or more ago newsboys and other street workers were believed to be either waifs and strays or half orphans whose attempts to support themselves and their widowed mothers by such work as selling papers, blacking boots, or playing a violin on street corners made them the object of pity and the subject of romance. Who does not remember the little match girl of the fairy tale or the heroes of such books as Alger's "Tom the Bootblack" and "Paul the Peddler"? In 1854 the author of a book called "The Newsboy" thus explained her choice of subject: "I saw that the race (of newsboys) would soon be so modified by the genialities of some benevolent souls that the newsboy of our time would pass away and be only a tradition \* \* \* and soon the newsboy \* \* \* sleeping by the wayside, in areas, under steps, about the parks, in old crates and hogsheads, in the markets, and everywhere that a shelter could be found, would be forgotten." In 1863 a visitor to the National Capital, pitying the wretched appearance of the boys selling papers on the streets, brought about the establishment of a newsboys' home, "such as exist in some of the principal cities of the North." A report of this home for 1863 says that it was practically deserted by the older boys, who had left Washington to follow the Army with the sutlers. In the seventies the "child toilers of Boston streets" were the subject of a series of articles in a children's periodical; the author described the hardships of their lot and praised their efforts to earn their daily bread.

### SPECIAL STUDIES OF STREET WORKERS

Now that society has learned to care more adequately for the dependent child the street worker has shed his rags, washed his face, and gone to school. He is still an object of interest and study, but the early picturesque accounts have given way to sociological and statistical studies. The larger number of these have dealt only with the newspaper seller; only a few have included newspaper carriers on routes, and fewer still have included peddlers, bootblacks, or



miscellaneous street workers. A list of the more important of these studies from 1910 to the present time is given on page 65.

However, many erroneous ideas, particularly about newsboys, still enjoy a wide popularity. Especially is there a tendency to idealize street work as an important road to success and to regard the street worker as the only support of a widowed mother. This is easily understood in view of the earlier type of street worker and the picturesque portrayal of him that was common 50 years ago, but it has been a serious obstacle in the way of those who believe that juvenile street work, like other forms of child labor, should be regulated by law.

No complete and accurate count of children working on the streets of American cities exists. Even the number in any one city can hardly be estimated unless a special study is made. The United States Census reports the number of newsboys and bootblacks (but not the numbers of other kinds of street workers) between 10 and 16 years of age, both for the United States and for States and cities; but juvenile street workers are generally school children and hence are reported in the census as attending school and having no occupation. The surveys made in many cities indicate that the 20,513 newsboys between 10 and 16 years of age, the figure given in the census of 1920 for the United States, would more nearly reflect actual conditions if multiplied by at least two. Children under 10, who, again judging by such surveys, constitute one-tenth to one-fifth, according to the city, of all the newsboys at work (see Table 2, p. 66) are not included in the census enumeration.

#### THE CHILDREN'S BUREAU SURVEYS

In the winter and spring of 1922-23 the Children's Bureau made a study of street workers in four cities—Atlanta, Ga., Columbus, Ohio, Omaha, Nebr., and Wilkes-Barre, Pa.—and in 1925 in Newark and Paterson, N. J. A survey of street workers in Troy, N. Y., identical in scope and method with the Children's Bureau surveys, except for some omissions, was made by the New York Child Labor Committee in 1923, and in 1925 the Children's Bureau cooperated with the department of attendance of the Washington public schools in making a survey of newspaper sellers in Washington, D. C. These eight cities provided the information on which the following discussion of juvenile street work is based, though comparisons are made with the findings in other surveys of street workers.

At the back of this pamphlet is a set of tables in which detailed figures are given for the eight cities included in the Children's Bureau surveys. The figures in these tables and those cited in the discussion, represent conditions when the surveys were made, but

revisits in 1926 or 1927 to each city (except Troy, where very few street workers except newspaper carriers were found) showed that no important changes had taken place since the original surveys.

Most street workers are connected with the sale and distribution of newspapers. By far the larger number of the boys in the Children's Bureau surveys were newspaper sellers or carriers; but peddlers, magazine sellers and carriers, and bootblacks were fairly numerous in some of the cities, and in each place a few children were found in various other kinds of street work.

## NEWSPAPER SELLERS<sup>1</sup>

### AGE OF NEWSBOYS

The average age of the newsboy is about 12 years, but many newsboys are much younger. In each of the cities in the Children's Bureau surveys a few children of 6 or 7 sold papers; in one city there were two newsboys of 5. One-fifth or more of the boys selling papers were under 10 years in three of the seven cities in which the survey included newspaper sellers. From 14 to 27 per cent of the newsboys were 14 or 15 years old. For the most part newsboys come from families which expect them to leave school for work as soon as they can fulfill the requirements for a work permit, and in industrial cities like Wilkes-Barre and Newark, with a large foreign population, are found the smallest proportions of 14 or 15 year old newsboys. Other surveys have found newsboys of about the same ages.

Many boys begin selling papers at very early ages. A 15-year-old boy in one of the cities surveyed had sold papers ever since he was 6. Another boy had begun when he was only 5 and had been selling papers steadily for eight years. A 15-year-old newsboy had first sold at the age of 10 because "some guy told my father to make us sell papers." Another boy had begun at the age of 5 and had been selling seven years; he said that when he first began a probation officer had told him he must quit because he was too young, but he had continued to sell papers and had not been disturbed again.

It is generally believed that small boys are the most successful newspaper sellers. "My little brother sells more," said an 11-year-old newsboy, "because people think he is cute," and a 9-year-old newcomer in the field declared that he had first gone with an older brother "for fun" but that when he came home "My brother says to my mother, 'He's sellin' ahead of me,' and I went back."

Nevertheless, in every city included in the Children's Bureau survey the newsboys' earnings were found to increase with the age of the seller; the average weekly earnings were everywhere larger for newsboys of 12 or over than for those under 12, and in most places earnings were larger for boys of 14 or 15 than for those of 12 or 13. In most places 14 or 15 year old newsboys made two or three times as much as newsboys of 10 or 11. Generally speaking, the

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<sup>1</sup> Statistics for newspaper sellers in the different cities may be found in Tables 1-11, pp. 66-73.

younger boys do not work as long hours as the older ones. Possibly the younger newsboy with his greater appeal to the sympathies of the public could earn more money than an older one if he worked as long, but he seldom spends as much time on the street and so does not make as much money for himself and the paper that he sells. However, though circulation managers sometimes complain of the unreliability of the boy under 12, and in cities where the newspapers assign the boys to certain places on the streets they give the older ones the best stands, they have no objection to using little boys to "fill in." Men in the distribution rooms will give papers to children so small that they have to stand on tiptoe to reach the counter.

Ordinances and laws regulating the age at which boys may sell papers are very generally disregarded. It is illuminating to compare the minimum age at which newspaper selling is permitted in the cities included in the Children's Bureau survey, given in the section on laws regulating street work (p. 54), with the proportion of newspaper sellers in these cities who were below the minimum age, as shown in Table 2 (p. 66). In none of these cities did the agency responsible for enforcement have a sufficiently large staff to do the work, and in most of them the law or ordinance itself was weak in one or more important provisions.

#### LENGTH OF TIME BOYS SELL PAPERS

Many boys try selling papers, and if they are unsuccessful or if the work is distasteful they give it up in a few days or a few weeks. Other boys sell now and then in a spirit of adventure or when some special event—election day or the baseball season—tempts them to join the crowds on the streets and "make big money."

The Children's Bureau surveys included only boys who had worked at least one month. Professional newsboys, such as most of these boys are, sell for months, and many sell for years. Information in regard to the length of time that the boys had held the newspaper-selling jobs at which they worked at the time of the interview was obtained in five cities. In each city a large proportion had sold papers without interruption for at least one year. Many in each city had had their jobs at least three years, some five or six years or even longer.

An Italian boy who had been selling morning papers five years, a friend having taken him down to the newspaper office to get papers when he was only 6, said he had been selling so long that he no longer got sleepy in school as he had at first. One newsboy had such a passion for selling that at the age of 8, when he was refused money to buy a stock of papers, he had run away from home and stayed away all night, returning in the morning with money that he had

earned selling newspapers. He had continued to sell papers during the four years since. Another newsboy, aged 12, had begun to sell when he was only 7 because "some boy took me up."

A large number had sold papers at other times, so that altogether their street-work experience had extended over a large part of their lives. Thus, a 15-year-old high-school boy when interviewed had been selling papers steadily for about 20 months; he had begun to sell papers, however, at the age of 9 and had sold regularly for four years, when he had stopped for about a year. A Russian Jew had sold his first papers when he was 10 years old; for three years he had sold papers during eight or nine months of the year, stopping in the summer months because of the heat. Another boy of 15 had sold evening papers steadily for five years, though he had first begun to sell at the age of 8 because he "liked excitement and wanted spending money." A boy of 14 had begun at the age of 7 in order to help his family financially; after selling for two years he stopped, but he began again a year later and at the time of the interview had been selling without interruption since he was 10 years old.

The few other surveys of newsboys, such as those in Birmingham and in Tulsa, in which information was obtained on how long boys engage in selling papers, show that these facts are representative of other places as well as of those studied by the Children's Bureau.

#### HOURS OF WORK

The hours of work for newspaper sellers were regulated in all except two of the cities included in the Children's Bureau surveys, but very little attention was paid to most of these regulations. In Atlanta, for example, 65 of the 109 newsboys under 14, to whom the hour regulations applied, were regularly violating the provision as to evening hours of selling.

##### Selling late at night.

School boys usually sell evening papers, which come from the press about the time school is dismissed. As a rule they continue to sell until about 6.30 or 7, when the demand drops off. In the smaller cities on nights other than Saturday the demand for newspapers is slight after 8 p. m., though a few boys stay out until after 8 or even after 10 p. m. Whether or not they sell at night in the larger cities depends on local conditions. In Newark it was said that newsstands took care of the night trade and boys were needed only for the peak of the demand. In Columbus and Omaha, where the newsboy was really an employee of the paper, as he was given the day's supply of papers on credit and his place of work, the number of papers he must sell, and the hour of stopping were dictated by the circulation manager, he was obliged to return to the office for settle-

ment around 7 or 7.30. In those cities very few boys sold as late as 8 p. m., though some if "stuck with papers" went back to the streets after the evening settlement and tried to dispose of them. In Atlanta, though the newsboys worked under a similar arrangement, settlement was allowed as late as 8 p. m. There a large proportion of boys sold papers until at least 8 o'clock. In Atlanta also, as in Washington, the only other place included in the survey in which many boys sold on school nights after 8 o'clock, newsboys sold the so-called "bulldog" edition of the morning papers, which came out about 9 p. m.

Some boys are out far into the night selling papers. In Washington four white and five negro children sold daily papers until midnight or later. Three of the boys, 11, 12, and 13 years old, respectively, sold until 1 a. m.; one until 2; and a fifth until 2.30. The last-mentioned, a 13-year-old negro boy, sold morning editions of one of the papers until 2.30 three nights a week, stopping work on the remaining three nights at 8.30 p. m. Two little negro boys, brothers, aged 11 and 12 years, respectively, worked from 9 p. m. until 1 a. m. seven nights a week at one of the busiest down-town corners in Washington. Both boys did not sell continuously during these hours but took turns riding around with a newspaper truck driver to "jump" papers for him; that is, to hop off the truck with bundles of papers for the newspaper sellers on the sidewalk. In each of the cities surveyed, except Columbus, at least a few newsboys were on the streets on school nights until 10 or later.

#### Saturday work.

It is chiefly on Saturday nights, however, that late selling is common. That is the "big night" for newsboys because they can sell the Sunday papers, which are issued Saturday evening in time to reach the Saturday-night theater and restaurant crowds. Tips are more likely to be given late at night, especially on Saturday night, than at other times, thus proving a temptation to the boys to sell papers or shine shoes at late hours. A 15-year-old newsboy said that he made more money on Saturday because of tips and that few tips were given during the week. Another newsboy, aged 10, doubled his earnings on Saturday because of tips. A 12-year-old newsboy, who reported staying out until 3 a. m., said that he generally got tips Saturday night and early Sunday morning.

Many newsboys work on Saturday nights until at least 10 p. m. and in some places until midnight or later. A 12-year-old boy in Wilkes-Barre said that he stayed out until 3 Sunday morning selling Sunday papers, though his mother said that he was "seldom out until 3 a. m." Just before 11 o'clock one Saturday night in November, 31 newsboys were in the public square in Wilkes-Barre

and the adjacent streets, most of them selling New York Sunday papers to the Saturday-night crowds. Typical of this group of newsboys, who kept late hours, were two 12-year-old boys, each of whom had sold papers from the age of 7. One of them sold from 4 or 5 in the afternoon until 8, 9, 10, or 11 on school nights, until midnight on Saturday, and almost all day on Sunday. The other boy stayed out selling papers on Saturday until 11. His mother said that he was a good boy, but that she was afraid of the influence of the streets, as the year before the boy's brother had been sent to the reform school for staying out all night. The family was fairly prosperous, and the boy, who earned \$8 a week selling papers, had \$300 in the savings bank. Among the younger Wilkes-Barre newsboys who stayed out late was an 8-year-old child who said that his older brother, a bootblack, stayed out with him until 12 o'clock on Saturday and that the police did not bother them. A 13-year-old boy in Columbus began selling papers at 4 o'clock on Saturday afternoon, remaining on his corner down town until half past 12; then he went to the agent's where he ate the lunch that he had brought with him from home and went to sleep "on a bag under a bench" until the agent made up his accounts and took him home about 3.30 or 4 a. m. Sunday.

Generally speaking, the newsboys who keep late hours are as young as those who sell papers only a short time on Saturday afternoons. An Atlanta boy of 10 who sold papers up to 11 o'clock said that an older brother took his place after that hour because he was too small to stay down town so late. "I'm afraid some of them boys will hit me in the head and take my papers," he said. The mother of a 10-year-old boy, who sold until 11.30 Saturday nights but stopped at 7 on the evenings of school days, said that he often did not come home until midnight. A native white child of 6, clad in garments so ragged that his skin showed, sold papers on a down-town corner until 11 on the evenings of school days as well as on Saturday. He had been selling papers for seven months with a permit which he said had been given to him at the newspaper office. His school principal told of seeing him down town at all hours, using newspapers as a pretext for begging. The boy himself said that he "just couldn't help" asking for money. The 10-year-old son of a Ukrainian tailor's presser in Newark sold papers from 11 a. m. to 8.30 p. m. on Saturday, reporting that he "ate on the job" at noon and on his return home at night. A 9-year-old boy of Italian parentage began at 10 on Saturday morning and was out until 7 p. m., taking half an hour at noon for lunch. Another boy, only 11 years of age, began at 6 on Saturday morning and sold until noon, beginning again at 12.30 and selling until 7. Another 11-year-old boy

had a working day of 11 hours on Saturday during the school year; from 8 a. m. he sold until 9 p. m. with an hour off at noon and another at 5.

Often the Saturday-night work follows many hours of selling papers on the down-town streets. With papers appearing almost every hour many boys make an all-day job of selling papers on Saturday. They leave home before noon and sometimes do not return until 2 or 3 o'clock in the morning or until the next day, spending the night in newspaper-distribution rooms either because it is too late to go home or because they wish to be out on the streets with papers early Sunday morning.

The following accounts are representative of the hours of some of these boys in Omaha: A 12-year-old newsboy, who had been selling papers from the age of 7, ate lunch before 11 o'clock Saturday morning, and went down town to sell papers until 7 p. m., when he stopped to eat a 25-cent supper at a restaurant; he began to sell again at 8 and continued selling until midnight. An Italian boy, 15 years old, sold papers from 5 to 10.30 Saturday morning, in the afternoon from 1.30 to 7, and again from 8 to midnight—a 15-hour day. A 12-year-old boy began selling at 2 Saturday afternoon and worked until 1 o'clock Sunday morning. A boy of 11 sold continuously from 11 o'clock Saturday morning until 12.30 at night, except for an hour between 7 and 8 when he stopped to get "hot dogs" and pie at a restaurant. Another little boy, only 10, went down town at 10 Saturday morning with two brothers and sold papers until 1 o'clock; between 1 and 3, he said, he "monkeyed around the office or went to a show," but beginning at 3 he sold again until about 1 o'clock Sunday morning, and then slept at the newspaper office on bags ("if some of the big kids don't come in and jerk them from under me") until 5 o'clock Sunday morning, when he again went out on the streets to sell for two hours. He and his brother ate three successive meals at a down-town restaurant frequented by a rough type of men. An 11-year-old boy, the child of Italian immigrants, worked on Saturdays for 14½ hours; he sold morning papers from 5.30 to 10, and after lunch sold from 1.30 to 7 and from 8.30 to 1, going to the distribution room, where he slept on benches or played around until 4.30 Sunday morning, the hour at which he began to sell again.

Many laws and ordinances relating to street work forbid boys to sell papers late at night, but these regulations are no more strictly enforced than those pertaining to the age at which boys may begin to sell. The enforcement is commonly left to the police; and even where some children's agency makes special efforts to get the help of police, it is often found that the latter will not interfere with a child's selling papers because they feel that it is doing the child an injustice to keep him from "earning a few pennies."



**Selling morning papers.**

Comparatively few boys sell morning papers except on Sundays (the largest number of daily morning sellers found by the Children's Bureau was 54, in Omaha), but of those who do so many sell papers for two hours or more before beginning the day's work at school. In some places, as in Atlanta, Ga., and Washington, D. C., selling daily morning papers late at night is customary, and in most cities the Sunday-morning paper is sold on the streets Saturday night.

In Omaha, although only 24 of the 98 boys selling on Sunday morning were out on the streets before 6, some of them, especially those who sold on down-town corners, spent Saturday night in the distributing rooms; they said it was not worth while to go home for the few hours between the time they stopped Saturday night and the time they began Sunday morning. Typical of these was a 10-year-old boy who with his two brothers sold papers until midnight on Saturday, bought a breakfast of Hamburg sandwiches and coffee, then retired to one of the newspaper offices, where he slept from 1.30 to 5, the hour for beginning his Sunday morning's work. Another boy, 14 years of age, who turned in at the newspaper office around 12.30 Saturday nights, was out selling again on Sunday mornings at 4.

Morning selling often makes the boys too sleepy to do good work in school. Now and then a boy would say that he could not keep awake in school. A 15-year-old boy in one city who had sold morning papers for two weeks had been obliged to stop because he used to go to sleep at his desk and on his way home was so sleepy that he would call out, "Papers, mister?" though he had no papers to sell. Teachers also complained that newsboys went to sleep in school. A number of morning sellers also work under the double strain of selling papers in the afternoon as well as in the morning, many of them every school day.

**Daily hours.**

Newsboys work long hours as well as at undesirable times. One-half to three-fourths of the newsboys in the cities in the Children's Bureau surveys worked six or seven days a week. The selling on school days lasted between three and five hours, on an average, in four cities and between two and three hours in three cities. In some of the cities many boys sold at least five hours a day.

Among those selling at least five hours on school days in Atlanta were two 15-year-old boys, attending night school, who sold papers all day, eight or nine hours or longer, and a 15-year-old high-school pupil who sold from 2.30 to 10.30 every school day and even longer hours on both Saturday and Sunday in order to add to a fund for his college expenses. Some of the younger children also worked ex-

cessively long hours. A 13-year-old newsboy sold papers from 8 to 9 every school day, another from 3.30 to 11.30; a boy of 12 sold from 3 to 9.30 every school day, and a 13-year-old negro boy found on the streets and not enrolled in school was selling papers five days a week from 11 to 12 and again from 3 to 7, besides long hours on Saturday and Sunday. An 11-year-old child sold from 11 to 1 and from 5 to 9 p. m. every school day. His school life in the early hours of the afternoon between the two periods of selling papers must have seemed to him merely an interruption of his real activities; he was retarded four years, having reached only the second grade. Another newsboy who sold papers five hours on school days was in only the third grade although he was 13 years of age. According to his own statement and the record of the Associated Charities he had worked when he was about 10 as a telegraph messenger, going to school in the afternoon; at the age of 11 he began to sell papers, and his working hours were so late that he could not go to the office of the association to get some shirt material they had for him. He was described at school as "a serious child—never smiles" but was said to learn quickly. The school principal thought he had injured his voice selling papers; but when the Associated Charities offered to give the family the amount he earned if he stopped selling papers his mother refused, saying that it was better for him to work and that it required no more strength to work than to play.

In Newark a little group of boys, chiefly from Italian and Polish homes, sold from five to six and one-half hours on school days, beginning immediately after school and continuing until 8.30 or 9 or later, some of them with no supper until after their return home. Two brothers, one 11, the other 15 years of age, owed their long hours to the fact that they sold both before and after school, from 6 to 8.30 in the morning and from 4 to 7 in the evening. This they had done throughout vacation and the school year up to May, the time of the interview.

#### Weekly hours.

Newspaper selling in the cities studied averaged 16 hours a week for each boy.

Slightly more than half the boys worked 41 hours a week or more, including their 25 hours of school work. The 13-year-old son of an Italian fruit peddler in Washington had been selling papers for five years. He sold from 5.30 to 8.15 a. m. and from 3.30 to 8.30 p. m., a total of  $46\frac{1}{2}$  hours a week. According to his mother's statement he and his two brothers had to sell papers because they needed the money. The father and the two oldest boys worked irregularly, so that the only assured earnings in the family were the profits from the

boy's papers and a 17-year-old daughter's wages of \$10 a week in a "pants factory." The mother insisted in broken English that the work was good for Umberto and that it kept him from getting lazy. All the children had to work, she declared, in order to help pay for the home that the family had been buying for two years.

Another 14-year-old Washington newsboy had a 47½-hour week. Selling papers every week day from 3.30 until 11 at night and on Sunday nights between 8 and 11 left Aaron no time for recreation. He could not go to bed before midnight, and he did not get more than seven and one-half hours of sleep, although his mother reported, "He sleeps all Saturday and Sunday morning." His school record showed the result of his long working hours. Besides being retarded two years, he had a record of poor deportment and only fair scholarship. His teacher wrote: "Aaron is very erratic and undependable. He has a frightful temper and no ability to control it. He is always sleepy in school. The fact that he stays out so late selling papers and does not have sufficient rest may account for his instability." All this lad's earnings (\$8 a week) were spent on clothes, expenses in connection with his selling, and luxuries for himself. He was buying a bicycle on the installment plan. His mother seemed unaware of the strain that his 47½-hour week entailed and seemed to think that his work kept him out of mischief, even though he had been in the juvenile court twice on charges of incorrigibility and stealing.

In Omaha an Italian boy, only 11 years of age, worked 53¼ hours a week. He sold papers each day about four hours before going to school and in the afternoons for three hours, all day Saturday until 7 in the evening, and early Sunday morning.

The Children's Bureau survey in Newark included boys who sold papers during school vacations. Among these boys a working week of 54 hours was not uncommon. The longest hours (77 a week) were reported by the 12-year-old son of an Italian proprietor of a shoe-shining parlor. The boy sold papers every week day from 8 to 12 and from 12.30 to 8.30 and on Sundays from 8 to 1 at a news stand. In addition he worked more than six hours on Sunday afternoons shining shoes at his father's establishment. He said that his father let him keep his tips from both jobs but made him hand over the rest of his earnings.

Several other boys reported 71 or 72 hours of work a week. A boy of 9 and one of 13 sold papers for their brothers, who kept a news stand near a railroad terminal; both said that they worked from 6 in the morning to 6 at night every week day in vacation, with 10 minutes off for lunch. The younger boy said that his brother gave him 25 cents a week for his work. Another newsboy, a child of 11, sold papers from 8 a. m. to 8 p. m. every vacation day except Sunday,

taking no regular periods for meals. He said he had to sell papers because there were 11 in the family; his father, a janitor, made but little money, a brother, the only one of working age, never had steady work, and a sister who had gone to work had become ill and had had to stop. This boy had been for three semesters in the last half of the fourth grade, only slightly below the normal grade for his age; he thought that he could do better in school if he had more time to study. Even during the school year he worked 28 hours a week selling papers. Many other boys worked almost as long hours as these.

In other surveys newsboys have been found to work somewhat fewer hours than newsboys in the Children's Bureau study. In Springfield newsboys' working hours averaged between 2 and 3 hours a day and in Buffalo, 13 hours a week; in Tulsa the average hours a day were 3, and 20 per cent of the boys worked 24 hours or more a week; in Toledo 13 per cent of the newsboys worked more than 24 hours a week.

#### NEWSPAPER SELLING IN RELATION TO HEALTH

The Children's Bureau obtained no information on the health or the physical condition of the children included in its surveys, but a few of the other studies of juvenile street work have included physical examinations. In connection with the study of newsboys in Cincinnati a physician examined 306 boys from homes of about the same income level, including newsboys and boys who did not sell papers. Fourteen per cent of the newsboys had heart disease, almost three times the proportion among the other boys; the newsboys had more orthopedic defects (11 per cent compared with 5 per cent) and more throat trouble (38 per cent compared with 17 per cent). In Buffalo 228 street workers, including newspaper sellers and bootblacks, were compared with more than 12,000 school boys examined in the same year; the greatest difference found to the disadvantage of the street workers was the proportion with cardiac disease, which was 6 per cent compared with 4 per cent in the other group. Probably the most thorough study from the medical side is that of the New York Tuberculosis and Health Association (*The Health of a Thousand Newsboys in New York City*; a study made in cooperation with the board of education by the heart committee of the New York Tuberculosis and Health Association.) But in the presentation of the results of this study newspaper sellers and carriers are combined, so that it is impossible to draw definite conclusions in regard to the physical effects of newspaper selling upon newsboys. Among other things these physical examinations showed that 17 per cent of the boys examined (including carriers) had flat foot, compared with 6 per cent of a group of New York

City public-school children in 1920. The study recommended frequent periodic examinations of newsboys after they have worked for some time.

A British report is sometimes quoted to prove that street work is physically harmful. In this report, presented before the Departmental Committee on the Employment of Children Act of 1903 and published in 1910, a medical inspector gives the results of a study of newsboys who worked outside school hours. Fatigue was shown by 60 per cent of those who worked 20 hours or less, by 70 per cent of those who worked 20 to 30 hours, and by 91 per cent of those who worked more than 30 hours. Nerve strain or nervous complaints affected 16 per cent in the 20-hour group, against 35 and 37 per cent respectively in the groups working longer hours. The evidence of flat foot and of heart strain also increased with the number of hours of work. Unfortunately the study included only 87 newsboys.

The findings resulting from these studies are interesting, but until they are corroborated by other and more extensive data they can not be regarded as offering conclusive evidence that newspaper selling does or does not affect health unfavorably.

Although it has not been proved that long hours of standing on hard city pavements cause orthopedic defects, such as flat foot, among newspaper sellers, or that the overstimulating environment or the intense competition predispose them to nervous affections, common observation confirmed by expert opinion leads to the conclusion that under certain conditions newspaper selling has serious physical disadvantages.

Too early working hours in the morning or too late hours at night deprive the newsboy of sleep. Teachers sometimes complain that the newsboys go to sleep in school or are too sleepy to pay attention to what goes on in the classroom. Too long hours, even if not at undesirable times, tax the boy's energies. Twenty-five years ago the British Interdepartmental Committee on the Employment of School Children, after exhaustive inquiries into the subject, agreed that probably 20 hours of work a week is the maximum that can be expected of school children in most employments without injurious results. The Children's Bureau surveys showed that many newsboys work more than 20 hours a week. In this connection it is important to remember the close relation between fatigue and malnutrition.

The Children's Bureau survey showed, as have others, that many newsboys have meals at irregular times and even more have meals at unsuitable hours. The peak of newspaper sales comes at the hours most newsboys' families are having their suppers. A hot evening meal, the principal one of the day for most families, is

therefore out of the question for large numbers of the boys. Even those who sell papers only until 6.30 or 7 usually go home to leftovers from the family supper, not always "kept hot." Many have no supper until 8 p. m. or later or get a "hot dog" sandwich, a cup of coffee, or some stale cakes at intervals in their work. Some boys eat a cheap meal at down-town restaurants. On Saturdays, when many boys sell papers all day, they often have nothing to eat but an unsubstantial bite snatched here or there until they reach home late at night. Boys selling morning papers sometimes breakfast at 5 or earlier, sell papers until 8 or 8.30, and then rush to school; others, obliged to be out too early for the family meal, eat no breakfast or sell for two or three hours before they have anything to eat.

It may be that for healthy, well-clad boys the dangers of exposure to cold or inclement weather are not great, though waiting even 15 minutes for a street car in a soaking rain or a cold wind makes one understand that several hours of standing on a corner under such conditions must be at least very uncomfortable. Danger from traffic, also, may be no greater than for boys who do not sell papers, though many newsboys' parents feared it. In Columbus it was customary for boys to "hop cars" in order to sell their papers, but this practice was not permitted in any of the other cities surveyed, and it seems probable that it is largely a thing of the past. Unlike newspaper carriers, newsboys seldom carry very heavy bundles of papers; ordinarily they take only a few papers under their arms at a time, leaving the rest of the stock spread out in a pile or piles on the sidewalk or in a doorway or some other convenient nook.

#### NEWSPAPER SELLING IN RELATION TO EDUCATION

Are newspaper sellers less regular than other boys in school attendance, a fundamental requirement for success in school? In the cities in the Children's Bureau survey in which comparable figures could be obtained for the whole school population or for the male enrollment, newsboys were found to have about as good attendance records as others. In the cities for which these comparative figures could not be obtained the newsboys had about as good attendance records as in the other cities, the average percentage of attendance for newsboys being over 90 for each city. This is what might be expected and what is shown by other studies. Most newsboys are subject to compulsory school attendance laws, like other school boys, and if the school-attendance department is efficient they are kept in school. In Seattle they had as high a percentage of attendance as other boys, if not higher, and in Tulsa, the only other survey giving information on this point, their average percentage of attendance was over 90.

According to truancy records obtained by the Children's Bureau, the percentage of newspaper sellers who had been truant in Omaha was 7, in Wilkes-Barre 7, and in Washington 20 for white and 23 for negro children. No figures for other boys of the same ages are available for these or other cities. Truancy rates in the cities for which they are compiled are not comparable because they usually include girls, whose truancy is much less than that of boys, and because they include boys of all ages, whereas the proportion of older boys, the ones most frequently truant, is larger among the newsboys than it is in the whole school enrollment. In the Children's Bureau surveys the truancy rate for newspaper sellers was several times as high as that for carriers in the same city, a fact that is brought out also in surveys of Toledo and Cleveland. However, this greater amount of truancy among newspaper sellers may not be due to their occupation or conditions connected with the occupation. The newspaper sellers, more often than the carriers, and more often than the average school child in their cities, came from immigrant homes, many from the homes of fairly recent immigrants, and their truancy may be considered to some extent at least as one of the problems involved in adjustment to American conditions. (Statistics of truancy in Philadelphia, a city for which an unusually detailed analysis of truancy rates is published, showed, according to the report of the bureau of compulsory education, that in 1924, 45 per cent of the school children but 54 per cent of the truants were of foreign parentage.) However, many of the conditions surrounding newsboys in their work, as well as those in some homes, tend to cause discontent with the routine of school.

A rough measure of success in school is furnished by retardation figures, which show to what extent children are above or below normal grades for their ages. Other studies of newspaper sellers than those made by the Children's Bureau have shown that they are very much overage for their grades, suggesting that their progress in school is slower than that of the average boy. In Atlanta and Omaha, two of the four cities in the Children's Bureau survey in which comparable figures could be obtained for the total school enrollment, the newspaper sellers had made much slower progress in school than all school boys of the same ages. In Paterson and Wilkes-Barre the percentage of newspaper sellers who were retarded in school was about the same as that of all school boys of their ages. In Columbus and Newark the retardation rate for newspaper sellers was very little higher than that for the whole school enrollment, including girls, whose rate of retardation is usually lower than that of boys.

NEWSPAPER SELLERS AND BOOTBLACKS



1. SISTER MINDS HIS PILE OF PAPERS WHILE HE SELLS ON A BUSY CORNER. 2. ONE OF MANY LITTLE BOYS SELLING PAPERS IN THE PUBLIC SQUARE, WILKES-BARRE. 3. "NO MONEY IN IT, THERE'S TOO MANY OF US," SAID THE BOOTBLACKS OF WILKES-BARRE. 4. AN 8-YEAR-OLD "STREET MERCHANT" IN COLUMBUS. 5. COUNTING PAPERS GIVEN OUT TO SMALL BOY HELPER



## THE NEWSBOY'S ENVIRONMENT

A serious charge brought against newspaper selling is that it may introduce the newsboy to an unsuitable environment and to dangerous associations. Few writers on the subject of street work have failed to emphasize this aspect, and several studies of street workers have presented concrete evidence in support of the charge. Among the studies made in the last 10 or 12 years, 4 give special consideration to this phase of the problem of newspaper selling—the studies made in Seattle, Cincinnati, Chicago, and Buffalo. As an indication of the nature of the evils that were found actually to exist in these cities, the following paragraphs are quoted:

The great majority of the supply men employed to wholesale the papers to the newsboys have criminal records of considerable length, while the character of their crimes makes them unfit for contact with young children. Evidence has been presented that thugs employed by papers have attacked newsboys employed on other papers. Gambling is very common among boys waiting for their papers. Petty graft is exacted from little newsboys employed by older men owning corner stands. Worst of all, affidavits have been made proving that negro and other supply men have practiced on newsboys vile and perverted sex offenses. (The Newsboys of Cincinnati.)

Into each of the two distributing rooms came nightly, during the time of the inquiry, from 40 to 80 men and boys. Among these alley lodgers and frequenters our investigator found runaways from all parts of the country. \* \* \* In both the alleys indecent stories prevailed, especially in relation to sex perversions. \* \* \* In the fourth month of the inquiry evidence was secured in two instances against men accused of an attack upon one of the newsboys; and these men were convicted in the criminal court and sentenced to 10 years' imprisonment in the penitentiary. A doctor at the Emergency Hospital stated that within a few weeks nine boys had come to him to be treated for venereal disease contracted from one pervert among the alley employees. \* \* \* Two of the frequenters of the alleys, men in charge of news stands, openly boasted of their success in acting as panderers for streetwalkers, in connection with their sale of newspapers. \* \* \*

There was much thieving among the men and boys both inside and outside the alleys. While they were sleeping the boys were robbed of their money and clothes by other newsboys. \* \* \* Young boys offered bargains in articles stolen inside the department stores. They would go into the stores in groups, and while one of their number made a trifling purchase, the rest would elbow goods off the counter to the floor and get away with it to the alley.

Gambling was a regular practice in the alleys, shooting craps—the stakes were small sums of money, generally, and on one occasion, age and school certificates—and playing seven-up. (Chicago Children in the Street Trades.)

While the investigators themselves saw no definite violations of this nature [that is, the use of newsboys by adult sex perverts for immoral purposes] instances have been specifically reported of lads being outraged in the delivery rooms, and from the actions and language of the boys who were found around the newspaper offices when the investigators called, it is apparent that this danger still exists. (The Street Traders of Buffalo, N. Y.)

In the report of a survey of newsboys in Seattle is a description of conditions connected with newspaper selling given the investigators by a 14-year-old newsboy:

His methods of securing money or meals from drunks, the various forms of vice learned from the older "bums" around newspaper offices, their levying of tribute on the little foreign boys, their theft from the pockets of the younger boys who often slept on the tables or on the newspapers while waiting for the morning editions, instruction in the art of stealing and the sale of stolen goods, were all made very realistic. (Newsboy Service.)

While the newsboy is working on the street his surroundings appear to present no special hazards; most newsboys sell on the main business streets of their cities, and only occasionally one stands with his papers in the doorway of a disreputable hotel, or enters a saloon (or its latter-day substitute) in search of customers. As the quotations suggest, the type of man with whom the newsboy comes in contact in the newspaper-distribution rooms is the greatest potential danger in the newsboy's environment.

The Children's Bureau survey included an investigation into conditions in and around distribution rooms in four cities: Atlanta, Columbus, Omaha, and Wilkes-Barre. The investigation was made by a representative of the bureau whose purpose in the distribution rooms was known to most of the men and boys there. Although such a method has some limitations the investigation revealed conditions of extreme unwholesomeness and potential danger to the boys. In some of the distribution rooms in Atlanta and in Omaha it was customary for boys to spend the night, usually Saturday night, either sleeping on the counters, on boxes, or on the floors, sometimes with a few papers under them, and in cold weather covered with burlap bags or newspapers, or, more often, indulging in practical jokes, fighting, gambling, and stealing from each other. In both these cities competition between newspapers had resulted in an increase in the number of "tramp newsies," older boys and men who did not work and who sold papers only long enough to earn a few dollars for food, sleeping in the distribution rooms or in lodging houses provided by the newspaper companies. The newsboys and their parents said that these men kept the younger boys awake all night when they stayed in the distribution rooms, gambling and playing cards, cheating them and taking away their money, and that they urged the newsboys to steal and bought the stolen goods from them. They hung about the distribution rooms, day and night, with the younger newsboys, boasting of the tricks they had used in selling their papers, telling adventures of a questionable nature, and indulging in indecent conversation. In one city one of the older local newsboys said that "tramp newsies" used the younger newsboys for immoral purposes, and the director of a boys' club in the other said that cases of that kind, in which news-

paper truck drivers and newsboys were involved, had come to his attention. One newsboy accused a circulation assistant with whom he dealt of being "almost always drunk." Other boys said that the "tramp newsies" or the newspaper truck drivers abused and ill-treated them, slapping and cursing them, twisting their arms, and taking their money. One truck driver in Omaha had been arrested for ill-treating a newsboy.

In Wilkes-Barre and Columbus conditions were better. In Columbus newsboys did not sleep in the distribution rooms nor loaf about them. The employees seemed to be respectable men, in some cases university students working part time. Nevertheless, an occasional boy would tell of having been beaten by a circulation assistant in fights over newspapers, and a number of boys reported that the adult negroes selling papers on the streets quarreled with them over "corner rights" and "beat them up." In Wilkes-Barre a few boys spent Saturday night at a newsdealer's, but a night spent there by a representative of the Children's Bureau failed to disclose anything worse than profanity and boyish "rough-house." In and around the distribution rooms of both Columbus and Wilkes-Barre "craps" and "pitching pennies" were common forms of diversion. These probably could not be attributed to the newsboys' working environment except that the opportunity was provided by the combination of loose change in their pockets, time on their hands while they waited for their papers, and the company of others of like tastes and habits.

Although the management of many of the newspapers tried to keep their newsboys satisfied by giving them passes to motion-picture theaters, treats of various kinds, such as picnics, and in one or two instances even "meal tickets," none provided recreational facilities in the waiting room and alleys.

In each of the cities in the Children's Bureau survey a so-called newsboys' club was maintained by religious organizations. These were the usual clubs for the "underprivileged" boy; the membership was not limited to newsboys, nor did it include all the newsboys in any city. The program was chiefly athletic. In none of these cities was there a newsboys' club like those in Milwaukee, Boston, Toledo, and a few other cities, operated on the self-government principle, which are reported to be effective aids in enforcing street-trade regulations.

The conditions that exist in and around the distributing rooms of some newspapers and the type of man and older boy with whom the young newsboy's work often throws him suggest some of the dangers that newspaper selling has for the immature and impressionable. Even apart from the possibility that he may learn antisocial and often evil practices from adults, the newsboy's work, bringing to-

gether all kinds of boys in the down-town sections of a city, offers more opportunities for him than for the nonworking boy to pick up unsuitable companions and to engage in unwholesome activities. With money in his pocket and time at his disposal (for his work gives him an excuse to be away from home long hours at a time, even after dark and often at mealtime) he can make the most of such contacts as he has. Stimulated by participation in the kaleidoscopic activities of the streets and pleasantly conscious of being "on his own" it would seem that there is great chance of his getting into mischief with the "gang" or even into serious trouble.

Not the least among the ill effects that may be attributed to newspaper selling is the virtual separation of the boy from his family. Newsboys who go down town to get their papers immediately after school and remain until after the evening meal is over and who sell papers practically all day Saturday—conditions under which large numbers of newsboys work—spend almost none of their waking hours at home. In such circumstances it is inevitable that family ties should be weakened, especially when the boy begins newspaper selling at an early age. Family influence grows less and less, and it is likely to be only a question of time before he is beyond parental control. When the parents are of foreign birth, as many are, this danger is increased.

It is true that some newsboys would "live on the streets" even if they did not sell papers, finding in the streets, as some one has aptly said, their home, their school, and their playground. But the fact that they are earning money allows newsboys to feel an independence of parental control that otherwise they would not feel. Although in many of the newsboys' homes visited in the course of the survey there was little to interest or satisfy a young boy, only in a few was overcrowding a serious problem. Even if the home is inadequate, however, the community can not accept undesirable activities on the street as its substitute.

The dangers in street work are recognized by many parents. Many parents expressed disapproval even among those who through poverty, ignorance of conditions, indifference, or lack of control of their children permitted their boys to sell papers. Although the majority were on the whole in favor of the work, almost invariably the only reason for favoring it was that it enabled the boy to earn money. In Atlanta 24 per cent of the newsboys' parents interviewed objected to newspaper selling; in Wilkes-Barre, 21 per cent; in Columbus, 18 per cent; in Omaha, 17 per cent; and in Washington, 13 per cent. These proportions are many times greater than the proportions of newspaper carriers' parents who said they did not like to have their boys carry papers. Typical remarks of parents who objected were:

"I'm afraid he'll be a tramp," "It makes them little bummies," "He learns bad habits," "He hears bad language," "He gets so I can't manage him," "He gets in with tough boys," "He gets in with boys that steal," "He gets in trouble," "He learns to shoot dice and smoke," and "He gets spoiled and spends his money shooting craps and playing cards."

The newsboys' own opinion of the moral influence of their work was not inquired into in the Children's Bureau study. In the report of the survey of newsboys in Seattle (Newsboy Service), in which the advantages of newspaper selling are done full justice, it is said that "most of the older boys, and the ex-newsboys, thought that the sum total of the influence was harmful and mentioned, in so stating, the concrete elements of vulgar and obscene language, smoking, gambling, and the temptations to participate in various forms of immorality. The majority, had they any choice in the matter, would not allow younger brothers to sell."

These statements describe briefly the possible ill effects of newspaper selling upon the behavior and conduct of the newsboys. Many of the worst influences, however, might not make themselves felt for many years, and impossible as it often is to trace the causes even of single acts of wrong-doing, it is much more difficult to determine the reason for general deterioration. In many of the boy's activities, undesirable though they may be, he does not actually break the law, and the results, at least while he is still a boy, are not known beyond the family circle or the neighborhood. Moreover, how a child will be affected by exposure to dangerous influences can not be foretold any more than it can be known without test whether or not he will succumb on exposure to smallpox. Some children come out apparently unharmed by all sorts of experiences that are usually regarded as demoralizing. The community is committed to vaccination against the hazard of smallpox. Should it not provide protection from social ills?

#### DELINQUENCY AMONG NEWSBOYS

One of the few measures, though a very rough and inadequate one, of the extent to which boys fail to adjust themselves socially is found in juvenile-court records. In each of the five cities in the Children's Bureau surveys in which the records of the juvenile court were examined, from 6 to 13 per cent of the newsboys had been in court, the great majority having appeared in court for the first time after they had begun to work on the streets.

It goes without saying that if the proportion of delinquent newsboys in each city could be compared with the proportion of delinquent nonworking boys or boys in other occupations who have simi-

lar economic and social background, its value as an indication of a relation between newspaper selling and delinquency would be greatly increased. But information of this kind is not available. Nor can comparisons profitably be made with such delinquency rates as are available for the general child population of the individual cities, for these include girls and cover all economic and social classes, usually are not computed for the different age groups, and cover a single year.

In a number of studies of newspaper sellers the delinquency rate for newsboys has been compared with that of other boys of the same ages in the city and even with that of the total schoolboy population, without taking into account the fact that boys from more prosperous families do not get into the juvenile court, even for similar offenses, to the same extent as boys from the type of family which furnishes most of the newsboys, or the fact that boys from prosperous families do not have the same temptation to wrongdoing of a serious order as boys from an inferior environment, apart from any influences in their work. Other investigators have seen a direct connection between street work and delinquency in the fact that large proportions of boys committed to industrial schools and reformatories had sold papers. But large proportions of the boys in the economic and social class from which the inmates of such institutions generally come do at some time in their lives sell papers, so that the relative number of newsboys in the institutions may have no significance. As Fleisher points out in "The Newsboys of Milwaukee," the term newsboy is not usually defined in such statistics and may include boys who sold papers for such short periods or under such circumstances that the occupation could not have been a contributing cause of their delinquency. Fleisher himself, after a careful consideration of every factor, concluded as a result of his investigation in the Wisconsin Industrial School that "newspaper selling played a decidedly minor part in the boys' delinquency." After a similar study in the Seattle Parental School the survey of newsboys in Seattle presents the same conclusion.

Several times as much delinquency was found among newspaper sellers as among carriers, magazine sellers or carriers, or even, as a rule, among peddlers in the same city. Whether this was due even in part to their occupation it is impossible to say. Court records were usually too brief to indicate whether or not the specific offenses had anything to do with the boy's employment, though very often boys with court records had been working under bad conditions, such as long hours or late hours at night. In Wilkes-Barre, the only one of the cities for which figures on both these groups were obtained, relatively fewer newsboys than bootblacks had court rec-

ords, a fact which indicates the importance of the home environment in the boys' delinquency, for bootblacks in Wilkes-Barre worked under much the same conditions as newsboys, but they came from poorer and less Americanized homes.

A relation between the boy's delinquency and his work or the conditions of his work could be seen in such cases as the following:

When Tony was 9 he stole a \$40 watch and sold it for 10 cents and a bag of peanuts. Later that year he was arrested for begging and for stealing papers, and the next year he was arrested for begging at theater entrances, pretending he was crippled. This time he was sent to the reform school for a term, but after he was released he was arrested again for stealing papers. Tony was 12 when the interviewer saw him. He had been selling papers since he was 8, working three and one-half hours a day before and after school, sometimes playing truant. Tony's father had steady work, and the family seemed fairly prosperous.

Luigi, an Italian newsboy of 13, often "played hookey" for a week at a time. Twice he had been brought before the juvenile court for truancy, the second time for staying away from school to sell papers. He told the court that his mother had ordered him to go out and earn money and not bother about school. No action was taken, and a month later he was truant for a week. Luigi was in the fifth grade, where he had a fair scholarship record. He had sold papers for four years, and before that he had been a bootblack. At the time the study was made he earned \$3.25 a week. Luigi was proud of earning enough money to buy his own clothing. He was a neat, well-mannered boy, the oldest of seven children in a clean, well-kept home. His mother said that she wanted him to earn money but did not mean for him to stay out of school. Although she said that he was "fresh" and that she could not keep track of what he did, she admitted that he bought his own clothing and gave his money to her during the strike.

When 10-year-old Bartolomeo came before the juvenile court for truancy, the judge said he thought it was due partly to parental neglect and partly to the fact that Bartolomeo was allowed to sell papers at 5 o'clock in the morning. Bartolomeo had begun to sell papers both morning and afternoon, when he was 8, and he had juvenile-court experience each of the next three years. His parents' only comment on his work was: "He goes with his own will." Bartolomeo said he had begun to sell papers because of family need, but at the time of the study he was giving no money to his family. He saved some of his earnings and spent the rest for his clothing and luxuries. Bartolomeo's father had regular work and an income higher than the average for chief breadwinners in the study. The family of seven lived in a rented house of five rooms.

Stanislaw, the 13-year-old son of a Lithuanian miner, reached the newspaper office at 3.30 in the morning so that he could get his papers first. His working day was about six and one-half hours, before and after school. On several occasions he was absent from school for days at a time and was reported by other boys to be shining shoes or selling papers, but he was reported "very bright," had good deportment and standing, and was in the eighth grade. Stanislaw worked with his two brothers, one 10 and the other 12, and he thought their total earnings averaged about \$11.50 a week. The mother said that the boys had to work to help support the family, which included seven children, only one of them over 14. Because of the strike the father had

been unemployed during the year, and the family had been helped by the United Charities and the poor board.

Dan, a 13-year-old boy of native white parentage, had sold papers from the age of 9. At the time of the study he sold only on Sunday, his hours being from 4.30 a. m. to 1.30 p. m. He had had four charges against him. When he was only 8 he was charged with breaking into a business establishment with intent to steal and had been put on probation. Two years later he stole \$10 worth of cigarettes from a confectionery company. Three years later he was charged first with littering the public streets with bottles and next with stealing newspapers. At that time the court forbade his selling newspapers for six months.

Two colored boys, brothers, one 12 and the other 11 at the time of the study, had been arrested in 1921, 1922, and in February, 1923, for stealing. The third charge was for stealing money from milk bottles on the steps of the houses where they delivered papers. As a result they had been forbidden to sell papers for a year.

Frank, 14 years old, had sold papers for two months when he was 9 years of age and had been selling again for six months when he was interviewed. He sold papers more than three hours a day on school days, stopping at 7 p. m., and 11 hours on Saturday, staying out until 1 o'clock Sunday morning. On Saturday he ate two meals at a down-town restaurant. He said that he kept \$1.50 of his weekly earnings for spending money. After beginning his second period of newspaper selling he had been implicated with another boy in the theft of \$46 and had been committed to a detention home. The father and mother of this boy were living together, and the father supported the family. Both father and mother were illiterate.

Shortly after they began to sell papers a boy of 12 of Syrian parentage and his brother who was a year younger were arrested for breaking into a freight car and stealing watermelons. About a year later he was again in court charged with stealing bottles from a bottling company and selling them, and was sent to a detention home for a week. Just before the Children's Bureau study the parents had been charged in juvenile court with neglecting their five children, who ran wild and played truant from school. At the time of the study, two years after he began to sell papers, he was working from 5 until 7 p. m. every school day, and on Saturday until 2 o'clock in the morning.

Ten-year-old David said he had been selling papers since he was 5. When he was 7 he was arrested for begging on the streets and within a year was arrested three more times, twice for stealing and once for begging. At the time of the study he was out selling papers around down-town office buildings three hours every afternoon and until midnight on Saturday. He boasted of the large tips he got. Two other boys in the family (one 14 and the other 12) also sold papers every day and until late Saturday night. Both these boys had juvenile-court records, including charges of stealing and begging. The father was a dealer in old clothes and a taxi driver, making an income insufficient to support the family, which was aided by the Hebrew Charities. The mother complained that the boys did not bring home the money they made on papers but spent it down town.

Billy was a very small boy who gave his age as 7; his mother said he was 8, and the school-attendance officer said that he had given his age as 7 for two years. He had sold papers for six months, staying out until 8.30 every school day evening and selling, according to his mother, all day Saturday and Sunday.



the chief breadwinner in newsboys' families, probably because of the abnormal situation caused by the anthracite strike of 1922. In Washington the average income was higher for white fathers than in any other city, ranging between \$1,450 and \$1,850. It was considerably lower, however, for negro fathers than for white—between \$850 and \$1,050. In each city in the survey the chief breadwinner's earned income was at least \$200 or \$300 less in newspaper sellers' families than in carriers' families.

These averages do not indicate that newsboys' families as a whole are on a much lower plane economically than the families of other workingmen, though not only were the annual earnings of the heads of the households in newsboys' families in the Children's Bureau surveys somewhat smaller but the families also were a little larger, averaging six or seven persons instead of five. Compared with budgetary standards, either those formulated by economists on a basis of minimum "comfort and decency" or those adopted by city charity organizations for the dispensing of adequate relief, newsboys' fathers have very small incomes. There can be no doubt that many of the newsboys included in the surveys were from very poor families, like the families of child laborers in other occupations, although few of them were actually destitute. Only a very small number of the newsboys' families had been helped by relief organizations; the proportion receiving aid during the year before the inquiry ranged from 4 to 11 per cent. In studies of newsboys made by other agencies, such as those in Buffalo, Milwaukee, and Cincinnati, similar proportions were found.

One of the most recent studies of street workers, that made in Buffalo in 1925, parallels closely the Children's Bureau findings in regard to the economic status of the newsboys' families. The average annual income of the head of the families included in this investigation was \$1,302, the families averaging six persons, whereas the local charity organization calculated \$2,009 as the minimum necessary for a family of five. The report concludes that "with a larger family to care for and a smaller wage to supply these necessities \* \* \* it is apparent that there is an economic urge for boys to become street traders."

A fairly large proportion of newsboys in the Children's Bureau survey said that they sold papers because of need in the family; the largest proportion was 28 per cent, in Atlanta, and the smallest 9 per cent, in Washington. In Buffalo and Tulsa, for which other recent surveys give similar information, the percentages of boys engaged in various street trades claiming economic need were 34 and 13, respectively. The report of the Juvenile Protective Association of Chicago, "Chicago Children in the Street Trades," contains the state-

every week day and two hours on Sunday, and earned \$5.70 a week, which he used for family expenses and his own clothes.

A widow who received \$36 a month under the mothers' aid law had five children under 15 and no income except this pension and some help from a married daughter whose husband earned \$30 a week as a salesman. In regard to the work of her 13-year-old boy who earned \$6.50 a week selling papers, this mother said, "Unless he sells papers he won't have any clothes," adding that his earnings clothed all five of the children.

Typical of families in which the boys' earnings from selling papers were useful but not absolutely necessary were the following:

A family of four adults and four children had an income of \$2,762, the father, a polisher in a shoe factory, having earned \$1,274 during the year of the study, and two sisters, 19 and 21 years of age, having together earned \$1,488. The nine-room house in which they lived was paid for, and the family was buying another house. The 9-year-old newsboy earned \$2 a week with which he bought clothing for himself and his 6-year-old brother.

In an Italian family were six children under 16, supported mainly by an older son who as a boiler maker had earned \$784 during the year. The mother took in washing, and an older daughter earned \$5 a week, bringing the family annual earnings up to \$1,109. In addition, the mother owned property from which she received \$8 a month rent, and the house in which the family lived was partly paid for. The 13-year-old newsboy in this family earned \$6.90 a week selling papers, and besides helping the family and buying his own clothing he spent some of his money on movies and saved 25 cents a week, with which he hoped to buy "a house lot."

A Polish laborer with six children under 14 had earned \$1,040 during the year. The mother and two older girls worked, so that the family earnings were between \$1,850 and \$2,250. A 13-year-old boy earned about \$4 a week selling and carrying papers, contributed some of his earnings to the family, used some for his clothes and other necessities, and had 25 cents a week for spending money. The mother said that she wanted the boy to work because they needed the money to support their large family and to help pay taxes and other expenses on their house.

#### NEWSBOYS' EARNINGS

Newsboys' earnings differ according to the city where the boy sells his papers. In four of the seven cities in the Children's Bureau survey the median amount was between \$3 and \$5 a week; in two it was between \$2 and \$3, and in others between \$1 and \$2. Some of the boys may have been inclined to overstate the amount of their earnings, but the figures they reported are very much like those reported in recent years for other cities. The proportion who earned at least \$5 a week was considerable.

More than half the newsboys in Atlanta, Wilkes-Barre, and Omaha, but only a little more than one-third of those in Washington and Columbus, contributed part or all of their money toward the support of their families. What proportion of their earnings they contributed was not learned, and the report that they did contribute

is based on the boy's own statements. However, in the families visited, representing a fairly large percentage of the total number of boys, only rarely did a parent deny the boy's report. Other studies in which comparable facts were obtained tend to confirm the figures. For example, 66 per cent of the Springfield newsboys gave the larger part of their earnings to their families, and 57 per cent of those included in the Birmingham study, 38 per cent of those in Dallas, and 73 per cent of those in Buffalo helped their families to some extent.

The proportion of newsboys turning over part of their earnings to their parents does not necessarily represent those whose families needed the money, for most of the boys were from foreign-born families, who are more likely than native American parents to expect help from their children, even though the family may be fairly prosperous. It suggests, however, the extent of the financial pressure behind the newsboys' work.

More than half the boys in the cities studied (except Wilkes-Barre) helped their families indirectly by buying at least part of their own clothing or paying for other necessities for themselves. In Wilkes-Barre this proportion was only 20 per cent, probably because more of the boys there turned all their earnings over to their families. About three-fourths of the boys in each city kept at least part of what they earned for spending money, and a few (2 per cent in Wilkes-Barre, 3 per cent in Atlanta and Omaha, and 7 per cent in Columbus) used all they earned for that purpose. Other surveys show the same general proportions—8 per cent of the newsboys in Springfield and 7 per cent of those in Tulsa used their earnings principally for spending money, and 7 per cent in Birmingham used all they earned for personal luxuries—perhaps an indication not only that the boys in the Children's Bureau survey were accurate in their replies but also that less of the money earned selling papers goes for candy, motion pictures, etc., than is sometimes believed.

The proportion who had bank accounts or other savings as a result of their work was a little more than half in each city, except Wilkes-Barre, where it was a little less than half. It may be assumed that at least in these families need was not acute.

The following cases are examples of the way in which newspaper sellers used their money:

The son of an Italian street-car motorman, a boy of 13 who earned \$3 a week selling and carrying papers, gave his money to his mother for groceries, keeping 25 cents for spending money. He had also saved \$10 with which he had bought a suit of clothes.

Another 13-year-old boy, who earned \$8.25 a week, helped his family (the father was a window washer), bought his clothes, and put \$1 a week in the school bank. He had saved \$42 toward a car that he wished to buy.

A boy of 10 earning \$2.40 a week bought his clothes, put 10 cents a week in the school bank, spent 10 cents "for a show," and gave the rest to his family.

The 12-year-old son of a plumber earned \$2.55 selling papers and magazines. He gave some of his money to his mother "to use for dresses," saved 10 cents a week, spent 20 cents a week on his own pleasures, and bought milk and doughnuts once a week down town while he was selling papers.

A 10-year-old Syrian boy, whose father was an automobile mechanic, earned \$3.60 a week. He had been selling papers for a month, and had \$1.35 in the school bank. He bought some of his clothes, contributed some money to the family, and had 10 cents a week "for shows."

A 13-year-old boy and his two brothers earned \$10.50 a week selling papers. They bought dinner and supper on Saturday and breakfast on Sunday at restaurants and paid their carfare to the down-town district where they sold papers. The rest of their money was used for family expenses. "We're poor, and mother can't give us any to spend," the boys said. The father, a laborer, was frequently out of work, and the family had received aid during the year from the Associated Charities.

A 15-year-old Italian boy whose father was a laborer and whose family had been assisted by charity said that he contributed all his earnings (\$3 a week) toward family expenses, because, as he said, "I don't want any spending money."

A 13-year-old boy, son of a Russian-Jewish manufacturer, earned about \$7 a week selling and carrying papers. He contributed none of his earnings toward the support of the family but helped to buy his own clothes, put \$5 a week in the bank, and had 75 cents for spending money.

The 14-year-old son of a Russian-Jewish hotel keeper earned \$13.75 a week. He spent all his money for himself—clothes, shows, and meals down town when he sold late.

A 12-year-old boy whose sister, a stenographer, was the chief support of the family, earned \$10.45 a week selling and carrying papers. He spent 50 cents a week on movies and candy and sometimes bought doughnuts and fruit when selling down town, but gave the rest of his money to the family. He had had \$15 in the bank but had drawn it out to help pay rent.

A Russian-Jewish boy earning \$4.65 a week said that he sometimes gave a small sum to his mother but spent most of it. The father was a traveling salesman, and the family lived in a good neighborhood in a comfortable frame house with such comforts and luxuries as French doors, a sun parlor, and electric lights. The boy, though only 12 years of age, had a juvenile-court record and was reported as unmanageable. He sold papers until 10.30 Saturday night, in spite of his mother's objections.

A boy of 14 whose mother was a widow earned \$4.10 a week. He said that he gave his money to his mother for his clothes, except what he spent on motion pictures. His mother said that he used his money for his clothes, school lunches, amusements, and savings. "I hardly get \$1 a week from him," she said. "But I am going to pin him down soon and see if I can get more help from him, because I need it."

The 10-year-old son of a Polish Jew who kept a grocery store, earned \$6.75 a week. After six months of selling he had \$11 in one bank and \$3 in the school bank, and he bought all his clothes. His parents corroborated his statement

that he sold until midnight Saturday night. The father said that his business had been bad during the year, and the children must help to buy their clothes.

A boy of 11, who said he earned \$4.50 a week selling papers, said that he turned over all his money to his mother, who gave him 15 cents to spend and something for the school bank. The mother, a widow, said that she could not get along without the money her three boys earned selling papers. She was not sure that they brought it all home, but all that they gave her she used for the family support. This boy stayed out selling papers until 2 o'clock Sunday morning.

### WHY DO BOYS SELL PAPERS?

Actual want or economic necessity is not often given as the chief reason for selling papers. In the Children's Bureau surveys the proportion of newsboys who said that they sold papers because their families needed their earnings ranged from 9 per cent in Washington to 28 per cent in Atlanta. In all the places surveyed, except Atlanta, less than half the boys had been moved chiefly by the need or the desire to earn money, including spending money. The majority of them took up newspaper selling because "all the boys do it," or because "there's nothing else to do," or because "selling newspapers is fun," or for some similar reason. Such remarks as: "It's good a-goin' sellin', they say;" "It's no fun playing around," "It's fun to hustle, and there's nothing to do at home," "I saw other kids making money, and I wanted to have a pretty good time," "Had nothing to do," "Got tired o' stayin' home," "Just thought it would be fun," "I saw other boys doing it and said to myself, 'I believe I'll sell papers,'" given again and again in dozens of variations as the chief reason for selling papers indicate how strong is the lure of the streets and how important a factor is imitation.

In vain some parents objected to the work, reporting that the boy "slipped out" or that he "just *will* work because other boys do." The father of a 13-year-old boy did not like to have him sell morning papers because of the early hours and the danger of street accidents; he tried to get the boy to stop by promising to give him \$1.50 a week if he would do so, but the boy insisted on getting up at 3 o'clock every morning to help a friend. The mother of an 8-year-old newsboy, who confessed that he did not hand in "much of his 40 cents a week at home," said that she could not prevent his going down town except by calling for him when school was out.

In a report on Baltimore newsboys, made more than 10 years ago by the Maryland State Bureau of Labor Statistics, the statement is made that almost a third of the boys selling papers were doing so to satisfy a desire for play. This seems to be true to-day. The Children's Bureau surveys show that a large proportion—probably larger even than a third—of the newsboys would not have been on the streets if they and their parents had known of more desirable activi-

ties. Although no special survey of recreational facilities was made in connection with the study it was generally reported by local social workers, school authorities, and others that in all these cities, as in most American communities, playground and other recreational provisions were inadequate.

It is frequently said that newspaper selling gives the boy business training, keeps him from idling on the streets, and teaches him responsibility. This remark indicates a problem which most parents have in common and which can be met adequately only by extending the school program to include supervised recreation and work of the sort that not only will protect children against destructive influences but will have great value as training. Better use of leisure—real pleasure in sports, in reading, in music and art, in mechanical and manual work—can not be learned in the exciting street life of the newsboy. In many of the best public and private schools, opportunity to learn the wise use of leisure is afforded by extension of what was formerly regarded as the school day. In many cities the shortening of the school day by two or three hours to take care of the increasing number of school children has created problems which parents—especially those living in apartments and tenement houses—are not equipped to solve, however resourceful and alert they may be to their children's needs.

## NEWSPAPER CARRIERS<sup>1</sup>

### AGE OF CARRIERS

Boys who deliver papers on routes are a little older than newspaper sellers. Although the carrier's work may require less initiative than that of the seller the boy with a route often has responsibilities that demand a certain degree of maturity. From one-fourth to one-third of the carriers included in the Children's Bureau surveys were boys under 12, and a few in each city were under 10, proportions similar to those found in other street-work surveys that have included carriers, such as those in Toledo, Cleveland, Seattle, and Tulsa. Very often, though by no means always, the carrier under 12 is only a helper to an older boy.

Many carriers are high-school boys. The proportion in the Children's Bureau study who were in high school was much greater than the proportion of newspaper sellers—from 14 to 22 per cent in the various cities, except Newark, where it was only 5 per cent. In Newark the earnings of carriers were unusually small, and the city was large enough to afford boys of high-school age other opportunities for work.

The carrier in some places is paid a salary or wage; in others he works on a commission basis but is supervised and obviously is an employee. In fact, the work of the carrier is usually so clearly work for an employer that it would appear to be subject to regulation under general child-labor laws that cover "all gainful employment." But it is not usually so regulated, probably because it is popularly associated with the work of the newspaper seller, who as an independent "merchant" is very generally held to be excluded from the benefits of these laws.

Very few regulations applying specifically to street work include newspaper carriers. Carriers were not covered in any of the ordinances applicable to newspaper selling or peddling in the cities studied. They were covered, however, by specific State laws in both New York and Pennsylvania, in which the minimum age for carriers, as for sellers, was set at 12. But so little attempt was made in Troy and Wilkes-Barre to enforce these regulations that the persons most concerned seemed unaware of their existence; in

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<sup>1</sup> Statistics for newspaper carriers in the different cities may be found in Tables 1-11, pp. 66-73.

Troy only 29 per cent of the carriers had badges, as the law required, and in Wilkes-Barre 33 per cent of the carriers were under the minimum age.

#### LENGTH OF TIME BOYS CARRY PAPERS

Route boys continue their work about as long as newspaper sellers, judging from the length of time carriers in the Children's Bureau surveys had had the routes they were working on at the time of the interview. The proportion who worked only a few months varied considerably, according to the place. In Omaha, where the conditions of work were described as unsatisfactory, one-fourth of the carriers had had their routes less than two months. Although many a carrier kept his route for years and then handed it down to his younger brother, about one-half to more than two-thirds of the carriers in the different cities had worked less than a year. The only other study including information on the length of time carriers held their jobs is the one made in Tulsa, where it was found that the average was about seven months.

#### HOURS OF WORK

The carrier's hours of work, except for some carriers of morning papers, are unobjectionable. Boys with evening-paper routes usually finish before 6 o'clock, and few work later than 6.30, so that their work does not keep them on the streets after dark nor interfere with their family life. Those with morning-paper routes are not so fortunate. The papers must all be delivered before the last subscriber on the route leaves home in the morning, and this often necessitates the carrier's rising at an unreasonably early hour. Some boys start on their routes as early as 3.30 or 4 a. m. The number of carriers in the Children's Bureau surveys who worked very early in the morning was not large. In Atlanta 36 carriers of daily morning papers included in the study began their work before 6, in Columbus 41, in Newark 4, in Omaha 29, in Paterson 25, in Troy 4, and in Wilkes-Barre 46. The number depended to some extent on whether or not the local morning paper was a "home" paper and also on whether the pay, generally larger than for afternoon routes, was sufficiently high to attract older high-school boys and young men. Although the number who went to work very early included a somewhat larger proportion of the older boys than the total number of carriers did, some boys under 12 and even a few under 10 had morning routes, and some growing boys were undoubtedly getting too little sleep.



On Sundays almost all carriers work in the morning, for many of the evening papers have Sunday-morning editions. Sunday hours are usually very early.

A route usually takes about an hour to serve, so that the majority of carriers in the Children's Bureau worked less than two hours a day on school days, many less than one hour. The hours of work on Saturday were found to be longer, chiefly because the carrier makes collections on that day or has to report at the central office; some boys reported that they worked almost all day Saturday on business connected with their routes. Sunday hours were the longest for many, because Sunday papers are heavier and take longer to deliver. However, the great majority of the carriers in each city in the surveys worked less than 12 hours a week, though in some places the proportion who worked 12 hours or longer was large, notably so in Omaha where boys made their own collections, frequently had to serve "extras" (that is, others than those on their list of subscribers), and were expected to put in a good deal of time soliciting new customers.

#### THE CARRIER'S ENVIRONMENT

The carrier who distributes papers in his own neighborhood or a neighborhood like his own, as most carriers do, is generally free from injurious contacts and associates. In Wilkes-Barre some of the carriers had to go to the down-town offices for their papers, as the newspaper sellers did. But in the larger cities branch offices were operated, as in Columbus and Omaha, or carriers got their papers from dealers, as in Paterson or Newark, or from street corners where they were delivered by street cars or trucks, as they were in some cases in all the cities and generally in Atlanta. Thus the danger of bringing together boys with different kinds of training, background, and habits who otherwise would not be likely to meet is often avoided in the work of carriers. In one of the cities the substations had been established especially for the benefit of carriers, whose parents objected to their coming in contact with boys selling papers in the down-town streets. Boys meeting at substations, as a rule, are those who would be likely to know one another through school or neighborhood contacts.

The substations are not all above reproach. One substation manager, for example, was accused of drinking and ill-treating the boys in his charge. In Omaha, where there was intense rivalry between two of the papers and the carriers were being strongly urged by both papers to enlarge their routes, the boys complained of injustices, such as having to pay for more papers than they had customers and being required to spend several nights a week soliciting

subscribers. But on the whole the carrier's working environment lacks the unwholesome features of newspaper selling.

### THE CARRIER IN SCHOOL

Carrying newspapers appears to be neither too fatiguing nor too stimulating. Performed each day at a regular time, paid for by a fixed sum, making no appeal to the spirit of adventure, the work puts no temptations in the boy's way to stay out of school, nor does it bring him in contact with such influences as many of the street sellers meet which might make him impatient of schoolroom discipline. Hence the carrier's record in school should be at least as good as the average.

The school attendance of carriers was slightly better than that of newspaper sellers or even that of the schoolboy population as a whole in cities for which comparative figures could be furnished. The amount of truancy was markedly slight. Only 2 per cent of the carriers in Wilkes-Barre and 3 per cent of the carriers in Omaha (the two cities in which truancy records were available) had been truant during the year preceding the study, compared with 7 per cent of the newspaper sellers in each place. In Toledo and Cleveland also the amount of truancy among the carriers was much less than among the sellers. These are the only cities besides those studied by the Children's Bureau that give information on truancy for both carriers and sellers.

Carriers also made better progress in school than newspaper sellers, as most other studies of street trades including carriers have shown also. Moreover, the proportion of carriers who were overage for their grades was smaller than the proportion of all public-school boys of the same ages in each city for which the comparative figures could be obtained.

### VOCATIONAL ASPECT OF NEWSPAPER CARRYING

Newspaper carrying is useful for character training in the same way that any regular duty is. The street newsboy may sell his papers or not, as he chooses or as his parents command, though in cities where his work is supervised he will lose his corner if he does not sell regularly. The carrier, however, must serve his route, without regard to the weather or his own wishes; he must notify the newspaper office in advance or provide a substitute if he can not work, keep his list of customers up to date, report regularly, give notice when customers discontinue the paper, build up his route, and keep simple accounts. In some cities he must do his own collecting, and if he is unsuccessful in collecting lose the money. He is usually given credit by the week and is often under bond. Even if he merely deliv-

ers papers for a wage he must be dependable, prompt, and courteous, and if he makes collections he must also be accurate and honest. The business arrangements between the newspapers or the dealers and the carriers were reported for six cities. In three the majority of the carriers made their own collections; in the other three they were usually hired on a wage.

Usually there was no expectation on the part of either boys or their parents that the newspaper carrying would lead definitely to other and better work. It was regarded as a schoolboy's job. In Columbus the newspaper managers said that there was a definite line of promotion for their route boys; some of the best boys were put in charge of substations, a part-time job from which they might be promoted to the position of district manager or circulation manager.

Most of the parents were emphatic in their approval of the work, rather because they believed that it provides training in the formation of good habits than because they expected the work to lead to anything else. It was not the financial reason that stood out in their expressions of approval, as it did among the parents of the newsboys. Only 5 to 17 per cent of the carriers' parents interviewed in the different cities in the Children's Bureau surveys objected to the work, the principal reasons given being that the boys lost money because the customers did not pay, the boys had to get up too early in the morning, the papers weighed too much, and the work took all the boys' playtime.

Parents not only approved of the work but they often gave active cooperation. Many mothers and fathers helped the boys to keep books and make up their accounts, and some helped on the route when the weather was bad or the papers were especially heavy. One of the best examples of such cooperation was found in a family in which three boys, 10, 13, and 14 years of age, had routes. The mother had advanced money for the routes which they had bought at various times and had helped to divide the routes among them. She computed their earnings twice a week, checked up their accounts, and took charge of their earnings. She approved of the work because it "kept them off the streets" and because she wanted them to learn to take care of themselves. The money helped to clothe the boys and repair their shoes.

Many parents emphasized the fact that by earning his own money the boy learns thrift. They said: "It gives him ambition to get somewhere," "It is good for a boy to be responsible for some real work," "Boys who do no work get lazy," "It is nice for a boy to have a job of his own, though his money is barely worth considering," "It gives him something to do and keeps him out of mischief," "It makes the boy thrifty."

The proportion of carriers in the Children's Bureau survey who saved at least part of their earnings ranged from 52 per cent in Wilkes-Barre to 75 per cent in Atlanta. In Wilkes-Barre "hard times" resulting from the coal strike of 1922 had made it especially necessary at the time of the study for the boys to help their families; the proportion of widowed mothers was rather high also.

#### DELINQUENCY AMONG CARRIERS

The conditions of the carrier's work are not such as to put temptations in his way. They do not even give him an excuse to be away from home for long hours at a stretch and thus an opportunity to come into conflict with the law. The proportion of carriers in the different cities who had juvenile-court records was very small.

#### THE CARRIER'S FAMILY

Newspaper carriers come from families on a higher social and economic level than newspaper sellers. Carriers much more generally than sellers are from native white families; those with foreign-born fathers are usually of immigrant stocks that have been thoroughly Americanized.

The proportion of carriers in the Children's Bureau survey who had normal homes was a little larger than that of sellers. The proportion in "widowed" families (that is, homes in which the father had died or deserted and had not been replaced as a breadwinner by a stepfather or a foster father) was usually smaller. In carriers' families the father's or other chief breadwinner's earnings for the year were higher than the United States Bureau of Labor Statistics found to be the average for wage earners and small-salaried men in the same cities. In no place, however, were they very high; \$1,450 to \$1,850 being the median in the cities where it was highest, Atlanta and Omaha.

Fewer newspaper carriers than sellers said that they worked because of need in their families, the proportions in the different cities ranging from 4 to 12 per cent.

#### CARRIERS' EARNINGS

Carriers who were paid a regular wage usually received only a small amount; between \$1 and \$2 a week was common. Where the boys made their own collections they earned more, even though some customers failed to pay. In three cities in the Children's Bureau surveys the median amount earned by carriers was between \$1 and \$2 a week, in two cities it was between \$2 and \$3, in one city between \$3 and \$4, and in one between \$4 and \$5. Other studies of carriers have shown that carriers' earnings average around \$2 or \$3 a week.

The proportion of carriers who gave at least part of their earnings to help support the family ranged from 25 per cent in Columbus to 55 per cent in Wilkes-Barre. In these two cities about these same percentages of newspapers sellers helped toward the family support, but in Atlanta and Omaha the percentage of carriers helping their families was only about half the percentage of sellers helping. The majority, ranging from 59 to 78 per cent in the different cities, kept some of their earnings for spending money. In most of the cities about three-fifths of the boys reported buying some of their clothes with the money they earned. In Wilkes-Barre, however, this proportion was only 30 per cent, possibly because the money was given to the parents, who bought the boys' clothing, but was reported by the boys as being contributed to the support of the family.

The following accounts are typical of the way in which carriers spent their earnings:

A 14-year-old carrier, earning \$5 a week, put \$1 in the bank, had 20 cents for candy and motion pictures, and gave the rest to his mother for taxes and repairs on their house.

A publisher's 11-year-old son earned \$2.15 a week on his route, out of which he paid \$1 a week for violin lessons, paid his car fare to work, kept 10 cents a week for spending money, and in four years had saved \$95.

A 15-year-old carrier of Russian-Jewish parentage earned \$8.07 a week. He spent \$1 to \$1.50 a week on his own pleasures, helped to buy necessities of his own, and saved the rest. He had \$300 in the bank toward his college expenses.

A boy of 12 whose earnings averaged \$4.56 a week paid for his clothes and his music lessons, had 50 cents for spending money, and paid car fare to go after his papers.

A boy who earned \$4.62 a week carrying and selling papers paid all his personal expenses and had 25 to 50 cents a week for spending money.

A 15-year-old boy whose mother, a teacher, supported the family earned \$6.83 a week. He put half his money in the bank toward his college expenses and used a fourth for clothing and a fourth for spending money.

A 13-year-old carrier, the son of a truck driver, earned \$2 a week. He saved some of his money, had paid a dentist's bill of \$36.50, and helped to buy his clothes. He said he got very little spending money.

A 15-year-old high-school boy living with an uncle and aunt had had his route for six years and earned \$2.92 a week. He bought all his own clothes, had \$5 in the bank, and used some of his earnings for spending money.

A high-school boy, making \$1.03 a week on an afternoon route which he had had several months and which took about four hours a week of his time, bought his clothes, spent about \$1 a month "for fun," had \$2.37 in the school bank, and contributed some to the family.

## OTHER STREET WORKERS<sup>1</sup>

### PEDDLERS

Almost every community appears to have at least a few children who make a practice of going about the streets with something to sell. They accompany push carts and hucksters' wagons, go from door to door with post cards or dress snaps or cosmetics, tour office buildings with sandwiches, hang about the lobbies of hotels and public buildings with peanuts or candy, or stand on busy corners with a handful of flowers or a basket of apples. In some places so many children sell one commodity that they are conspicuous on the streets, like the apple sellers in Atlanta, but in general the articles offered for sale are almost as numerous as the children selling them. Parents make bread, doughnuts, paper flowers, baby dresses, and horse-radish, and send their children out to peddle them; a street vendor enlists all the boys in his neighborhood to sell his potato chips or sandwiches; a baker hires children to peddle pretzels; or "the Greek" gets a boy to help on his produce wagon, holding the horse or carrying fruit and vegetables to customers' doors.

A man in one of the cities surveyed by the Children's Bureau hired a number of small boys to sell merchandise for him in a park, the man furnishing articles worth about \$1 or \$1.50 for a basket which the boy bought and carried about among the crowds. A school principal said that this man was reported as attempting to evade the law against selling cigarettes to minors by getting small boys to sell the cigarettes for him and then pleading that the boys were unaware of the law. In one neighborhood in the same city a boy peddler's father had as his only occupation the making of potato chips and sandwiches which he sold through schoolboy peddlers. Sometimes as many as 12 boys were on the streets with his goods. In one family a woman lodger who made paper flowers asked the boys to go out and sell them whenever she "got out of money."

Children respond to persuasive advertisements to sell seeds or salve or shaving soap procured through the mail. Parents who are themselves hucksters or peddlers make their children help them, and occasionally parents exploit their children. Probably the most extreme case of this kind encountered by the Children's Bureau was

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<sup>1</sup> Statistics for street workers other than newspaper sellers and carriers in the different cities may be found in Tables 12-14, p. 74.

that of two white boys, one 13 and the other 10 years of age, who supported their father and a recently acquired stepmother by peddling fruit. The father said that rheumatism had kept him from working for more than a year and that he was unable to go out with the boys because he did not feel like walking so far. "Besides, they sell better than I can," he added. He bought apples and bananas each morning, and the boys sold them, walking around down town in the neighborhood of the courthouse and the stores from 1.30 to 7 on school days and from 9 a. m. to 9 p. m. on Saturdays. When the interviewer visited the family it was during school hours, but the 10-year-old child was at home and his father was getting bananas ready for him to take out to sell. According to the records of the Associated Charities the father would not permit the boys to go to live with more prosperous relatives who were willing to take them.

Thus the peddler's work varies greatly. Sometimes it amounts to very little. A boy from a comfortable home, for example, will spend several hours a week selling flowers to neighbors while his garden is in bloom. In other cases it involves greater hardships than some types of work that are regulated by the child-labor laws or prohibited as unsuitable for children.

The peddlers in the Children's Bureau surveys fell into three groups: Those who sold miscellaneous articles from door to door, those who sold on the streets of the down-town section, and those who worked for hucksters. The miscellaneous peddlers were by far the most numerous everywhere, except in Paterson, where almost all the child peddlers were hucksters' helpers.

In only four cities (Atlanta, Omaha, Newark, and Paterson) did the Children's Bureau find enough peddlers to justify analysis. In these cities from one-third to two-fifths of the peddlers worked every day, or every day except Sunday. About one-third had peddled for at least one year. From 61 to 87 per cent worked at least two hours on school days, and many worked three hours or longer. From 50 to 93 per cent worked at least five hours on Saturday, and 10 or 12 hours or longer was a not uncommon working-day on Saturday and in vacations, especially for hucksters.

But such a summary can give no idea of the undesirable and in some cases demoralizing conditions under which much of the peddling was done. In Atlanta some of the "basket" peddlers, white boys selling apples and other fruit, peanuts, and flowers on the down-town streets, a number of helpers on coal, ice, and wood wagons, and several hucksters' boys worked 5 hours or longer on school days; 57 worked at least 10 hours on Saturday, some of them from 13 to 16 hours. In Newark and Paterson Saturday peddlers reported similarly long hours, and daily hours during vacation

were like those on Saturday during the school term. Almost all hucksters and many of the other peddlers worked excessively long hours on Saturday.

Although some boys worked for their parents many were hired helpers, including many boys under 12 and some under 10 years of age. An 11-year-old boy worked for a fruit peddler from 4 to 9 p. m. every school day and all day Saturday. A 10-year-old boy employed by a huckster worked from 7 a. m. to 8 p. m. on Saturday and several hours on school days. A 9-year-old boy in Atlanta who worked for a huckster on Saturday from 8 a. m. to 6 p. m. was so tired after his day's work, his mother said, that he could not sleep. A 13-year-old hired huckster's assistant in Paterson worked 17½ hours on Saturday, stopping at midnight.

Young children worked too early in the morning and too late at night as well as too long hours. For example, a boy of 11 helped his father peddle ice, beginning at 4 a. m. and working also in the afternoon after school. Another, a boy of 13, went to market at 4 with his father to get a supply of produce for the day, and worked again 4 hours after school. Two little huckster's helpers in Newark began their work with a trip to market at 2 or 3 a. m. More, however, worked late than early in the day. A number of peddlers were out on the streets until 8 or 10 or even later in the evenings. A little boy of 10 helped his father, an ice-cream peddler, until midnight every night; another was out with his father's pushcart every evening until 10; a peanut seller of 11 in Atlanta worked until 9.30 every school day and had been kept out of school half a year to sell peanuts; a 13-year-old candy seller in Omaha worked as much as five and one-half hours on week days, staying out until 10 one night a week; a popcorn seller worked from 7 to 9 every night except Sunday, when he stopped at 8.30; in Columbus, three brothers, the oldest of whom was 13, sold candy and popcorn on the street every week day and in a theater three evenings a week.

The long hours, especially long on Saturday and especially harmful when the boy was required to carry heavy containers of fruit and vegetables from wagon to door all day, are probably the greatest physical hardship for hucksters' helpers. For miscellaneous peddlers there is danger that the boy will use peddling as a cloak for begging. Whether he goes from house to house or stands on a busy street corner, the child peddler may be making use of the appeal of childhood, somewhat as the one-armed man who sells the housewife a package of needles or the blind man who sells the passer-by a pencil is turning his misfortune to advantage. The manner in which the little peddlers offer their wares often can not be told from begging, and parents sometimes encourage the attitude. A mother boasted



that her two children of 7 and 8 had once taken in \$27 in two days selling candy. Probably the most extreme case of this kind was that of a 10-year-old boy going with his father, a blind peddler, who had been arrested several times for begging.

More of the peddlers than of the newspaper sellers in each city were the children of immigrants, and in Atlanta many more were negroes. Some of these children were from homes of great poverty; but about the same proportions as among newspaper sellers in the various cities were from normal homes, and the percentage who claimed economic need as the reason for their street work was even smaller than the percentage in broken homes.

The Columbus ordinance and the State laws in Nebraska and in Pennsylvania which applied to newspaper sellers applied also to peddlers, but the street-trades ordinances in Atlanta and in Newark and Paterson did not touch them.

#### BOOTBLACKS

The itinerant bootblack with homemade blacking box slung over his shoulder was said years ago to be disappearing from city streets because of the increase in the number of shoe-shining parlors and indoor stands. However, in all except one of the seven cities for which information on all kinds of street workers was obtained by the Children's Bureau some boys reported that they were bootblacks. The only cities, however, in which a considerable number were found were Wilkes-Barre and Newark. The average age of the bootblack in each of these cities was 12; the proportion under 12 was 43 per cent in Newark and 47 per cent in Wilkes-Barre. Almost all were of foreign parentage, generally Italian, though in Newark many negro boys blacked boots. They came from somewhat poorer homes than newspaper sellers, though, like other street workers, the great majority were from families in which the father was the chief bread-winner.

Bootblacks work under much the same conditions and in much the same surroundings as newspaper sellers, especially newspaper sellers who are not supervised by the circulation managers of the newspapers. The bootblack is more his own master than newsboys are in cities where newsboys are supervised; he works more irregularly, and so receives less of the discipline that work may give, and he gets no training. In Wilkes-Barre bootblacks had shorter working hours than newsboys had, though they were generally out all day, and in many cases far into the night on Saturday. The bootblack often found his best patrons among the "Saturday-night drunks." In Newark 40 per cent worked 6 or 7 days a week, and 22 per cent

worked at least 24 hours a week, which, added to the hours spent in school, made a working week of more than 48 hours. Thirty-seven per cent worked three hours or more on school days, and 19 per cent were out until 8 and 10 p. m. on school-day evenings. Forty-three per cent worked at least eight hours on Saturday. During the summer vacation the boys worked as long on week days as they did on Saturday during the school term; 26 per cent of the vacation bootblacks worked at least 48 hours a week. Each of the groups reporting these undesirable conditions of work included children under 12 and even under 10 years of age.

The bootblacks in each city were more retarded in school than any other group of street workers of foreign or of negro parentage in the same city. In Wilkes-Barre, the only city for which the information was obtained, the proportion of bootblacks with juvenile-court records was about twice as large as that for newspaper sellers. In *Child Labor and Juvenile Delinquency in Manhattan*, a National Child Labor Committee pamphlet published in 1918, it is shown that bootblacking ranked fourth among 12 groups of occupations for which direct connection was traced between the boy's occupation and his delinquency.

In Pennsylvania the State street-trades law covered bootblacks, but the street-work ordinance in Newark did not do so.

#### MAGAZINE CARRIERS AND SELLERS

Magazine carriers and sellers are the aristocrats among street workers. They generally come from homes in which the parents are native whites and above the average in prosperity. The proportion of magazine sellers and carriers included in the Children's Bureau surveys who came from normal families was higher than among any other group of street workers and even higher than among unselected groups of children. They are somewhat younger than other street workers and work only a few months.

The work is unexact in every way. Although an occasional child sells or carries magazines a short time before going to school or after dinner in the evening, almost all do their work immediately after school and then only for an hour or so. Very few of those in the Children's Bureau surveys worked as much as 12 hours in their busiest weeks, and some worked only 1 or 2 weeks in the month. The returns are very small, the great majority of magazine sellers or carriers earning less than 50 cents a week. Very few help their families or even help to buy their own clothes; they usually save a little and use the rest of their earnings for spending money.

It is not to be expected that such work would have an unfavorable effect upon a child's school standing or his school progress. The

proportion of magazine carriers or sellers in the surveys who were retarded in school was considerably smaller than the average for all schoolboys in their cities. The proportion with juvenile-court records was about the same as among newspaper carriers and much smaller than among newspaper sellers.

Omaha and Atlanta are the only cities in the Children's Bureau surveys in which the number of magazine carriers and sellers was sufficiently large for analysis. In each of the other cities a few were reported, including several girls.

The Atlanta street-trades ordinance and the Pennsylvania street trades law specified the selling of periodicals among the street occupations prohibited for children under 12.

#### MISCELLANEOUS STREET WORKERS

Besides newspaper and magazine carriers and sellers, peddlers, and bootblacks, a few children in each city in the Children's Bureau survey were engaged in other kinds of street work. The largest number among miscellaneous street workers were stand tenders, principally because of the many market-stand boys in Columbus. Many of them worked for their parents, but others were hired, and, like hucksters' helpers, worked almost incredibly long hours on Saturdays. A market day of 13 to 15 hours or more was not uncommon, beginning at 5 or 6 in the morning and ending at 9 or 9.30 at night, with a short period for lunch.

The work of distributing handbills is like carrying newspapers, except that boys who distribute handbills usually work only once or twice a week, a few hours in all, and have no supervision; they are hired workers.

Boys with newspaper jobs other than selling or carrying newspapers, supervised carriers, helped to carry bundles of newspapers to street cars, collected money, delivered papers to customers that regular carriers had neglected to serve, or took out papers to carriers reporting their bundles "short."

The only other group in which there were more than a few boys was the group of junk collectors. Too few reported this work in each city to justify a special investigation, but it is well known that junk collecting offers unusual temptations and opportunities to steal. Some State laws, in recognition of this fact, forbid the purchase of junk from minors, and many juvenile courts have declared junk collecting to be one of the most prolific sources of juvenile delinquency.

Other miscellaneous street workers include boys who took care of parked automobiles at night, often up to a late hour, usually around theaters and restaurants; boys who carried baggage at rail-

road stations; boys who carried advertising signs through the streets; boys who worked on merry-go-rounds at amusement parks; children who led blind peddlers and beggars; lamplighters (in Newark); and many others. Many of these occupations are obviously unsuited to children or have been shown to be so.

#### GIRLS IN STREET WORK

That street work is believed to be especially undesirable for girls is indicated in most street-trades regulations by the fact that a much higher minimum age is fixed for girls in street work than for boys—usually 16 or 18 years. Peddling and newspaper carrying were the only street occupations in which as many as six girls worked in any city. Some of the girl peddlers went from door to door with articles for sale, others stood on the streets with their wares or sought patrons in office buildings, hotel lobbies, and other public places. One of these girl peddlers was described by local social workers as “a very good little beggar.” Few girls sold newspapers. The only other survey of street workers in which girls are included or in which the facts about girls are presented separately, that in Toledo, showed a somewhat similar situation; of the 33 girl street workers in Toledo all carried newspapers, except 4 who sold papers on the streets and 1 who both sold and carried papers.

## SHOULD CHILDREN DO STREET WORK?

### NEWSPAPER SELLERS

A boy does not have to leave school in order to sell newspapers, and as a result many children sell papers who are too young to work except at tasks that are a valuable part of their training. Where the compulsory school attendance department is efficient, newspaper selling does not appear to interfere with school attendance. In some places newsboys are no more retarded in school than other boys, and, where they are retarded, so many other factors in the home and school environment are involved that it is not possible to prove a direct connection between newspaper selling and a boy's failure to make normal progress in school. The physical effects of the work must be investigated more thoroughly and more extensively before definite conclusions can be drawn as to whether the newsboy's health suffers because of his work.

But whether or not the work has direct educational or physical effects, boys who sell papers during all the daylight hours before and after school have neither opportunity for wholesome recreation nor time for the preparation of school work at home, except at the end of a long working-day; they work at least as many hours a day as are regarded suitable for adults, though almost half the boys are under 12 years of age; and those who sell early in the morning or late in the evening or at such times as make it impossible for them to have meals at proper intervals, as many do, are following a program very unfavorable to normal development.

The moral influences surrounding newspaper sellers in their work make it a dangerous occupation, also, for the immature. Conditions in and around newspaper distributing rooms differ. Boys in small towns and cities escape certain of the evils that flourish in the notorious "news alleys" of some of the larger cities. But distributing rooms too often attract the type of man from whom the newsboy may learn at first hand the language, philosophy, and technique, so to speak, of the loafer and the tramp, or even of the thief, the gambler, and the moral pervert. The fact that in two of the four cities in which the Children's Bureau investigated this aspect of newspaper selling the boys were exposed in their work to seriously unwholesome associations and influences indicates that such associations and influences are not uncommon in newspaper selling.

Newsboys have a delinquency rate several times as high as the rate of delinquency among other groups of boys. Much of this is accounted for, to be sure, by poor home and neighborhood environment; but if boys so handicapped are to develop into law-abiding members of the community they are plainly in greater need of protection than more fortunate children are. Because of the turnover, many more boys may be unfavorably influenced by newspaper selling than those represented by the total number selling papers at any one time. Many boys sell papers only a few weeks or months, but at impressionable ages a few weeks may undo the educational work of years in training for citizenship.

The similarity between the findings in the Children's Bureau surveys and those in surveys made 10 or 15 years ago offers little foundation for the hope that conditions will improve of themselves. On the contrary, they seem likely to grow worse in some respects instead of better. Competition between newspapers, which appears to grow more rather than less keen, not only increases the number of newsboys but also, as the Children's Bureau surveys show, creates especially unfavorable conditions for boys who sell. The increase in midday editions is likely to increase the temptation to stay out of school to sell, and no doubt children will do so unless the school-attendance department keeps a close watch. The growing popularity of late evening editions of morning papers provides additional temptation for selling late in the evening.

These considerations seem to justify the conclusion that newspaper selling by children, like other forms of child labor, should be regulated by law. In all the cities in which the Children's Bureau survey was made, a State law or local ordinance was in force. But the failure of these regulations to control the street-trades problem shows that both the provisions of the laws and the details of administration must be given most careful consideration.

The street worker is in actual fact in many cases as much an employee as any other class of worker, but experience has shown that he must be made the subject of special legislation before he can be given the same protection. General child-labor laws are usually so worded that they are construed to apply only to children whose labor is hired by others, and not to the "little merchant" selling his wares. The legal regulation of street work presents difficult problems peculiar to itself, and except in a few places it appears that little has been done to work out adequate methods of enforcement even where the street-trades laws are satisfactory, and often the laws are themselves inadequate.

Satisfactory regulations, whether State or local, include a minimum age; a prohibition of work both at night and during school

hours; a badge system requiring proof of the child's age and physical fitness before permission to work is given; the placing of responsibility for enforcement definitely upon a single official; and the control of the issuance of badges and the street inspections by the same agency. Success in administering even adequate laws can be obtained only when the enforcing officials are qualified by training and personal characteristics for the work and sympathize with the purposes of the law, and when they have a sufficient staff to issue badges with care and to do the necessary street patrolling and other enforcement work. In small communities the administration of such a regulation may be combined with other duties, but complete responsibility should rest upon one agency, for division of responsibility for enforcement between any two or more agencies is always unsatisfactory in regulating street work.

Although satisfactory results may be obtained by an efficient official in any department, enforcement by a well-administered school-attendance department, especially where it has charge of the issuance of employment certificates to children entering other occupations, appears to give promise of best results, as most newsboys are school-boys. Where some other department (as a branch of the State labor office) issues employment certificates, the enforcement of street-trades regulations also might well be entrusted to it, since its aims and methods would naturally be adapted to this similar work. Delegation of the enforcement to the police has not been found to be desirable, because as a rule they are reluctant to disturb boys selling papers in violation of the regulations and lack the social perspective to realize that theirs may be a mistaken kindness. Moreover, the public arrest of youthful offenders should be avoided at almost any cost. As policemen are on the streets at all hours and in sufficient numbers, they can, however, if their interest is enlisted, be of much help to the enforcing agency.

As an aid to enforcement a few cities have found effective "newsboys' republics" based on the principles of self-government and working in cooperation with the officials enforcing the regulations. Probably the best known of these are the ones in Boston and Milwaukee with their newsboys' courts granted powers by the legal enforcing agency in each place. Unfortunately their effectiveness depends so largely on the personality of the leaders that it does not always survive a change of enforcing officers.

It is important that enforcing officials should seek the cooperation not only of the boys but of their parents, of the newspaper publishers and circulation departments, and of the schools. Visits to the homes of newsboys and informal conferences with parents would be effective in many cases in promoting good school work as well as in prevent-

ing violations of the law and disposing of first offenses. The right approach is sometimes all that is needed to obtain the cooperation of the newspaper companies in clearing their premises of loafers, forbidding sleeping on the premises, and otherwise taking care of unwholesome conditions, though constant vigilance on the part of some responsible authority is necessary if satisfactory conditions are to be maintained.

Successful cooperation with newspaper managers might well result in the provision by the newspapers of at least a clean, well-lighted, and supervised waiting room for newsboys or, better still, in the institution of the system of corner delivery to newspaper sellers or of substations or some other substitute for the congregation of large numbers of boys in a down-town office. The relations between the enforcing authorities and school principals and teachers are of special importance. Thorough instruction by the school principal of the would-be newsboy in the regulations would lessen the burden of enforcement. Much remains to be done in many places in educating both principals and teachers as to the requirements of the street work law. Regular visits to the schools to inspect badges, to instruct boys in the regulations, and to obtain reports from teachers should prove helpful in enforcement.

The regulation of newspaper selling by children has other aspects than the legal. As in other forms of child labor, the economic factor is present. Newsboys, speaking generally, come from poor families. They are not destitute, except in rare instances, nor even so poor that they will acknowledge that they could not live without the earnings of their children of school age; but they are in circumstances often so far below any reasonable standard of comfort that the temptation for the boys to earn whatever they can is strong. It is not a question of widowhood, or of desertion or incapacity of fathers, for almost as many newsboys as other children have fathers who support their families; but so many fathers earn so little that without the help of mothers or of children, or of both, the family is always hard pressed. As in other fields of child welfare this problem can be solved only when the wages of the father are sufficient to support the family in health and reasonable comfort without the assistance of the mother, at least while the children are young, or the labor of the children of school age themselves. The maintenance of families through the gainful employment of children has been demonstrated to be economically unsound. Permitting young children to ease the pressure does not contribute to a solution of the problem; on the contrary, it probably delays it.

Even if through expediency the law permitted boys to sell newspapers because of economic need or even economic urgency, at least



half the newsboys would not be affected. Many children sell papers because they know of nothing more interesting to do. An adequate recreational program would remove them from the streets, and such a program the schools must supply. Even if local conditions are such that newspaper selling is relatively harmless, few communities would admit that it is the best and most constructive activity that could be offered to young boys. The regulation of street work might be expected to hasten the development of recreational facilities and of all-day schools and vacation schools with a program of athletics, dramatics, and music, and with opportunity to try out vocational interests in the extra hours, just as the legal raising of the age of leaving school has resulted in an enrichment and greater flexibility of the regular school curriculum which has benefited all school children. Certainly the development of such activities would diminish the need for legal regulation.

It is necessary to educate the general public in the legal restrictions governing newspaper selling or other street work, especially in the reasons for such restrictions. The public should be made aware that the regulations are in the best interests of the children working on the streets, and that purchasing from underage boys or boys working at undesirable hours is misplaced kindness. Interested social agencies as well as the enforcing authorities might undertake to give publicity to these simple but essentially important facts through their contacts with local organizations, such as women's clubs and parent-teacher associations. Such organizations can do valuable and constructive work individually by urging their members to purchase only from boys wearing badges and to report cases of violations to the proper authorities, and collectively by investigating local street-working conditions, endeavoring to procure the cooperation of newspaper managers in improving conditions in their distributing rooms, and working for better laws and better enforcement of existing laws.

#### NEWSPAPER CARRIERS

The work of the newspaper carrier seems to be relatively unobjectionable, except where carriers sacrifice necessary sleep to morning routes. Moreover, carriers as a class come from better homes than newspaper sellers and from families that are better able, financially and in knowledge of American life, to protect their children from exploitation. Under present conditions, at any rate, the possibility of danger to the child in engaging in this work does not seem sufficiently great to justify as stringent regulations as other kinds of street work.

## OTHER STREET WORKERS

**Peddlers.**

No excuse exists for the child peddler on the streets. The public is conveniently and abundantly supplied in other ways with all the peddler's commodities, and the work is demoralizing to the child. So clearly has the connection between peddling and begging and vagrancy been perceived that some State laws prohibit peddling by minors under 16 or 18, along with any "begging and other mendicant business." However, such regulations are likely to be ineffective, depending for enforcement, as they do, upon police action. Street-trades laws and ordinances should specifically prohibit peddling by children, including children who accompany adult peddlers.

No valid reason appears why boys hired by hucksters or by market-stand keepers should not be required to get employment certificates as boys are required to do for other types of "gainful employment," nor why the minimum age should be lower than that for boys working in grocery stores or on delivery wagons, for example. These occupations are now prohibited to children under 14 in most States, and children between 14 and 16 in most of these States must get employment certificates even for after-school and vacation employment in them. The conditions of work for hucksters' assistants and stand tenders are more nearly like those of workers for mercantile establishments than they are like those of street workers. The enforcement of either a child labor law or a street-trades regulation for the benefit of hucksters' assistants has special problems because, the employer having no fixed place of business, inspection is necessarily difficult. However, the enforcement of provisions relating to the licensing of hucksters has apparently proved practicable; and if the huckster can be required to get a license the huckster's assistant can be required to get a certificate. Some special supplementary measure might be found necessary, such, for example, as a provision making it possible to revoke or suspend the licenses of peddlers hiring boys who do not have employment certificates in accordance with the child labor law.

**Bootblacks.**

Bootblacking by children, like peddling, should be prohibited by street-trades regulations. The work has many of the disadvantages of newspaper selling, without such advantages in the way of training as selling papers may have. As in peddling, such a step is immediately practicable, as neither the public nor any class of employers has any interest in keeping the bootblack on the streets.

**Miscellaneous street workers.**

Careful consideration should be given to the question of the inclusion in street-trades regulations of the numerous miscellaneous kinds

of street work in which children engage. Although only a few children in any one place appear to be affected and some of the work, such as carrying magazines or distributing handbills, seems harmless, some of these kinds of work—as, for example, junk collecting with its temptation to steal saleable articles—are quite as unsuitable as other types of street work that are given more attention because they involve larger numbers.

## LAWS AND ORDINANCES<sup>1</sup> REGULATING THE WORK OF CHILDREN IN STREET TRADES<sup>2</sup>

[Details of the laws and ordinances summarized below are given in Children's Bureau Chart No. 15, *Laws and Ordinances Regulating Street Work.*]

In the following summary the age first given is the minimum age fixed by the law or ordinance for engaging in the specified occupations. The occupations listed in the paragraph relating to minimum age, limited by the exemptions there listed, are unless otherwise specified those to which all the provisions of the law or ordinance apply. The word "parent" is used to cover parent, guardian, or custodian. Only the person specifically authorized to issue the permit or badge is given in the summary, but the regulation usually permits him to designate some other person to act as his deputy.

This summary includes only specific street-trades regulations, i. e., those governing primarily children engaging on their own account in street work. Laws relating to the employment of children by other persons in occupations which, though they may be carried on chiefly in the streets, are not such as a child would engage in on his own account, are not included. Thus laws relating to children working as messengers and to children delivering goods for mercantile establishments are not here given. The following types of regulations are also omitted: (1) Laws regulating general industrial employment, which are usually interpreted to apply only to the child who receives wages from an employer; (2) laws prohibiting the use of children in certain "wandering" occupations, including peddling; (3) laws restricting the sale of newspapers devoted to criminal or obscene subjects; (4) juvenile-court laws classing as dependents or delinquents, children under certain ages found selling articles on the streets; (5) municipal curfew ordinances.

### ALABAMA

Boy 12, girl 13, distributing or selling newspapers or periodicals or engaging in any other street trade, *except* boys 10 or over on newspaper routes in residential districts. (Law applies to entire State.)

Badge required for child under 16, issued by school superintendent, conditioned on: (1) Evidence of age; (2) regular school attendance, unless child is legally qualified for an employment certificate.

Night work prohibited for child under 16 between 8 p. m. and 5 a. m.

### ARIZONA

Boy 10, girl 16, selling newspapers, periodicals, or other merchandise on streets; child 10, bootblackening. (Law applies to any city.)

Another law provides for license, issued by board of trustees of school district, to boy between 10 and 14 to sell papers or engage in other work (not harmful physically or morally) outside school hours. (Law applies to entire State.)

### ARKANSAS

No specific street trades law.

#### *Little Rock:*

Boy 8, selling newspapers or periodicals.<sup>3</sup>

License and badge required of all "newsboys" or vendors of newspapers or periodicals, issued by city collector.

Night work prohibited for "newsboys" after 7 p. m. (8 p. m., June 1 to September 15).<sup>3</sup>

<sup>1</sup> State laws as of May 1, 1928, so far as available on that date; municipal ordinances as of January 1, 1928.

<sup>2</sup> This section was prepared by Ella Arvilla Merritt, specialist in legal research, industrial division, Children's Bureau, U. S. Department of Labor.

<sup>3</sup> By regulation in pursuance of ordinance.

## CALIFORNIA

Boy 10, girl 18, selling or distributing newspapers or periodicals or engaging in trade of bootblack or any other street trade. (Law applies to cities of 23,000 or over.)

Another law makes it unlawful for any minor under 18 to sell goods or engage in or conduct any business between 10 p. m. and 5 a. m. (Law applies to entire State.)

*Pasadena:*

Written permit required for any person selling newspapers or periodicals on streets, issued by chief of police department.

*Sacramento:*

Child under 16 prohibited from engaging in any street trade between 9 p. m. and 4 a. m.

*San Jose:*

License and badge required for any person selling newspapers or periodicals or carrying on trade of bootblack or any other trade or business, issued by deputy treasurer and license collector. Any child under 14 and any minor over 14 attending school must present certificate from principal of school attended stating that his record for attendance and scholarship is satisfactory.

Every person must present certificate from chief of police that he is suitable person to receive license.

## COLORADO

Girl 10, selling or distributing newspapers or periodicals or other merchandise or engaging in any other street trade. (Law applies to any town or city.)

*Denver:*

Boy 12, girl 21, selling newspapers or periodicals on streets.

License and badge required for male over 12, female over 21, issued by manager of safety and excise.

## CONNECTICUT

No specific street trades law.

*Hartford:*

Boy 10, selling newspapers on streets; no girl permitted to sell on streets.\*

Badge required for boy under 14, issued by superintendent of schools under such restrictions as he deems expedient. (School record required.)\*

Boy under 14 not to sell after 8 p. m.

*Meriden:*

License required for boy under 16 selling newspapers, periodicals, or other merchandise on streets, issued by chief of police. (By requiring license for all minors under 16, and providing that none shall be issued to girls, the ordinance fixes a minimum age of 16 for girls.)

*New Haven:*

Child 10, selling newspapers or periodicals, or peddling on streets.

License required for any person, *except* newsboys, selling articles on streets, and for bootblacks, issued by chief of police.

Night work prohibited between 8 p. m. and 3 a. m. for child under 14 selling newspapers, periodicals, or other merchandise on streets.

## DELAWARE

Boy 12, girl 14, delivering or selling newspapers, periodicals, or other articles on streets. (Law applies to cities of 20,000 or over, i. e., Wilmington only.)

It is possible that the "provisional" employment certificate, which may be issued by local school authorities to boy between 12 and 16 and to girl between 14 and 16 to work at such times as child is not required to attend school at occupations not dangerous or injurious, might be used for certain street trades in places outside cities of 20,000 or over.

\* Information from office of city board of education.

Badge required for child under 16, issued by State labor commission, conditioned on: (1) Evidence of age and (2) compliance with school attendance law. Badge may be refused if child is physically or mentally incompetent or unable to do work in addition to school attendance.

Night work prohibited for child under 16 between 7 p. m. and 6 a. m.

#### DISTRICT OF COLUMBIA

Boy 12, girl 18, selling newspapers, periodicals, or other articles or merchandise, or distributing handbills, or exercising trade of bootblack or any other trade on streets, *except* boys 10 or over distributing newspapers or periodicals on fixed routes.\*

Badge required for boy under 16, issued by director of department of school attendance and work permits, conditioned on: (1) Evidence of age; (2) statement from principal of school and teacher of class attended showing grade, and certifying that in their opinion child is physically and mentally qualified to undertake intended work without retarding progress in school (completion of eighth grade required for work during school hours); (3) certificate from physician stating that child is of normal development, in sound health, and physically qualified for intended work.

Night work prohibited for child under 16 between 7 p. m. and 6 a. m.

#### FLORIDA

Boy 10, girl 16, distributing or selling papers or periodicals on streets, *except* boys delivering newspapers to regular subscribers outside school hours. (Law applies to cities of 6,000 or over.)

#### GEORGIA

No specific street trades law.

*Atlanta:*

An ordinance formerly in effect in Atlanta was repealed in August, 1927. This ordinance fixed a minimum age of 12 for boys and 16 for girls engaging in the sale of newspapers or periodicals on streets. Any person engaging in this occupation was required to obtain a permit and badge issued by the mayor, and in case of boys between 12 and 14 the issuing officer had to be satisfied that child was 12 or over and was of normal development and physically able to undertake intended work. Night work was prohibited under 14 between 8.30 p. m. and 5 a. m.

#### IDAHO

No specific street trades law.

#### ILLINOIS

No specific street trades law.

*Chicago:*

Girl 18, distributing or selling newspapers, periodicals, or other articles or engaging in trade of bootblack or any other trade on streets; no minimum age for boys, but under State law any child under 10 selling articles on street may be declared dependent and subject to jurisdiction of court.

Night work prohibited for boy under 14\* distributing or selling newspapers, periodicals, or other articles or engaging in trade of bootblack or any other street occupation between 8 p. m. and 5 a. m.

\* Special provisions for boys "stuffing" newspapers are as follows: No boy under 16 shall be so employed; boys between 16 and 18 shall not be so employed more than 40 hours in any 1 week or more than 1 night in any 1 week.

\* Provision of ordinance that boy between 14 and 16 shall not engage in these occupations between 8 p. m. and 5 a. m. unless he has on his person an employment certificate is out of date, as under the present law the employment certificate is issued to employer and not given to child.

*Springfield:*

Boy 11, trade of "newsboy" on streets.

License required for all "newsboys," issued by mayor upon assurance of good character; badge supplied by city clerk.

Night work prohibited for "newsboys" after 9 p. m., *except* in sale of extra editions.

## INDIANA

No specific street trades law.

## IOWA

Boy 11, girl 18, distributing or selling newspapers, periodicals, or circulars on streets, or engaging in bootblacking, peddling, or any other street trade. (Law applies to cities of 10,000 or over.) Boys under 11 having permit issued in exceptional cases by superintendent of schools on showing made by municipal or superior or juvenile court judge are exempted.

Badge required for boy under 16, issued by school superintendent, conditioned on: (1) Evidence of age; (2) certificate from physician stating that child is of normal development, in sufficiently sound health, and physically able to do intended work; (3) school record showing regular school attendance and ability to perform work without interfering with school progress.

Night work prohibited for child under 16 between 7.30 p. m. and 4 a. m., during school term and between 8.30 p. m. and 4 a. m. in summer school vacation.

## KANSAS

No specific street trades law.

## KENTUCKY

Boy 14, girl 18, peddling, bootblacking, selling or distributing newspapers, periodicals, or circulars on streets or engaging in any other street trade. (Law applies to cities of first, second, and third class.)

Badge required under 16 in the above occupations *except* newspaper selling or distributing<sup>1</sup> issued by city or county school superintendent, conditioned on: (1) Evidence of age; (2) certificate from physician stating that child is of normal development, in good health, and physically fit for intended work; and (3) for work during school hours, school record showing completion of fifth grade and 100 days of school attendance during year previous to application for school record or to becoming 14.

Night work prohibited for child under 16 in the above occupations *except* newspaper selling or distributing<sup>1</sup> between 8 p. m. and 6 a. m.

## LOUISIANA

No specific street trades law.

## MAINE

No specific street trades law.

*Portland:*

No minimum age, but the license specified below shall not be issued to child under 10 without permission of parent.

License and badge required for any person selling newspapers on streets, issued by chief of police. Licensee must be of good moral character.

Night work prohibited for boy under 15<sup>2</sup> after 9.15 p. m.

## MARYLAND

Boy 14, girl 16, working as bootblack or distributing circulars or any other articles or in any street trade, *except* boys 12 or over selling or distributing newspapers or periodicals on streets and boys between 10 and 12 distributing newspapers on regular routes between 3.30 p. m. and 5 p. m. (Law applies to cities of 20,000 or over; i. e., Baltimore, Cumberland, and Hagerstown.)

<sup>1</sup> In *Commonwealth v. Lippinski*, 279 S. W. 339, the badge and night-work provisions of the law were interpreted not to apply to newspaper selling or distributing.

<sup>2</sup> Regulation by city council in pursuance of ordinance.

Permit and badge required for boy under 16, issued in Baltimore by State commissioner of labor and statistics and outside Baltimore by State commissioner or by county school superintendent, conditioned on: (1) Evidence of age; (2) principal's written statement of school attendance; and (3) compliance with school attendance law.\*

Night work prohibited for child under 16 between 8 p. m. and 6 a. m.

### MASSACHUSETTS

Boy 12, girl 18 in cities of 50,000 or over and girl 16 elsewhere, selling newspapers, periodicals, or other merchandise or engaging in the trade of bootblackening or any other street trade. (Law applies to entire State.)

Badge required for boy under 16, issued by superintendent of schools or, where there is no superintendent, by deputy of school committee, conditioned on: (1) Evidence of age and (2) compliance with school attendance law. Issuing officer may refuse badge if in his opinion boy is physically or mentally incompetent or unable to do work in addition to regular school attendance. School committee of any city may make further requirements.

Night work prohibited for child under 16 (for boy under 14, between 8 p. m. and 6 a. m., and for boy between 14 and 16 between 9 p. m. and 5 a. m.).

Another law gives aldermen or selectment power to prohibit or regulate minors engaged in the trade of bootblack or the sale of specified articles, including newspapers and pamphlets; but in any city, school committee has these powers as regards boys under 16 and girls under 18.

### MICHIGAN

No specific street trades law.

#### *Detroit:*

Permit required for any person engaging in occupation of newsboy, or bootblack on streets, issued by mayor (license collector must supply badge), conditioned on satisfactory assurance of good character.

#### *Highland Park:*

Boy 11, girl of any age.<sup>39</sup>

License and badge required for any person selling newspapers or periodicals on streets, issued by city clerk. By regulation under ordinance, license to child of school age is issued only on approval of attendance department of the public schools.

Curfew ordinance prohibits work on streets after 9 p. m. in summer and after 8 p. m. in winter for child under 16.<sup>40</sup>

### MINNESOTA

Boy 12, girl 18, distributing or selling newspapers or periodicals, peddling, or bootblackening, on streets, *except* regularly employed newspaper carriers or persons distributing newspapers or periodicals to regular subscribers at residence or place of business. (Law applies to cities of first, second, or third classes, i. e., cities of 10,000 or over.)

Permit and badge required for boy under 16, issued by school superintendent, chairman of school board, or chairman of board of education, conditioned on: (1) Evidence of age and (2) certificate from physician stating that child is of normal development, in sound health, and physically able to do intended work. For work during school hours completion of common-school course is required.

Night work prohibited for child under 16 between 8 p. m. and 5 a. m., *except* in sale of extra editions, this exception not to permit violation of any curfew ordinance.

\* Child who has regular employment certificate may work during school hours.

<sup>39</sup> By regulation under ordinance.

<sup>40</sup> Information from supervisor of attendance.



*St. Paul:*

Boy 12, girl 18,<sup>22</sup> selling newspapers or periodicals on streets or peddling or bootblacking, *except* distributing newspapers or periodicals to regular subscribers at residence or place of business.

Badge required for boy under 16, issued by commissioner of public safety; permit required for bootblacking and peddling.

Night work prohibited for child under 16 between 8 p. m. and 5 a. m., *except* in sale of extra editions.

## MISSISSIPPI

No specific street trades law.

## MISSOURI

No specific street trades law.

## MONTANA

No specific street trades law.

## NEBRASKA

No specific street trades law.

## NEVADA

No specific street trades law.

## NEW HAMPSHIRE

Boy 10, girl 16, selling newspapers, periodicals, or other merchandise or engaging in work as bootblack<sup>23</sup> on street. (Law applies to entire State.)

General prohibition of night work between 7 p. m. and 6.30 a. m. for children under 16 which apparently applies to street trades, permits boy 12 or over to deliver newspapers between 4 p. m. and 8 p. m., and boy 14 or over to deliver newspapers after 5 a. m.

*Manchester:*

Badge required for any person engaging in work as bootblack or selling newspapers, pamphlets, or periodicals on streets, issued by superintendent of schools.

Night work prohibited for child under 14 engaging in such work after 9 p. m. *except* on election days.

*Nashua:*

Boy 10, selling newspapers or periodicals on streets.

Badge required for boy 10 or over, issued by chief of police.

## NEW JERSEY

The New Jersey compulsory school attendance and employment certificate law contains a section providing for the issuance of "age and working certificates" to children between 10 and 16 years of age, which permitted them to engage in certain light employments outside school hours, including running errands, selling newspapers, and bootblacking. An opinion of the State attorney general dated April 21, 1924, held that this section was limited as to character of employment by a subsequent amendment to the child labor law (the so-called "mercantile law") fixing a minimum age of 14 in or in connection with mercantile establishments and defining "mercantile establishment" to "apply to any employment of labor other than in a factory, workshop, mill, or place where the manufacture of goods of any kind is carried on, mine, quarry, or in agricultural pursuits." This opinion has been interpreted by the office of the State commissioner of education as rendering obsolete the provision for age and working certificates. Information from the State department of labor is to the effect that the mercantile law does not extend to street work not connected with mercantile establishments.

<sup>22</sup> Ordinance specifies that minimum age shall be the same as that required under State law.

<sup>23</sup> The minimum age for work as bootblack on streets is 10 for any "child."

*Atlantic City:*<sup>24</sup>

Child 10,<sup>25</sup> selling newspapers and periodicals on streets.  
 Permit and badge required for any person engaged in this occupation, issued by director of public safety.  
 Night work prohibited between 9.30 p. m. and 6 a. m. (prohibition applies to any person).

*Elizabeth:*<sup>26</sup>

Boy 10, girl 16, selling newspapers on streets.  
 Permit and badge required for boy under 16, issued by board of education, conditioned on satisfactory evidence of age.  
 Night work prohibited for child under 16 after 10 p. m.

*Newark:*<sup>26</sup>

Boy 10, girl 16, selling newspapers on streets.  
 Permit and badge required for boy under 14 issued by board of education, conditioned on satisfactory evidence of age.  
 Night work prohibited for child under 14 after 10 p. m.

*Passaic:*<sup>26</sup>

Child 11, selling newspapers on streets.  
 Permit and badge required under 14, issued by officer designated by board of commissioners (chief attendance officer), conditioned on satisfactory evidence of age.  
 Work prohibited for child under 14 after 10 p. m. or at any time on Sunday.

*Paterson:*<sup>26</sup>

Child 10, selling newspapers and periodicals on streets.  
 Permit and badge required for child under 16, issued by board of education, conditioned on satisfactory evidence of age.  
 Work prohibited for child under 16 between 9 p. m. (10 p. m. on Saturday and 1 p. m. on Sunday) and 4 a. m.

## NEW MEXICO

No specific street trades law.

## NEW YORK

Boy 12, girl 18, selling or delivering newspapers or periodicals or working as bootblack. (Law applies to cities of 20,000 or over.)

Badge required for boy under 17, issued by superintendent of schools in cities and school districts employing a superintendent of schools, elsewhere by district superintendent, conditioned on: (1) Evidence of age; (2) school record showing, when practicable, school and grade of class attended; (3) certificate from physician showing that child is in sound health, of normal development, and physically qualified for lawful employment.

Night work prohibited for child under 17 between 7 p. m. and 6 a. m.

School authorities in any city of 20,000 or over may further regulate the work of boys under 18 in street trades but may not lower the minimum age nor lengthen the hours specified in the act for such work.

NORTH CAROLINA<sup>27</sup>

Boy 12, girl 16, "any form of street trades." (Law applies to entire State.)<sup>28</sup>

Badge required for boy under 16, issued by superintendent of public welfare where authorized and by superintendent of schools elsewhere, conditioned on: (1) Evidence of age; (2) physician's certificate of physical fitness; (3) school record showing grade completed. Employment must not interfere with school work.

<sup>24</sup> A question has been raised as to whether the street-trades ordinances for New Jersey cities are superseded, under an opinion of the State attorney general dated April 21, 1924, by a later State statute fixing a minimum age of 14 in mercantile establishments and defining "mercantile establishment" to "apply to any employment of any person for wages or other compensation other than in a factory, workshop, mill, or place where the manufacture of goods of any kind is carried on, mine, quarry, or in agricultural pursuits." The school authorities of Elizabeth, Paterson, and Passaic report that they interpret the ordinances of their respective cities as thus superseded.

<sup>25</sup> By regulation in pursuance of ordinance.

<sup>26</sup> See footnote 14.

<sup>27</sup> Ordinance formerly in effect in Wilmington, N. C., has been superseded by State law.  
<sup>28</sup> In effect in 8 of the larger cities, according to information received from State child-welfare commission.

Night work prohibited for child under 16 between 7 p. m. and 6 a. m.  
 Work for more than 8 hours a day, 48 hours a week, and 6 days a week  
 prohibited for all children under 16 *except* those between 14 and 16 who  
 have completed the fourth grade.

## NORTH DAKOTA

No specific street trades law.

## OHIO

No specific street trades law.

*Cincinnati:*

Child 10 (12 within specified district of city), selling, delivering,  
 or offering for sale newspapers, periodicals, or other merchandise,  
 or engaging in trade of bootblack, on streets.

Permit and badge required for child under 18, issued by city manager,  
 conditioned on presentation of documentary evidence of age satis-  
 factory to issuing officer. Issuing officer must be satisfied child is  
 of normal development and physically fit for intended work.

Night work prohibited for child under 15 between 7 p. m. and 6 a. m.,  
*except* on election days and in sale of extra editions.

*Cleveland:*

Boy 10, girl 18,<sup>\*</sup> selling newspapers, periodicals, or other merchandise,  
 or engaging in trade of bootblack, on streets.

Permit and badge required for any minor, issued by city manager.  
 Permit must state that issuing officer is satisfied that child is of  
 required age and is mentally and physically fit to undertake in-  
 tended work.

Night work prohibited for child under 14 between 8 p. m. and 5.30  
 a. m. *except* on election days and in sale of extra editions.

*Columbus:*

"Whoever being the parent, guardian or having custody or control of  
 any child under the age of 8 years, causes, induces, permits, or  
 allows such child to sell, barter, or exchange newspapers, chewing  
 gum, or other wares and merchandise on any of the streets, avenues,  
 alleys, or in any public place of the city of Columbus, shall be  
 guilty of a misdemeanor and upon conviction thereof shall be fined  
 not less than \$5 nor more than \$25."

*Dayton:*

Boy 11, girl 18, selling newspapers, periodicals, or other merchandise,  
 or engaging in trade of bootblack or in other work in or about any  
 shoe-shining parlor.

Permit and badge required for boy under 18, issued by superintendent  
 of crime prevention of department of public safety. Issuing officer  
 must certify that he is satisfied child is of required age and is of  
 normal development and physically fit for intended work.

Night work prohibited for child under 15 between 6.30 p. m. (7 p. m.  
 from June 1 to September 30) and 5.30 a. m. *except* on election  
 days and in sale of extra editions.

*East Cleveland:*

Boy 10, girl 18, selling newspapers, magazines, periodicals, or other  
 goods or merchandise on streets.

Permit required for any minor 10 years of age or over, issued by city  
 manager. Permit must state that issuing officer is satisfied that  
 minor is of required age and is mentally and physically fit to under-  
 take intended work.

Night work prohibited for "any minor" between 8 p. m. and 5 a. m.  
*except* on election days and in sale of extra editions.

*Toledo:* (Ordinance applies to work in "down-town district or in or  
 about any railroad station.)

Boy 12, girl 18, selling newspapers, periodicals, or other articles, or  
 engaging in trade of bootblack or any other street trade.

\* Minimum age for girls also applies to any other trade or occupation carried on in any  
 street or public place.

*Toledo—Continued.*

Permit and badge required for boy under 16, issued by director of safety, who must find upon investigation that child is of the prescribed age and is physically fit for intended work. (No permit or badge is required for delivery of newspapers, etc., to regular customers, but director of public safety may prohibit such work in any individual case where minor is guilty of unlawful acts that infringe upon the public safety, health, or welfare.)

Night work prohibited for child under 16 between 7.30 p. m. (7 p. m. from October 15 to April 15) and 6 a. m.

OKLAHOMA <sup>20</sup>

Girl 16, selling newspapers, magazines, or periodicals on streets. (Law applies to any city.)

## OREGON

No specific street trades law.

*Portland:*

Boy 10, girl 18, selling newspapers or periodicals.

Night work prohibited for child under 16 between 8 p. m. and 6 a. m.

## PENNSYLVANIA

Boy 12, girl 21, distributing or selling newspapers, periodicals, or any other merchandise on streets.

Boy 14, girl 21, in work as bootblack, scavenger, or in any other street trade except those listed in preceding item.

(Law applies to entire State.)

Night work prohibited for child under 16 in any street trade between 8 p. m. and 6 a. m.

## RHODE ISLAND

Boy 12, girl 16, selling newspapers or periodicals or engaging in trade of bootblack or scavenger. (Law applies to cities of 40,000 or over, i. e., Providence, Pawtucket, and Woonsocket.)

Permit and badge required for boy under 16, issued by truant officer on statement of principal teacher of school attended that he approves the issuance of the permit to the child, that the child is attending school, is of normal development, and is physically fit for intended work.

Night work prohibited for child under 16 between 9 p. m. and 5 a. m.

*Pawtucket:*

License and badge required for any person selling newspapers or periodicals on streets, issued by chief of police. Evidence of good character may be required.

## SOUTH CAROLINA

No specific street trades law.

## SOUTH DAKOTA

No specific street trades law.

## TENNESSEE

No specific street trades law.

## TEXAS

No specific street trades law.

<sup>20</sup> By ruling of State commissioner of labor, applicable under the law only to employment of child by an employer, a minimum age of 15 has been fixed for the sale of merchandise on the street or in any out-of-door public place. Newspapers are not held to be "merchandise."

## UTAH

Boy 12, girl 16, selling newspapers, periodicals, or other merchandise, or working as bootblack<sup>22</sup> on streets. (Law applies to cities of first and second class, i. e., cities of over 5,000 population.)

Permit required for boy under 16, issued by school superintendent or by deputy of school board, conditioned on: (1) Satisfactory proof that child is of required age; (2) written statement of school principal approving the issuance of the permit and stating that child is attending school<sup>23</sup> and is of normal development and physically fit for intended work.

Night work prohibited for child under 16 after 9 p. m.

## VERMONT

No specific street trades law.

## VIRGINIA

Boy 12, girl 18, distributing and selling newspapers, periodicals or circulars, or working at bootblacking, running errands, and delivering parcels.

Boy 14, girl 18, peddling or engaging in any gainful occupation in any street or public place except as specified in preceding item.

(Law applies to entire State.)

In work for which minimum age is 12 for boys, badge is required for boy under 16, issued by chief attendance officer or, if there is no such officer, by the division superintendent of schools, conditioned on: (1) Evidence of age; (2) certificate from physician stating that child is of normal development, in sound health, and physically fit for intended work. Boy 12 or over may distribute newspapers or periodicals to regular subscribers at residences or places of business without obtaining badge, but this work is held to be subject to the general provisions of the State child labor law, requiring employment certificates for all children under 18 employed, permitted, or suffered to work in any gainful occupation (with certain exemptions not affecting street trades). Requirements for this certificate and person issuing are the same as for street-trades badge.

In work for which minimum age is 14 for boys an employment certificate as for other gainful occupations is required. Requirements for this certificate and person issuing are the same as for street-trades badge.

Night work prohibited for child under 16 between 7 p. m. and 6 a. m.

Work for child under 16 limited to 8 hours a day, 44 hours a week, and 6 days a week.

## WASHINGTON

No specific street trades law.

*Everett:*

Child 10, selling newspapers or periodicals on streets.

Permit and badge required for child under 16, issued by commissioner of safety.

*Seattle:*

Child under 12 found peddling or selling any article on the street for gain may be declared dependent or neglected and subject to jurisdiction of court (city ordinance).

Permit required for child under 18, issued by juvenile and humane division of police department and approved by judge of county juvenile court.

## WEST VIRGINIA

No specific street trades law.

<sup>22</sup> The minimum age for work as bootblack on streets is 12 for any "child"; the permit provision applies only to boys.

<sup>23</sup> Permit to work during school hours (compulsory school attendance requirements extend to 18 years of age) may be granted child who is 16 or has graduated from eighth grade (exemption for child of widowed mother or invalid father). (Information from State superintendent of public instruction, December, 1927.)

## WISCONSIN

Boy 12, girl 18, selling and distributing newspapers and periodicals.

Boy 14, girl 18, bootblacking, soliciting, selling, or distributing any merchandise except newspapers or periodicals on streets.

Law applies to cities of the first class (i. e. Milwaukee), and same provisions apply also to all other parts of State until industrial commission makes other regulations.

Permit and badge required for boy under 17, issued by board of education where child resides, conditioned on: (1) Evidence of age; (2) written statement of principal that child is in regular attendance at school; (3) compliance with school attendance law. Issuing officer must be satisfied that child is mentally and physically able to perform intended work in addition to regular school work. (In places where attendance at school is not required by law past the age of 16, the educational requirements do not apply to children 16 or over.)

Night work prohibited for child under 17 between 7.30 p. m. and 5 a. m. (Boy 14 or over may deliver newspapers between 4 a. m. and 6 a. m. if mentally and physically able to do work in addition to school work.)

## WYOMING

No specific street trades law.

## LIST OF REPORTS ON CHILDREN IN STREET WORK

The Newsboys of Saint Louis; a study by the school of social economy of Washington University, St. Louis, Mo., 1910. 15 pp.

The Newsboys of Milwaukee, by Alexander Fleisher, pp. 61-96. Madison, Democrat Printing Co., 1911.

"A survey of working children in Kansas City, with special stress on the street trades and messenger service," by Eva M. Marquis. Kansas City, Mo., Board of Public Welfare: Annual Report, 1914-15, pp. 108-160.

"Newsboys and other street traders," by Lettie L. Johnston. Maryland State Board of Labor Statistics: Annual Report, 1915, pp. 101-128.

Chicago Children in the Street Trades, by Elsa Wertheim. Juvenile Protective Association of Chicago, 1917. 11 pp.

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A more complete list of reports and articles on children in street work may be found in Children in Street Trades in the United States; a list of references, compiled by Laura A. Thompson, librarian, United States Department of Labor (Separate from Monthly Labor Review (December, 1925) of the Bureau of Labor Statistics, United States Department of Labor). This list may be obtained from the Children's Bureau.

## TABLES

**TABLE 1.—Occupations of boys engaged in street work during school term in specified cities**

Occupation	Boys from 6 to 15 years of age						
	Atlanta	Columbus	Newark	Omaha	Pater-son <sup>1</sup>	Troy	Wilke-Barre
Total.....	881	1,484	1,882	1,255	413	282	50
Newspaper carrier.....	356	986	679	740	178	225	31
Newspaper seller.....	144	273	467	320	108	41	16
Newspaper boy, other than seller and carrier.....	2	1	14	.....	7	1	.....
Peddler <sup>2</sup> .....	222	42	243	61	60	8	.....
Footblack.....	7	8	387	5	48	.....	.....
Magazine carrier and seller.....	60	42	84	164	3	.....	.....
Bill distributor.....	20	27	4	11	3	7	.....
Junk collector.....	29	3	8	11	2	.....	.....
Stand tender.....	8	63	17	3	1	.....	.....
Other.....	13	4	29	.....	3	.....	.....

<sup>1</sup> Boys 7 to 15 years of age.

<sup>2</sup> Boys working for premiums are not included.

**TABLE 2.—Age at date of interview; newspaper sellers and carriers working during school term in specified cities**

Age at date of interview	Boys from 6 to 15 years of age															
	Atlanta		Columbus		Newark		Omaha		Pater-son <sup>1</sup>		Troy		Wash-ington <sup>2</sup>		Wilke-Barre	
	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution
<b>NEWSPAPER SELLERS</b>																
Total.....	144	.....	273	.....	467	.....	320	.....	108	.....	.....	.....	202	.....	167	.....
Total reported.....	143	100.0	272	100.0	467	100.0	320	100.0	108	100.0	.....	.....	202	100.0	165	100.0
Under 8 years.....	5	3.4	13	4.8	15	3.2	3	.9	2	1.9	.....	.....	7	3.5	7	4.2
8 years.....	9	6.2	12	4.4	24	5.1	7	2.2	3	2.8	.....	.....	6	3.0	11	6.6
9 years.....	8	5.6	28	10.3	28	6.0	27	8.4	12	11.1	.....	.....	12	5.9	17	10.3
10 years.....	20	14.0	25	9.2	52	11.1	31	9.7	16	14.8	.....	.....	23	11.4	26	15.7
11 years.....	17	11.9	45	16.5	88	18.8	50	15.6	12	11.1	.....	.....	31	15.3	26	15.7
12 years.....	31	21.7	43	15.8	83	17.8	66	20.6	21	19.4	.....	.....	33	16.3	29	17.6
13 years.....	25	17.6	51	18.8	75	16.1	49	15.3	14	13.0	.....	.....	38	18.8	26	15.7
14 years.....	22	15.4	36	13.2	44	9.4	49	15.3	15	13.9	.....	.....	31	15.3	18	10.9
15 years.....	12	8.4	19	7.0	28	6.0	38	11.9	14	13.0	.....	.....	21	10.4	6	3.6
Not reported.....	1	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	.....
<b>NEWSPAPER CARRIERS</b>																
Total.....	356	.....	983	.....	679	.....	740	.....	178	.....	225	.....	.....	.....	315	.....
Total reported.....	356	100.0	983	100.0	677	100.0	740	100.0	177	100.0	225	100.0	.....	.....	315	100.0
Under 8 years.....	10	2.8	19	1.9	24	3.6	7	.9	3	1.7	4	1.8	.....	.....	12	3.8
8 years.....	12	3.4	26	2.6	13	1.9	11	1.5	1	.6	4	1.8	.....	.....	10	3.2
9 years.....	22	6.2	66	6.7	30	4.4	27	3.6	9	5.1	6	2.7	.....	.....	20	6.3
10 years.....	20	5.6	75	7.6	67	9.9	54	7.3	15	7.3	21	9.3	.....	.....	29	9.2
11 years.....	44	12.4	143	14.4	95	14.0	80	10.8	20	11.3	29	12.9	.....	.....	34	10.8
12 years.....	48	13.5	101	10.4	137	18.8	188	18.6	25	14.1	41	18.2	.....	.....	54	17.1
13 years.....	73	20.5	185	18.8	151	22.3	121	16.4	48	27.1	46	20.4	.....	.....	70	22.2
14 years.....	63	17.7	159	16.2	123	18.2	171	23.1	29	16.4	41	18.2	.....	.....	64	20.3
15 years.....	59	16.6	102	10.4	47	6.9	131	17.7	39	21.4	38	14.7	.....	.....	22	7.0
Not reported.....	.....	.....	3	.....	2	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....

<sup>1</sup> Boys 7 to 15 years of age.

<sup>2</sup> Includes 2 boys 6 years of age.



TABLES

TABLE 3.—Hour of ending afternoon work on a typical school day; newspaper sellers and carriers holding a single job during school term in specified cities

Hour of ending afternoon work on a typical school day	Boys from 6 to 15 years of age															
	Atlanta		Columbus		Newark		Omaha		Pater-son <sup>1</sup>		Troy		Wash-ington <sup>2</sup>		Wilkes-Barre	
	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution
<b>NEWSPAPER SELLERS</b>																
Total	138		214		467		253		108				202			145
Afternoon street work on typical school day	118		163		438		194		100				188			109
Total reported	117	100.0	162	100.0	435	100.0	193	100.0	100	100.0			188	100.0	109	100.0
Before 6 p. m.	9	7.7	36	22.2	163	38.0	21	10.9	31	31.0			27	14.4	20	18.3
6 p. m., before 8	52	76.1	108	66.1	251	53.1	166	86.0	54	54.0			117	62.2	76	69.7
8 p. m., before 10	23	19.7	18	11.1	32	7.4	4	2.1	12	12.0			23	11.7	12	11.0
10 p. m. and after	3	2.6			4	0.9	2	1.0	3	3.0			2	1.1	1	0.9
Not reported	1		1		3		1									
No afternoon street work on typical school day	1		23		3		31		1							
No street work on school day	10		28		26		28		7				14		36	
<b>NEWSPAPER CARRIERS</b>																
Total	342		906		679		703		178		212					245
Afternoon street work on school days	290		866		650		662		169		186					147
Total reported	285	100.0	865	100.0	650	100.0	658	100.0	169	100.0	184	100.0				147
Before 6 p. m.	257	90.2	833	96.3	514	78.1	605	91.9	150	88.8	189	75.6			122	83.0
6 p. m., before 8	28	9.8	31	3.6	131	20.2	52	7.9	19	11.2	45	24.5			25	17.0
8 p. m. and after			1	0.1	6	0.9	1	0.2								
Not reported	5		1				4				2					
No afternoon street work on typical school day	38		32		16		37		5						57	
No street work on school day	14		8		13		4		4		26				41	

<sup>1</sup> Boys 7 to 15 years of age.

<sup>2</sup> Includes 2 boys 5 years of age.

<sup>3</sup> Includes 8 p. m. and after.

\* Includes 2 boys about whom it was not reported whether they worked in the morning or in the afternoon.

## CHILD WORKERS ON CITY STREETS

TABLE 4.—Hour of ending work on a typical Saturday night; newspaper sellers holding a single job during school term in specified cities

Hour of ending work on a Saturday night	Boys from 6 to 15 years of age													
	Atlanta		Columbus		Newark		Omaha		Pater-son <sup>1</sup>		Washing- ton <sup>2</sup>		Wilkes- Barre	
	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution
Total.....	138		214		467		253		108		202		145	
Street work on Saturday.....	128		184		375		221		100		191		136	
Total reported.....	121	100.0	183	100.0	374	100.0	220	100.0	100	100.0	191	100.0	126	100.0
Before 6 p. m.....	9	7.4	53	29.0	202	54.0	51	23.2	35	35.0	23	11.5	21	15.7
6 p. m., before 8.....	26	21.5	97	53.0	133	35.6	94	42.7	26	26.0	72	37.7	41	32.5
8 p. m., before 10.....	12	9.9	21	11.4	36	9.6	6	2.7	11	11.0	17	8.9	43	33.3
10 p. m., before 12.....	39	32.2	12	6.6			15	6.8	23	23.0	50	26.2	14	11.1
12 p. m. and after.....	35	28.9			3	.8	54	24.5	5	5.0	36	15.7	8	6.3
Not reported.....	2		1		1		1							
No street work on Saturday.....	15		30		92		32		8		11		19	

<sup>1</sup> Boys 7 to 15 years of age.<sup>2</sup> Includes 2 boys 5 years of age.<sup>3</sup> Includes 10 p. m. and after.

TABLE 5.—Number of hours of street work on a typical school day; newspaper sellers and carriers holding a single job during school term in specified cities

Number of hours of street work on a typical school day	Boys from 6 to 15 years of age															
	Atlanta		Columbus		Newark		Omaha		Pater-son <sup>1</sup>		Troy		Washing- ton <sup>2</sup>		Wilkes- Barre	
	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution	Number	Per cent dis- tribution
<b>NEWSPAPER SELLERS</b>																
Total.....	138		214		467		253		108				202		145	
Street work on school days.....	119		183		449		224		101				188		130	
Total reported.....	118	100.0	183	100.0	438	100.0	224	100.0	101	100.0			188	100.0	126	100.0
Less than 1 hour.....	2	1.7	7	3.8	28	6.4	4	1.8	3	3.0			2	1.1	4	3.7
1 hour, less than 2.....	6	5.1	24	13.0	140	32.0	19	8.5	19	18.8			18	9.6	35	27.4
2 hours, less than 3.....	14	11.9	48	24.9	152	37.0	50	22.3	51	50.5			57	30.3	23	18.6
3 hours, less than 4.....	70	59.3	94	50.8	95	21.7	139	62.1	27	26.7			91	48.4	27	21.5
4 hours, less than 5.....	26	22.0	14	7.6	13	3.0	12	5.4	1	1.0			20	10.6	9	7.1
5 hours and over.....																
Not reported.....	1		1		11		1								1	
No street work on school days.....	19		31		18		29		7				14		19	

<sup>1</sup> Boys 7 to 15 years of age.<sup>2</sup> Includes 2 boys 5 years of age.

**TABLE 5.—Number of hours of street work on a typical school day; newspaper sellers and carriers holding a single job during school term in specified cities—Continued.**

Number of hours of street work on a typical school day	Boys from 6 to 15 years of age															
	Atlanta		Columbus		Newark		Omaha		Pater-son		Troy		Wash-ington		Wilkes-Barre	
	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution
<b>NEWSPAPER CARRIERS</b>																
Total.....	342		906		679		703		178		212				245	
Street work on school days.....	328		898		668		699		174		186				204	
Total reported.....	323	100.0	895	100.0	665	100.0	695	100.0	174	100.0	184	100.0			204	100.0
Less than 1 hour.....	61	15.8	260	31.3	202	30.2	187	26.9	28	16.1	56	30.4			138	67.6
1 hour, less than 2.....	192	59.4	508	56.8	345	52.0	427	61.4	73	42.0	108	58.7			51	29.6
2 hours and over.....	80	24.8	107	12.0	118	17.7	81	11.7	73	42.0	20	10.9			9	4.4
Not reported.....	5		3		2		4				2					
No street work on school days.....	14		8		11		4		4		26				41	

**TABLE 6.—Number of hours of street work during a typical week; newspaper sellers and carriers holding a single job during school term in specified cities**

Number of hours of street work during a typical week	Boys from 6 to 15 years of age															
	Atlanta		Columbus		Newark		Omaha		Pater-son <sup>1</sup>		Troy		Wash-ington <sup>2</sup>		Wilkes-Barre	
	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution
<b>NEWSPAPER SELLERS</b>																
Total.....	138		214		487		253		108				202		145	
Total reported.....	135	100.0	211	100.0	487	100.0	250	100.0	104	100.0			202	100.0	140	100.0
Less than 8 hours.....	21	15.6	39	18.5	109	24.3	38	15.2	17	16.3			25	12.4	41	29.3
8 hours, less than 16.....	15	11.1	60	28.4	197	45.1	35	14.0	39	37.5			50	24.8	69	50.0
16 hours, less than 24.....	37	27.4	42	19.9	82	18.6	70	28.0	37	35.6			62	30.7	88	62.9
24 hours and over.....	62	45.9	79	37.2	52	11.0	107	42.8	11	10.6			65	32.2	22	15.7
Not reported.....	8		3		30		3		4						5	
<b>NEWSPAPER CARRIERS</b>																
Total.....	342		906		679		703		178		206				245	
Total reported.....	336	100.0	890	100.0	671	100.0	698	100.0	176	100.0	206	100.0			244	100.0
Less than 8 hours.....	85	25.3	377	42.1	373	55.6	200	28.7	67	38.1	143	69.8			212	86.9
8 hours, less than 16.....	207	61.6	448	50.0	250	37.3	400	57.3	76	43.2	57	27.8			31	12.7
16 hours, less than 24.....	39	11.6	65	7.3	41	6.1	56	13.8	24	13.6	4	2.0			1	0.4
24 hours and over.....	5	1.5	6	0.7	7	1.0	2	0.3	9	5.1	1	0.5				
Not reported.....	6		10		8		5		2						1	

<sup>1</sup> Boys 7 to 15 years of age.

<sup>2</sup> Includes 2 boys 5 years of age.

## CHILD WORKERS ON CITY STREETS

TABLE 7.—*Previous duration of job held at date of interview; newspaper sellers and carriers working during school term in specified cities*

Previous duration of job held at date of interview	Boys from 6 to 15 years of age											
	Atlanta		Columbus		Omaha		Troy		Washington <sup>1</sup>		Wilkes-Barre	
	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution
<b>NEWSPAPER SELLERS</b>												
Total.....	144		273		320				262		167	
Total reported.....	144	100.0	271	100.0	318	100.0			199	100.0	165	100.0
Less than 1 year.....	83	57.6	168	62.0	165	51.9			95	47.7	66	40.0
Less than 6 months.....	63	43.8	131	48.3	113	35.5			71	35.7	54	32.7
Less than 2 months.....	31	21.5	53	19.6	55	17.3			23	11.1	23	13.9
2 months, less than 4.....	22	15.3	53	19.6	45	14.2			34	17.1	25	15.2
4 months, less than 6.....	10	6.9	25	9.2	13	4.1			15	7.5	6	3.6
6 months, less than 1 year.....	20	13.9	37	13.7	62	16.4			24	12.1	12	7.3
1 year, less than 2.....	23	16.0	41	15.1	54	17.0			45	22.6	32	19.4
2 years, less than 3.....	14	9.7	17	6.3	39	12.3			23	11.6	32	19.4
3 years and over.....	24	16.7	46	16.6	60	18.9			36	18.1	35	21.2
Not reported.....			2		2				3		2	
<b>NEWSPAPER CARRIERS</b>												
Total.....	356		966		740		212				315	
Total reported.....	354	100.0	964	100.0	738	100.0	212	100.0			308	100.0
Less than 1 year.....	250	70.6	605	61.5	518	70.2	101	47.6			154	50.0
Less than 6 months.....	200	56.5	424	43.1	356	48.2	62	29.2			118	36.7
Less than 2 months.....	75	21.2	121	12.3	174	23.6	21	9.9			41	13.3
2 months, less than 4.....	83	23.4	162	16.5	115	15.6	27	12.7			43	14.0
4 months, less than 6.....	42	11.9	141	14.3	67	9.1	14	6.6			29	9.4
6 months, less than 1 year.....	50	14.1	181	18.4	162	22.0	39	18.4			41	13.3
1 year, less than 2.....	42	11.9	155	15.8	87	11.8	111	52.4			70	22.7
2 years, less than 3.....	22	6.2	101	10.3	56	7.6					48	15.6
3 years and over.....	40	11.3	123	12.5	77	10.4					36	11.7
Not reported.....	2		2		2						7	

<sup>1</sup> Includes 2 boys 5 years of age.<sup>1</sup> Includes 1 year and more.

TABLES

TABLE 8.—Race and nativity of father; newspaper sellers and carriers working during school term in specified cities

Race and nativity of father	Boys from 6 to 15 years of age															
	Atlanta		Columbus		Newark		Omaha		Pater-son <sup>1</sup>		Troy		Wash-ington <sup>2</sup>		Wilkee-Barre	
	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution	Number	Per cent dis-tribution
<b>NEWSPAPER SELLERS</b>																
Total.....	144	100.0	273	100.0	467	100.0	320	100.0	108	100.0	225	100.0	202	100.0	167	100.0
White.....	136	94.4	229	83.9	393	84.2	308	96.6	107	99.1	225	100.0	199	98.5	166	99.4
Native.....	98	68.1	142	52.0	80	17.1	81	25.3	18	16.7	167	74.2	54	26.7	30	12.0
Foreign born.....	38	26.4	70	25.6	310	66.4	221	69.1	89	81.5	158	70.2	65	32.2	133	79.6
Not reported.....	1	0.8	17	6.2	3	0.6	4	1.3	1	0.9	1	0.4	1	0.5	13	7.8
Negro.....	8	5.6	44	16.1	74	15.8	14	4.4	1	0.9	1	0.4	98	48.5	1	0.6
<b>NEWSPAPER CARRIERS</b>																
Total.....	856	100.0	980	100.0	679	100.0	740	100.0	178	100.0	225	100.0	224	100.0	315	100.0
White.....	318	89.3	946	96.9	653	96.2	731	98.8	177	99.4	224	99.6	224	99.6	314	99.7
Native.....	296	83.1	812	82.4	269	38.1	412	55.7	48	27.0	167	74.2	167	74.2	156	49.5
Foreign born.....	21	5.9	113	11.5	384	56.6	303	40.9	129	72.5	63	28.0	63	28.0	139	44.1
Not reported.....	1	0.8	21	2.1	19	2.8	16	2.2	1	0.6	1	0.4	1	0.4	19	6.0
Negro.....	38	10.7	40	4.1	26	3.8	9	1.2	1	0.6	1	0.4	1	0.4	1	0.3

<sup>1</sup> Boys 7 to 15 years of age.

<sup>2</sup> Includes 2 boys 5 years of age.

TABLE 9.—Juvenile-court records; newspaper sellers and carriers working during school term in specified cities<sup>1</sup>

City	Boys from 6 to 15 years of age; per cent having juvenile-court records		City	Boys from 6 to 15 years of age; per cent having juvenile-court records	
	Newspaper sellers	Newspaper carriers		Newspaper sellers	Newspaper carriers
Atlanta.....	8	2	Wilke-Barre.....	13	3
Columbus.....	12	3	Washington.....	7	(?)
Omaha.....	6	2			

<sup>1</sup> No significance is to be attached to the variations according to city, for the rates are influenced by the local policy in regard to the number and types of cases brought before the juvenile court, the policy in regard to recording unofficial cases, and the care with which records are kept.

<sup>2</sup> No carriers were included in the Washington study.

## CHILD WORKERS ON CITY STREETS

TABLE 10.—Home conditions of newspaper sellers and carriers in specified cities

Home conditions and type of street work	Boys from 6 to 15 years of age									
	Atlanta		Columbus		Omaha		Wilkes-Barre		Washington	
	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution
<b>NEWSPAPER SELLERS</b> .....	144	-----	273	-----	230	-----	167	-----	202	-----
Total reporting.....	144	100.0	272	100.0	229	100.0	167	100.0	202	100.0
Own mother and father present in the home and father the chief breadwinner.....	90	62.5	195	71.7	227	70.9	128	82.6	151	64.9
Own father dead or absent <sup>1</sup> .....	34	23.6	59	14.3	25	8.7	14	8.4	29	19.3
Other conditions.....	20	13.9	38	13.9	66	20.3	15	9.0	32	15.8
Not reporting.....			1							
<b>NEWSPAPER CARRIERS</b> .....	356	-----	986	-----	740	-----	315	-----		-----
Total reporting.....	356	100.0	982	100.0	740	100.0	315	100.0		
Own mother and father present in the home and father the chief breadwinner.....	278	77.5	796	81.1	575	77.7	251	79.7		
Own father dead or absent <sup>1</sup> .....	48	13.5	90	9.2	88	11.9	38	12.1		
Other conditions.....	32	9.0	96	9.8	77	10.4	26	8.3		
Not reporting.....			4							

<sup>1</sup> And no stepfather or foster father present.

TABLE 11.—Earnings during a typical week; newspaper sellers and carriers holding a single job during school term in specified cities

Earnings during a typical week	Boys from 6 to 15 years of age															
	Atlanta		Columbus		Newark		Omaha		Paterson <sup>1</sup>		Troy		Washington <sup>2</sup>		Wilkes-Barre	
	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution	Number	Per cent distribution
<b>NEWSPAPER SELLERS</b>																
Total.....	186		214		467		253		109				202		145	
Total reported.....	182	100.0	196	100.0	446	100.0	244	100.0	107	100.0			152	100.0	124	100.0
Less than \$0.25.....	1	0.5	9	4.6	4	0.9	4	1.6	1	0.9			4	2.6	5	4.0
\$0.25, less than \$0.50.....	6	3.3	17	8.7	10	2.2	14	5.7	3	2.8			3	2.0	13	10.5
\$0.50, less than \$1.00.....	12	6.6	29	14.8	50	11.2	13	5.3	10	9.3			7	4.6	21	16.9
\$1.00, less than \$2.00.....	12	6.6	33	16.8	130	29.1	31	12.7	23	21.4			29	19.1	35	28.2
\$2.00, less than \$3.00.....	10	7.6	24	12.2	81	18.2	34	13.9	11	10.3			27	17.5	23	18.5
\$3.00, less than \$4.00.....	15	11.4	22	11.2	75	16.7	49	20.1	21	19.6			22	14.5	11	8.9
\$4.00, less than \$5.00.....	16	12.1	16	8.2	40	9.0	32	13.1	10	9.3			15	9.8	14	11.3
\$5.00, less than \$6.00.....	10	7.6	11	5.6	27	6.1	23	9.4	7	6.5			13	8.6		
\$6.00 and over.....	48	36.4	29	14.6	39	8.5	43	17.6	19	17.8			30	19.7		
No cash earnings.....			6	3.1	5	1.1	1	0.4					2	1.3		
Not reported.....	6		18		21		9		1				50		21	
<b>NEWSPAPER CARRIERS</b>																
Total.....	342		906		679		703		178		212				245	
Total reported.....	337	100.0	893	100.0	672	100.0	682	100.0	175	100.0	205	100.0			231	100.0
Less than \$0.25.....	9	2.7	21	2.4	7	1.0	23	3.4	3	1.7	9	4.4			26	11.3
\$0.25, less than \$0.50.....	19	5.6	37	4.1	23	3.4	24	3.5	4	2.3	13	6.3			8	3.5
\$0.50, less than \$1.00.....	27	8.0	63	7.1	74	11.0	59	8.7	9	5.1	51	24.9			45	19.5
\$1.00, less than \$2.00.....	33	9.8	185	20.7	304	45.2	66	9.7	21	12.0	60	29.7			75	32.5
\$2.00, less than \$3.00.....	43	12.8	172	19.2	151	22.5	64	9.4	54	30.9	37	18.0			50	21.6
\$3.00, less than \$4.00.....	59	17.5	140	15.7	42	6.3	91	13.3	43	24.6	5	2.4			15	6.5
\$4.00, less than \$5.00.....	41	12.2	102	11.4	12	1.8	106	15.5	23	13.1	4	2.0				
\$5.00, less than \$6.00.....	28	8.3	68	7.6	2	0.3	87	12.8	5	2.9						
\$6.00 and over.....	69	20.5	89	10.0	5	0.8	151	22.1	4	2.3	1	0.5				
No cash earnings.....	9	2.7	16	1.8	52	7.7	11	1.6	9	5.1	11	5.4			12	5.2
Not reported.....	6		13		7		21		3		7				14	

<sup>1</sup> Boys 7 to 15 years of age.  
<sup>2</sup> Includes 2 boys 5 years of age.

<sup>3</sup> Includes \$4 and over.  
<sup>4</sup> Includes \$3 and over.

## CHILD WORKERS ON CITY STREETS

TABLE 12.—Summary of principal facts regarding peddlers working during school term; Atlanta, Omaha, Paterson, and Newark

Items	Atlanta	Omaha	Paterson	Newark
Number of peddlers.....	222	61	60	243
Average age.....	12	12	12	12
Per cent employed (by parents or others).....	59.9	22.9	96.2	63.0
Per cent working 2 hours or more on typical school day.....	86.9	58.5	62.7	63.0
Per cent working 5 hours or more on typical Saturday.....	78.3	50.0	93.9	78.8
Per cent working 6 or 7 days a week.....	43.0	42.6	38.3	33.3
Per cent working 1 year or more.....	31.1	32.8		
Median earnings during typical week.....	\$1.77	\$1.96	\$1.64	\$1.67
Per cent with native white fathers.....	57.2	62.5	30.0	23.9
Per cent in normal homes.....	63.5	75.4		
Per cent claiming family need.....	21.7	16.4		
Per cent contributing all earnings to family.....	5.9	5.8		
Per cent retarded in school.....	50.5	33.9	23.9	41.9
Per cent having juvenile-court records.....	3.0	3.0		

TABLE 13.—Summary of principal facts regarding bootblacks working during school term; Newark and Wilkes-Barre

Items	Newark	Wilkes-Barre
Number of bootblacks.....	387	75
Average age.....	12.1	11.6
Per cent working 2 hours or more on typical school day.....	57.2	92.6
Per cent working 5 hours or more on typical Saturday.....	79.4	56.7
Per cent working 6 or 7 days a week.....	40.3	9.7
Median earnings during typical week.....	\$2.75	\$1.21
Per cent of native white parentage.....	4.9	5.3
Per cent in normal homes.....	84.2	75.0
Per cent claiming family need.....		18.2
Per cent contributing all earnings to family.....		10.7
Per cent retarded in school.....	50.6	48.6
Per cent having juvenile-court records.....		23.0

TABLE 14.—Summary of principal facts regarding magazine carriers and sellers working during school term; Atlanta and Omaha

Items	Atlanta	Omaha
Number of magazine sellers and carriers.....	80	104
Average age.....	11.1	10.9
Per cent working less than 1 hour on typical school day.....	7.3	8.3
Per cent working less than 3 days a week.....	68.8	41.3
Per cent working less than 6 months.....	68.8	59.6
Median earnings during typical week.....	\$0.41	\$0.33
Per cent with native white fathers.....	93.8	76.2
Per cent in normal homes.....	84.0	84.6
Per cent claiming family need.....	0	4.8
Per cent contributing all earnings to family.....	0	1.9
Per cent retarded in school.....	23.0	11.1
Per cent having juvenile-court records.....	4.0	2.0

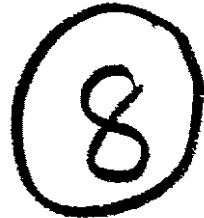


U. S. DEPARTMENT OF LABOR  
JAMES J. DAVIS, Secretary  
CHILDREN'S BUREAU  
GRACE ABBOTT, Chief

# PUBLIC DANCE HALLS

THEIR REGULATION AND PLACE IN THE RECREATION  
OF ADOLESCENTS

By  
ELLA GARDNER



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## LETTER OF TRANSMITTAL

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UNITED STATES DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
*Washington, June 19, 1928.*

SIR: There is transmitted herewith a report on public dance halls, their regulation and place in the recreation of adolescents, by Ella Gardner, the specialist in recreation of the Children's Bureau. The report consists of an analysis of State laws and city ordinances regulating public dances and public dance halls and a description of the methods developed in 15 cities in the administration of such laws or ordinances. A brief report on the character of the public recreation as it affects the dance-hall problem in cities with extensive recreation programs is also included.

Acknowledgment is made of the cooperation given the bureau by officials in charge of dance-hall inspection and of public recreation in the cities visited.

Respectfully submitted,

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,  
*Secretary of Labor.*

# PUBLIC DANCE HALLS

## PURPOSE AND SCOPE OF STUDY

Inquiries received by the Children's Bureau as to methods of supervision of commercialized amusements, especially public dance halls, and public provision of recreational opportunities for boys and girls of adolescent age have increased during recent years. At the request of agencies in several cities the Children's Bureau, therefore, undertook to assemble information as to the legal machinery with which communities are endeavoring to protect young people from the evils of the unregulated commercial dance hall. An effort was also made to discover what features of their community recreation programs are successful in meeting the demands of young people of this age.

Until recent years the public dance hall was unregulated and regarded by many persons as impossible of successful regulation. In small towns as well as in large industrial centers it had a bad reputation. The stories of crime and debauchery which newspapers reported from time to time as having their origin in one of these "parks" or "academies" or "halls" revealed the fact that they were frequently connected with saloons and so-called hotels which encouraged immorality on the part of the dance-hall patrons and tolerated the presence of criminals. Police attended these dances not as inspectors or supervisors but in order to be at hand to interfere in case of brawls or too flagrant disorder of any kind.

With the development of the community recreation movement studies were made of commercialized recreation, and with the facts as to the conditions in the dance halls made public, attempts were made at public control or regulation. The investigations revealed that the public dance halls offered almost the only opportunity for this form of social recreation to many farm boys and girls who came to the towns for their amusements, to large numbers of young people who were working in industrial centers away from their parents and childhood friends, and to many city boys and girls whose parents through poverty or ignorance made no provision for the social needs of their children. The movement for the regulation of commercialized recreation and the provision of community dance halls and other forms of recreation for young people developed almost simultaneously as a result.

The investigations did not reveal uniformly bad conditions in the public dance halls, and this fact furnished the best argument for successful regulation. Some dance-hall managers had demonstrated that it was profitable to offer well-conducted dances in attractive halls with good music; more, probably men with less business ability as well as with less character, sought to increase their earnings by tolerating excesses of one sort or another; and some exploited the innocent

desire of young people for gayety and a good time by exposing them, through the dance hall, to the worst elements in the community.

The problem presented by the dance hall has two special phases in its relation to and effect upon young people. The first is its value or danger to very young boys and girls, those between 14 and 18. Should these children be admitted to the dance hall? If so, what safeguards should be thrown around them; and if not, how should they be excluded, and what counter attractions, if any, should be offered by parents, school, municipality, and other agencies? The second is the dancing of the older group of adolescents, those who are in school or employed but whose chief form of recreation it seems to be. For them the question has been how to keep the dance hall from becoming a demoralizing influence and how to make it a real recreational opportunity rather than a brighter form of boredom. This report describes some of the attempts that have been made to accomplish these purposes.

Regulation of public dances and methods of enforcement rather than dance-hall conditions were made the subject of the study. Officials in all cities of 15,000 population or more (approximately 500) were requested to send copies of their ordinances and regulations concerning public dances, reports on the administration of the ordinances, and on the recreation provided by the community. Replies were received from 416 cities. Copies of State laws pertaining to the control of public dances were obtained from the 25 States that have passed such legislation, and these together with the city ordinances have been analyzed and summarized for this report.

Fifteen cities in different parts of the country which offer examples of different types of control of commercial dances and of provision for community recreation were visited by bureau agents in 1925 and 1926—Butte, Mont.; Chicago, Ill.; Dayton, Ohio; Detroit, Mich.; Duluth, Minn.; Houston, Tex.; Los Angeles, Calif.; New Bedford, Mass.; Ottumwa, Iowa; Paterson, N. J.; Portland, Oreg.; Rochester, N. Y.; San Francisco, Calif.; Seattle, Wash.; and Wichita, Kans. Two other cities (Gary, Ind., and Oakland, Calif.) were studied from the standpoint of community provision for recreation only.

In these cities officials in control of public-amusement inspection and those in charge of community recreation were interviewed, and dances were visited in the regular dance academies, in rented halls, in outdoor pavilions, in amusement parks, in cafés, in cabarets, in closed halls, in schools, armories, and other public buildings, and in halls outside the city limits. The opinions and experience of persons closely in touch with the boys and girls—teachers, juvenile-court officials, and other social workers—were sought as to the success of the existing program and as to needs which had not been adequately considered.

# LEGISLATIVE REGULATION OF PUBLIC DANCE HALLS<sup>1</sup>

## STATE LEGISLATION

Twenty-eight States have laws that specifically regulate the operation of public dances and public dance halls. Some of these laws affect all public dances and public dance halls within the State or all not regulated by city ordinance, whereas others apply only to dances held outside the limits of municipal corporations. Practically every State has authorized cities and towns to prohibit or to regulate and license public amusements, including public dances and public dance halls; and a number make the license or permit<sup>2a</sup> compulsory, designating in the law the officer who shall have the power to issue it.

None of the 28 States regulating the public dance by State law prohibits cities and towns or counties in the State from making additional rules and regulations. Consequently, a number of cities in the States mentioned in this section supervise dance halls and dances by municipal ordinances. In case of a conflict in provisions the State law, of course, would take precedence.

The State laws relate to the following subjects: Licensing, investigation to determine suitability of place in which dance is to be held and affidavits as to the character of applicants as prerequisite to the issuance of a license or permit, posting of the license or of the dance hall law, minimum age of participants, hours when minors may attend, hours of closing, Sunday prohibitions, lighting of premises, conduct of dancers and type of dances, and supervision by police officers or specially qualified matrons.<sup>2</sup>

Six States (Minnesota, North Dakota, Oregon, Pennsylvania, South Dakota, and Washington<sup>3</sup>) have fairly comprehensive State laws regulating dance halls, which define the terms, require permits or licenses, specify lighting requirements during the dance, regulate the hours of operation and the minimum age of attendance, provide for supervision of the dance, and specify penalties for violations. Only the laws of Minnesota and North Dakota, however, cover all public dances within the State.

Twenty-two other States have legislation relating to dance halls, but except in Arizona, where the conduct or operation of a public dance hall is prohibited under penalty of fine up to \$300 or imprisonment up to six months in the county jail, or both fine and imprisonment,

<sup>1</sup> This section was compiled by Freda Ring, assistant in legal research, in the Children's Bureau. The statements apply to laws in force in 1925. Later legislation is summarized in Appendix C (p. 56).

<sup>2a</sup> The words "license" and "permit" are used interchangeably in some of the laws, but in others they have different meanings. In this report "license" is used to indicate the written authority granted for the maintenance or operation of a public dance hall, and "permit" to mean the special authority granted for a public dance.

<sup>2</sup> The Minnesota law, which covers the subject quite completely and is of state-wide application, is summarized on p. 53.

<sup>3</sup> Minn., Gen. Stat. 1923, secs. 10161-10174, as amended by act of Apr. 22, 1925, ch. 302, Laws of 1925, p. 383; N. Dak., Supp. of 1925, secs. 548a1-548a11, 3143a1-3163a10, 0241a, 9609a1-9609a3, pp. 263-266, 867-869, 1402, 1411, 1412; Oreg., act of Feb. 21, 1923, ch. 163, Gen. Laws of 1923, p. 232, and Oreg. Laws 1920, secs. 3682 and 3683, as amended by act of Feb. 23, 1925, ch. 147, Gen. Laws of 1925, p. 221; Pa., Stat. 1920, secs. 2834-2844, pp. 267 and 269; S. Dak., act of Mar. 12, 1921, ch. 354, Laws of 1921, p. 449; Wash., act of Mar. 14, 1923, ch. 111, Laws of 1923, p. 294.

the laws cover only one or two phases of the subject. Some States other than those mentioned in the following pages as restricting public dancing on Sunday or prohibiting the use or sale of intoxicating liquors in public dance halls or at public dances have probably enacted measures embracing these two features.

#### DEFINITIONS OF PLACES COVERED

A "public dance" or a "public dance hall" is defined by only five State laws. The North Dakota and Pennsylvania definitions are similar to those of Minnesota (see p. 53). Oregon and South Dakota provide that a public dance hall is a place or space open to the public where dancing may be engaged in upon the payment of a fee.

Seven States (Idaho, Illinois, Iowa, Michigan, Nevada, Oregon, and Washington) provide that their laws regulating public dances and public dance halls shall apply only to dance halls outside the limits of incorporated cities and towns, Illinois and Iowa specifically including "roadhouses" in the regulations.

Georgia has no special law requiring licenses for public dance halls, but has a provision making it a misdemeanor to operate a dance hall beyond the limits of an incorporated town in any county containing a city with a population of 80,000 or more without obtaining the written consent of half the freeholders living within 2 miles of the place where the hall is to be maintained. The Pennsylvania law applies only to public dance halls and public dances in cities of the first, second, and third class.

Seventeen States (Connecticut, Maine, Massachusetts, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Rhode Island, South Carolina, South Dakota, Vermont, and Wisconsin) have laws dealing with some phase of public dancing in force with certain exceptions throughout the entire State. Nebraska excepts cities of metropolitan class having a public-welfare board with authority to regulate public dancing; Ohio excepts public dances held in charter cities where the licensing authority is vested elsewhere than in the mayor; South Dakota excepts public dance halls situated within municipal corporations or within 1 mile thereof where such halls are regulated and licensed by the municipal corporation.

#### LICENSES AND PERMITS

Fourteen States require licenses or permits, or both, for the operation of public dance halls. Idaho, Iowa, Massachusetts, Nevada, and South Dakota require licenses for the operation of public dance halls. In Idaho the license is secured from the county commissioners; in Iowa, from the township trustees; in Massachusetts, from the mayor or selectmen; in Nevada, from the license board of the county (composed of the board of county commissioners, the sheriff, and the district attorney); and in South Dakota, from the county commissioners. In Idaho a bond is required of the person to whom the license is issued. In none of these States does the law lay down any special acts or requirements to be performed by the applicant. The presumption is that the issuing body will make its own rules.



Oregon provides for a license, issued upon the filing of an application which must be signed by 12 freeholders, residents of the school district in which the dance hall is to be located. At the same time the applicant must file a bond for not less than \$500 conditioned upon his compliance with the terms of this provision. Michigan provides for an annual license and stipulates that the character of the applicant shall be taken into consideration before the license is granted. In Illinois the person requesting a license must file an application giving his name, birthplace, residence, and prison record, if any. He must also establish that he is of good moral character and that the building in which the proposed dance hall is to be located is in proper condition, having adequate toilet and ventilation facilities and complying with health and fire regulations.

North Dakota requires a license from the State attorney general and a permit from the governing body of the place where the dance is to be held and provides for an official investigation before either of these is granted. In Pennsylvania cities licenses are issued by the mayor after an application has been submitted and an investigation made establishing that all rules and regulations of the city and State have been complied with. In addition, permits must be secured from the mayor's office for all public dances.

Minnesota, New Mexico, Ohio, and Rhode Island do not require licenses but require permits. Minnesota requires proof of the satisfactory character of the applicant and of the place where the dance is to be held before the permit is granted. In Ohio permits are granted by the mayor in incorporated cities and towns and by the probate judge of the county if the dance is to be held outside the corporation limits.

In Rhode Island permits are issued by the town councils or boards of police commissioners. Two New Mexico provisions passed in 1861 and 1869 require the justices of the peace or probate judges to grant permits for every dance, but provide that if in the opinion of the authority granting the license the permittee is not competent to preserve order he must procure some one to act as police officer during the dance.

Provisions pertaining to the issuance of licenses and permits are applicable in three States (Kansas, Vermont, and Wisconsin) when a specified local body, in accordance with the law, has adopted rules and regulations governing dances and dance halls, or has been elected for the purpose of regulating and supervising such halls. In Kansas the governing body of any city may elect a city board of public welfare for that purpose. After the election of such board it is unlawful for a public dance hall to be conducted unless it has received a license from the board, which makes investigation before issuing the license. In Vermont a penalty is imposed for maintaining a dance without first obtaining a permit, if such permit is required by the selectmen of the town, the trustees of an incorporated village, or the aldermen of a city. The Wisconsin law authorizes county boards to enact ordinances, by-laws, or rules and regulations governing dance halls in the county, excluding cities which have or may adopt dance-hall regulations. When a county board of supervisors has adopted such an ordinance or resolution it is unlawful to conduct a dance hall without obtaining a license from the board.

## POSTING

Minnesota requires the dance permit, and Oregon, Pennsylvania, and Washington require the dance-hall license, to be posted in a conspicuous place in the dance hall while the dance is being held. North Dakota requires the posting of the section of the law relating to age restrictions and Massachusetts the sections relating to age, hours of attendance, and lighting requirements. Idaho provides that dance-hall owners may adopt and post reasonable regulations for the healthful and orderly conduct of the halls. If these posted regulations are violated, such violation constitutes a misdemeanor on the part of the patrons.

## RESTRICTIONS ON ATTENDANCE OF MINORS

Fourteen States have placed certain restrictions upon the attendance of minors at public dances. The laws of New Jersey, North Dakota, Ohio, South Dakota, and Washington state that persons under 18 years of age shall not be permitted in public dance halls unless accompanied by parent or legal guardian. South Dakota makes it unlawful for such a person to enter or remain in the dance hall, and Washington makes misrepresentation of age a misdemeanor. In Minnesota unmarried persons 16 to 18 years of age must be accompanied by parent or guardian or present the written consent of one of these. In Oregon it is unlawful for the operator of the dance hall to allow a minor under 18 to conduct or assist in conducting a dance or to furnish or assist in furnishing music.

Massachusetts prohibits the admission of any one under 17 years of age between 6 p. m. and 6 a. m. unless accompanied by a parent or guardian or adult member of the family with which he or she resides; Wisconsin requires such minors to be accompanied at public dances by a parent or lawful guardian.

Persons under 16 years of age may not attend public dance halls in Illinois unless accompanied by a parent or legal guardian (or proper escort); and in Pennsylvania persons under 16 are not permitted to attend after 9 p. m. Minnesota requires a parent or guardian to accompany unmarried persons under 16 years of age. In New York it is a misdemeanor to permit any person actually or apparently under the age of 16 in a dance house unless accompanied by parent or guardian or by an adult authorized by the parent or guardian.

The Connecticut law does not permit persons under 14 years of age—or after 6 p. m., boys under 14 years of age and girls under 16 years of age—in public dance halls unless accompanied by a parent or guardian. Rhode Island prohibits the attendance of any boy under 14 years of age and any girl under 16 unless accompanied by and in full charge of an adult person not furnished by the proprietor, manager, or doorkeeper of a public dance hall or by the agent of such person.

## HOURS OF OPERATION

In Minnesota, Pennsylvania, and Washington public dances must be discontinued and the halls closed at or before 1 a. m. (from

1 a. m. to 6 a. m. in Minnesota and Washington), but with special permission the time can be prolonged in Washington and can be extended to 2 a. m. in Pennsylvania. Dancing is prohibited in public dance halls in Oregon between midnight and 6 a. m., and in South Dakota between 2 a. m. and 7 a. m. on week nights and from midnight Saturday to 7 a. m. Monday.

Connecticut, Georgia, Idaho, Maine, Massachusetts, Montana, North Dakota, Rhode Island, South Carolina, and Wisconsin, as well as South Dakota, prohibit dancing on Sunday, and Nebraska has a law against such dancing, which, however, does not apply to public dance halls in cities of metropolitan class having a public-welfare board with authority to regulate public dances. Minnesota prohibits public dancing before 12 noon on Sunday. Some other States have laws forbidding operation of or attendance at public amusements on Sunday, and although public dancing is not always specifically mentioned it has been construed as falling within the prohibition.

#### SUPERVISION

Minnesota, New Hampshire, and North Dakota require one or more police officers, detailed by the chief peace officer or sheriff in Minnesota and by the mayor or selectmen in New Hampshire, to be in attendance at all public dances, fees for such service to be paid by the applicant. In North Dakota the law provides that State inspectors with full powers of police are to be appointed to visit and inspect dance halls.

South Dakota provides for free entrance to the dance hall by the county sheriff and the chief probation officer of the county court and stipulates that the board of county commissioners may require the employment of a matron or special officer to supervise public dances, such person to be appointed by the board at a fixed compensation to be paid by the person operating the dance. In Wisconsin, if by-laws have been adopted by the board of supervisors of the county, a county dance supervisor must be present at each dance.

Pennsylvania states that the halls are subject to inspection by the police department at all reasonable times and whenever open for dancing. All police officers are given power to cause a hall to be vacated when any ordinance or law is violated. Peace officers of Washington have access to dances and halls for inspection and enforcement of the dance hall act. New Mexico requires every permit holder to be sworn to preserve good order. If incompetent to do so, he must present some one to take oath to act as police officer, or he must procure the attendance of the sheriff or the constable of the county.

#### REGULATION OF PHYSICAL AND SOCIAL CONDITIONS

##### Lighting.

Minnesota, Massachusetts, North Dakota, Oregon, Pennsylvania, South Dakota, and Washington all require the hall and adjoining rooms, corridors, and stairways to be brightly lighted. South Dakota also has a provision that adjoining grounds used by the dancers must be adequately illuminated.

**Prohibitions of persons and dances.**

Minnesota, North Dakota, South Dakota, and Washington prohibit indecent or suggestive dances, and Illinois makes it unlawful for any known prostitute, procurer, vagrant, or intoxicated person to be present in a public dance hall. Wisconsin specifically prohibits the presence of intoxicated persons or the use of intoxicating liquors in the dance hall or on the premises, whether the hall be licensed or not under provisions of any local or county regulation. Ohio prohibits the presence of intoxicated persons or the use of intoxicating liquors. In Oregon, as a condition in the applicant's bond, no intoxicating liquors are allowed in or about the dance hall.

**PENALTIES FOR VIOLATION**

In some of the States violations of these laws are punishable by fine or imprisonment and by revocation of the license or permit, these penalties being specified in the law itself; in other States the fixing of the penalty is left to the licensing body or other regulatory authority.

For the infraction of different provisions of the law in a given State different penalties may be imposed. This is the case in several States where the law has not been the result of a single legislative action.

The penalties when fixed by State law vary considerably: Illinois imposes a fine of from \$25 to \$500, or imprisonment in the county jail from 30 days to 6 months, or both fine and imprisonment, and revocation of the license if the hall disturbs the peace, or if disorderly or immoral practices are permitted, or intoxicating liquors sold on the premises, or the age restriction violated; Pennsylvania, fine of \$25 or revocation of the license, or both; Washington, fine of not more than \$250, or imprisonment not more than 90 days, or both.

For violations of the age requirement in Connecticut the penalty is a fine of not more than \$50, and in New York not more than \$500, or imprisonment in the penitentiary or county jail not more than one year, or both fine and imprisonment; for violation of the age and posting requirements in Massachusetts fine of \$5 to \$100 or forfeiture of the license, or both, and of the lighting provisions, fine of \$100 to \$1,000. For violation of the requirement for attendance of police officers in New Hampshire fine of not more than \$10 is provided. In Washington and Wisconsin a child who wrongfully misrepresents his age in order to gain entrance to a dance is guilty of a misdemeanor, and in Wisconsin he is dealt with as a juvenile delinquent.

Violations of the prohibition of public dancing on Sunday are punishable by a wide range of fines and imprisonment imposed in some States upon participants in the dancing and in others upon the licensee or permittee of the dance hall. In Connecticut, for example, those present at Sunday dancing are subject to a fine of \$4, while in Georgia the owner, manager, or tenant of any public place who permits dancing on Sunday is guilty of a misdemeanor and therefore may be punished by a fine of not more than \$1,000, or by imprisonment to work in the chain gang for not more than 6 months on the public roads or for not more than 12 months on other public works.

## MUNICIPAL REGULATIONS

In addition to the laws passed by the various States regulating public dance halls and public dances such legislation has been enacted by many cities. As in the case of the States, measures vary greatly, ranging from mere licensing requirements to comprehensive ordinances governing every phase of the subject, including provisions for detailed supervision and protective work.

## CITIES REPORTING AS TO DANCE-HALL ORDINANCES

In 1924 the Children's Bureau sent inquiries in regard to municipal regulation of public dances and methods of enforcement to 492 cities having a population of 15,000 or more. No information was received from 76 cities. Of the 416 cities replying, 240 had ordinances and 176 did not. Of the 240 having ordinances, 133 had ordinances that were fairly comprehensive; 76 required a license or permit to conduct or operate a public dance hall or public dance, some of these having additional requirements relating to age or supervision; 21 had laws on special phases only of the subject, usually regulating age of admission or hours of attendance; 7 cities had ordinances, copies of which were not sent to the Children's Bureau; and 3 prohibited the operation of dance halls. Thirty-four of the 76 cities from which no reply was received are situated in States that regulated public dances and public dance halls by State law—2 in Arizona, 4 in Connecticut, 1 in Maine, 4 in Massachusetts, 7 in New Jersey, 1 in New York, 6 in Ohio, 6 in Pennsylvania, 2 in South Carolina, and 1 in Wisconsin. Seventy-four of the cities which reported no municipal ordinances relating to public dances are also in States in which State laws were in effect—3 in Connecticut, 2 in Maine, 18 in Massachusetts, 1 in Minnesota, 1 in New Hampshire, 6 in New Jersey, 20 in New York, 9 in Ohio, 9 in Pennsylvania, 3 in Rhode Island, and 2 in Wisconsin.

Even in cities in which no dance-hall regulations have been adopted the general powers of the police would include supervision at public dance places. Thirty-five cities specifically left entire control to the police department or other regulatory authority, such as the mayor's office, which made rules and regulations that were frequently drawn along the same lines as the ordinances and were often just as stringent and specific. It is quite possible that the provisions given in the following pages as covered by ordinances or written police regulations in various cities and towns have also been covered in actual practice in some of the cities from which no information was received or which reported no law.

## HISTORY AND TEND OF LEGISLATION

An examination of the dates of enactment of dance-hall legislation shows that there has been a steady increase in this type of provision in the past 15 years, with about 75 per cent of the more complete ordinances enacted since 1918. This increase may be attributed to the fuller recognition of the social factors involved in this type of amusement and the consequent need for regulation and supervision, or, as suggested by some city officers, it may be the direct result of conditions arising out of the demand for excitement and the consequent increase in the number of dance halls following the war years.

In 1893 Bayonne, N. J., passed an ordinance which is still in force, prohibiting any girl under 16 years of age from attending a dance house unless accompanied by one of her parents or her legal guardian. In 1902 Plymouth, Pa., passed an ordinance, still in force, requiring a license issued by the burgess for all public balls and dances to which an admission fee is charged, providing that halls or rooms in which a dance is held must be closed not later than 1 a. m., prohibiting the attendance of any person under 16 years of age unless accompanied by parents, and fixing a fine of not less than \$2 nor more than \$10 for each violation. In the same year an ordinance went into effect in Beaumont, Tex., requiring a license to be obtained for the operation of every public dance house and a permit from the mayor for every public dance or public ball. The chief of police was to be notified of the time of such dance and the permit was to be filed with him or his deputy. He was to detail one or more policemen to be in attendance at the dance to preserve order and arrest all persons guilty of disorder. Fines were the punishment for violations of this ordinance.

The tendency of legislation that regulates the public dance is to require licenses for halls and permits for dances, to fix an age limit for admission and hours of attendance of minors, and to prohibit certain types of dancing and conduct in the hall. A number of cities also provide for frequent police inspection or continuous supervision of the public dance and prohibit the issuance of return checks and the diminution or extinguishment of lights during the dance.

#### ANALYSIS OF PROVISIONS

##### Definitions of places covered.

Public dances, public dance halls, and other places covered by the laws and ordinances are defined differently in the different cities. Some, like Akron, Ohio, go into no detail but simply provide that the law applies "to public dance halls," or, like Elyria, Ohio, "to any dance to which the public generally may gain admission either with or without payment of a fee for such admission." The Colorado Springs, Colo., ordinance<sup>4</sup> is typical of the majority of ordinances that define more specifically public dances and public dance halls:

The term "public dance," as used in this ordinance, shall be held to mean any dance or hall to which admission can be had by payment of a fee, or by the purchase, possession, or presentation of a ticket or other token, or at which a charge is made for caring for clothing or other property, or any dance whatsoever to which the public generally may gain admission, either with or without payment.

The term "public dance hall," as used herein, shall be held to mean any room, hall, place, or space in which a public dance shall be held, or hall, academy, or other place, in which classes in dancing are held and instruction in dancing given for compensation, except as provided in section 2 [when held or given in a private residence].

Cabarets and hotels are included within the definition of public dance hall in certain cities. Dunkirk, N. Y., for example, has an ordinance that applies to any public place of any description in which are conducted dances to which an admission fee is charged whether the dance is of a public or private nature and whether or not it is conducted for profit. This would seem to apply equally to dances given by a fraternity or society, which are specifically in-

<sup>4</sup>Ord. No. 867, passed Feb. 26, 1913, as amended by Ord. No. 1101, passed Nov. 29, 1921, sec. 1.

cluded in a number of ordinances. Asheville, N. C., for instance, has such a clause including "any dance to which the public may gain admission by the payment of dues or subscription of membership in any society, group, or other organization."

On the contrary, Rockford, Ill., and a number of other cities provide that the ordinance restrictions shall not affect dances given by a society, fraternity, or church.

Other exemptions from ordinance provisions are made by certain cities. For example, Waukegan, Ill., exempts dances limited to persons having an invitation; Niagara Falls, N. Y., exempts dances held in any room, space, or place located in or upon the premises of a hotel or inn containing at least 50 bedrooms for guests; San Diego, Calif., exempts all bona fide dances for guests held in hotels, and also dances given by incorporated philanthropic societies, incorporated fraternal organizations, and military or naval organizations of the United States or of the State of California.

As a rule, ordinances apply within the city limits only, but some ordinances have a wider application. Billings, Mont., stipulates that public dances and public dance halls held or situated within 3 miles of the city also fall within the scope of the provisions. Fort Wayne, Michigan City, and Richmond, Ind., have ordinances that apply equally to places within 4 miles of the city limits not included within any other incorporated city or town. Such provisions are made to regulate road houses and pavilions outside the city limits in order that dancers will not resort to them to escape from the surveillance to which the city dances are subject.

Where the terms are not defined by the ordinance itself the enforcement may cover every type of place and dance mentioned in the most stringent specific law, or it may be construed to regulate only a minimum of places, according to the policy of the local enforcing officers.

#### Licenses and permits.

The first step toward municipal supervision of public dancing is the establishment of regulations providing that all halls in which public dances are held must be licensed at regular intervals, and following this that a special permit be issued to those persons or organizations desiring to hold a public dance or a series of such dances. Such provisions have been incorporated in the regulations of 210 cities reporting on this point to the Children's Bureau. Eighty-three additional cities from which no information was received or which reported that no ordinance was in effect are situated in States requiring a license or permit, or both, as follows: 33 in Massachusetts, 1 in Minnesota, 19 in Ohio, 21 in Pennsylvania, 1 in New Mexico, and 8 in Rhode Island.

Some of the municipal ordinances provide that the licensing authority may refuse to issue or renew the license at his discretion, but others provide for investigation of applicants and inspection of the building by designated municipal departments before license can be granted. Generally these ordinances provide for fine or imprisonment for failure to secure the necessary license or permit or for other violations.

Ninety-one cities have ordinances requiring a license to maintain a public dance hall (7 of these also require a permit for the dance)

but do not provide for an investigation before the issuance of the license. Under the ordinances of these cities the requirement of a license would appear to be no more than a method of raising revenue.

The ordinances or other official regulations of 76 cities contain detailed provisions requiring a written application for a license to operate a dance hall, with some or all of the following information: Name, address, and residence of the applicant; affidavit as to moral character; previous court record; locality of proposed dance hall; and sanitary, lighting, and safety features in the hall and premises connected therewith. A few cities require advance newspaper publication of the intention to operate a dance hall in the desired location or the actual consent of a proportion of the freeholders in the locality. In one city the hall must not be within 600 feet of a public park or playground, and in another city the ordinance specifies the streets on which dance halls may be located.

The application for a license is submitted to the city council, mayor, chief of police, or other designated authority, who may at his discretion authorize the issuance of the license. In certain instances, before approval is given, the described premises must be investigated by the building inspector, chief of police, chief of fire department, and members of the board of health, or by some of these, to see that it meets city and State requirements.

Of the 76 cities with detailed license provisions, 47 require dance permits to be secured by those desiring to give a public dance. In a number of cases the applicants must furnish satisfactory proof as to their character and the purpose of the dance. This enables the authorities to gain certain desirable information as to the persons conducting the dances in addition to the information on hand relating to whoever maintains the hall, both of whom are equally important in a plan for supervision. If the licensee of the hall is the person holding the dance and has already filed personal information at the time he secured the license, nothing is gained by requiring similar statements for a dance permit, and many cities exempt him from the permit requirements in such cases.

In 28 cities, although licenses must be procured before the operation of any dance hall with an official investigation as a condition to the issuance of such license, it is permissible to hold dances in other than licensed halls if a permit is secured for such dances. In 23 of these 28 cities an official investigation is required before such a permit is granted.

Fifteen cities do not require licenses to conduct a dance hall but stipulate that a permit must be secured by the person or association holding a public dance or a series of public dances. Permits are granted sometimes for a single night, sometimes for six months or a year. Frequently these applications must contain data similar to that required of applicants for dance-hall licenses, and the same inspection and investigation must be made before approval.

#### Posting.

Fifty-three cities reported municipal regulations requiring that the license or permit, or both, be posted in the dressing rooms, near the entrance of the dance hall, or in some other conspicuous place;



13 that the ordinance or police regulation or abstract thereof be so posted; and 8 that both license or permit and the law or regulation be posted. In the absence of municipal regulation State laws with posting requirements are applicable in 65 additional cities; State laws requiring posting of licenses or permits apply in 26 cities (4 in Minnesota and 22 in Pennsylvania); and State laws requiring posting of the State law apply in 39 cities (38 in Massachusetts and 1 in North Dakota).

#### **Restrictions on attendance of minors.**

Regulations in respect to the age of persons admitted to public dances and public dance halls have been adopted by 142 of the cities reporting to the Children's Bureau. Seventeen cities prohibit the admission of those under a stipulated age, although 7 of these apply only after 9 p. m.; 83 prohibit persons under stated ages attending dance halls unaccompanied; 1 prohibits the attendance of those under 16 and requires persons 16 and 17 to be accompanied; and 41 require persons under a certain age to be accompanied after a specified hour. The regulations requiring that persons under a given age be accompanied generally specify the parent or guardian, but the various ordinances differ slightly in this respect. In certain localities it is sufficient if the minor is with an escort or older person; in others it is necessary that the parent or guardian give written consent to the attendance of the minor with his particular companion.

A few cities make a distinction in the minimum age of attendance for girls and for boys. The age restrictions apply to admission or attendance at the dancing place or the dance, whichever is covered by the ordinance, but no distinction between these has been made in this section.

State laws relating to minimum age of persons attending or taking part in public dances affect 165 cities not included in the preceding summary—16 in Connecticut, 36 in Massachusetts, 2 in Minnesota, 33 in New York, 1 in North Dakota, 21 in Ohio, 22 in Pennsylvania, 6 in Rhode Island, and 28 in New Jersey.

*Under 21 years.*—According to data at hand no city ordinance specifically prohibits all persons under 21 years from attending or taking part in public dancing. Walla Walla, Wash., however, makes it unlawful for boys under 21 years to attend or be present at a public dance unless accompanied by parent or legal guardian. Denver, Colo., requires a keeper or proprietor of a public dance hall to keep a register containing the name and address of every person actually or apparently under 21 years who attends, the date of such attendance, and the name and address of the male escort of all females under 21 years admitted. The inspector of amusements may require such persons to sign their names and addresses in the register before being permitted to enter the dance hall.

Pueblo, Colo., and Auburn, Me., require all minors to be accompanied by parent or guardian (or chaperone in Auburn), and according to information from East Chicago, Ind., no minors are allowed at public dances in that municipality by police regulation.

*Under 18 years.*—Absolute prohibition of the attendance of all persons under 18 years of age at public dance halls is made in Oakland and Riverside, Calif., and at public dances in St. Paul, Minn.; of all unmarried persons below this age in Des Moines, Iowa; and of

all persons under 18 years after 9 p. m. in Wilkinsburg, Pa. San Diego, Calif., does not allow persons under 18 at cabarets; Los Angeles, Calif., prohibits their admission except at a public dance in bona fide hotels and cafés or other places where meals are regularly served, and even in such places they are not allowed to take part in the dancing.

The following 36 cities require persons under 18 years of age attending public dances or public dance halls to be accompanied by parent or legal guardian or other designated person: Bakersfield, Fresno, San Diego, San Francisco, and San Jose, Calif.; Colorado Springs, Colo.; Pocatello, Idaho; Bloomington, Freeport, Galesburg, and Jacksonville, Ill.; Council Bluffs and Fort Dodge, Iowa; Duluth, Minn.; Joplin and Springfield, Mo.; Billings, Butte, and Great Falls, Mont.; Lincoln, Nebr.; Concord, N. H.; Albuquerque, N. Mex.; Binghamton, N. Y.; Asheville, N. C.; Dayton, Hamilton, Lima, and Middleton, Ohio; Sioux City, S. Dak.; Memphis, Tenn.; Ogden City and Salt Lake City, Utah; Richmond, Va.; Seattle, Spokane, and Tacoma, Wash.

In St. Paul, Minn., and Akron, Ohio, minors under 18 may attend if accompanied by a parent or guardian but are not permitted to take part in the dancing.

Pocatello, Idaho, in addition to requiring minors under 18 to be accompanied, has a provision that a register shall be kept in the hall containing the name of every person under 18 and of the accompanying parent, guardian, or person having the consent of the parent or guardian; Hibbing, Minn., requires unmarried persons 16 to 18 years of age to be accompanied by parent or guardian, or to present the written consent of one of these; and Madison, Wis., requires persons 16 to 18 years of age to be accompanied by parent or legal guardian, or a person authorized in writing by a parent or guardian.

The requirement that persons under 18 years of age be accompanied applies to girls only in eight cities: Stockton, Calif.; Indianapolis, Ind.; Kansas City, Mo.; Cincinnati, Ohio; Waco, Tex.; North Yakima and Walla Walla, Wash.; and Superior, Wis. (escort only required); to unmarried girls only in four cities: Cedar Rapids, Mason City, Ottumwa, and Sioux City, Iowa; and to boys only in one city: Port Arthur, Tex.

In 20 cities the ordinances require that persons under 18 must be accompanied at public dances and public dance halls after a specified hour—6.30 p. m. in Alameda, Calif.; 8 p. m. (by parent or legal guardian or husband over 18 years of age) in Hutchinson and Wichita, Kans.; 9 p. m. in Waterloo, Iowa; Leominster, Mass.; New Brunswick, N. J.; Canton, Cleveland, Cleveland Heights, East Cleveland, and Lakewood, Ohio; Portland and Salem, Oreg.; Bethlehem, Pa.; and Oshkosh, Wis. (applies to persons 16 to 18 years of age); 10 p. m. in Denver, Colo.; Milwaukee, Sheboygan, and Wassau, Wis.; and 11 p. m. in La Crosse, Wis.

*Under 17 years.*—None of the ordinances filed with the Children's Bureau prohibits entirely the attendance or admission of minors under 17 years of age. Fifteen cities provide that persons under 17 years of age shall not frequent public dances or public dance halls unless accompanied by parent or legal guardian or some other person mentioned in the law. This group is comprised of Pasadena, Calif.;

Boston, Cambridge, Gloucester, Lynn, and New Bedford, Mass.; Grand Rapids and Pontiac, Mich.; Berlin and Manchester, N. H.; New Rochelle, N. Y.; Lorain, Ohio; and Fond du Lac, Green Bay, and Racine, Wis.

Seven other cities require minors under 17 to be accompanied after an hour specified in the regulations, and since the hours specified are sufficiently early to include the hours during which persons generally attend dances, these regulations have practically the same effect as the ones in force in the cities named in the preceding paragraph. The time in these cities is set as follows: After 6 p. m. in Long Beach, Calif.; after 7 p. m. in Kalamazoo, Mich., and in Toledo, Ohio; after 8 p. m. in St. Louis, Mo.; after 9 p. m. in Muskegon and Jackson, Mich.; and after 9.30 p. m. in Elyria, Ohio; Long Beach has in addition a provision that, at the request of the manager, proprietor, or doorkeeper or managing agent of the proprietor of the public dance or public dance hall, the person seeking admission must register his or her true name, age, and address in his or her own handwriting.

*Under 16 years.*—Two cities (Santa Barbara, Calif., and Charleston, S. C.), prohibit the attendance of persons under 16 years of age at public dances or public dance halls. Seven other cities (Altoona, Erie, Johnstown, Nanticoke, Philadelphia, Reading, Pa., and Madison, Wis.), prohibit such attendance after 9 p. m. Unaccompanied minors under 16 years of age are not allowed at public dances and in public dance halls in 15 cities: Rockford, Ill.; Elkhart, Ind.; Quincy, Mass.; Hibbing, Minn. (unmarried persons under 16 must be accompanied by parent or guardian); Omaha, Nebr.; Jamestown, Niagara Falls, and Syracuse, N. Y.; Oklahoma City, Okla.; New Castle and Plymouth, Pa.; Providence, R. I.; Eau Claire, Oshkosh, and Superior, Wis. Unaccompanied girls under 16 are prohibited in 3 cities (Miami, Fla., Bayonne, N. J., and Port Arthur, Tex.), and unaccompanied boys under 16 in 1 city (Indianapolis, Ind.).

Parents, guardians, or other legally authorized persons must accompany minors under the age of 16 in public dances and dance halls after a certain hour in 13 cities: 7 p. m. in Battle Creek, Mich., and Chillicothe, Ohio; 8 p. m. in Fort Wayne, Michigan City, and Richmond, Ind.; 9 p. m. in Leavenworth, Kans. (except a married woman under 16 accompanied by her husband), Minneapolis, Minn. (curfew law applies to all public places, dance halls not being specifically mentioned), Buffalo and Yonkers, N. Y., and Newport, R. I. (exclusion optional with the police); 9.30 p. m. in Northampton, Mass. (applies to all public places, dance halls not being specifically mentioned); 10 p. m. in Wichita Falls, Tex.; and 11 p. m. in Beloit, Wis.

Sacramento, Calif., requires that persons under 16 years of age be accompanied by parent or guardian after 8 p. m. from January 1 to the last of February and from September 1 to December 31; and after 9 p. m. from March 1 to August 31. This applies to all public places, dance halls not being specifically mentioned.

*Other age restrictions.*—Portland, Me., prohibits the attendance of persons under 15 years of age at public dance halls unless accompanied by parent or guardian; Bluefield, W. Va., prohibits the admission of persons under 12 years of age to a dance hall unless accompanied by parent, guardian, or other authorized person over 21

years of age, not acting for the proprietor of the hall. Detroit, Mich., has an ordinance prohibiting children under 12 years of age in any public place between 10 p. m. and 6 a. m. unless accompanied by parent or guardian.

#### Hours of operation.

The majority of the 104 cities that reported legislation definitely limiting the hours of operation, require public dances to be discontinued and public dance halls to be closed at or before a specified hour ranging from 11.30 p. m. to 2 a. m., or later with the special permission of the chief of police. Twenty-eight cities have definite hours not only for closing but for the period during which the halls must remain closed and no dances may be held. The period when dancing is not permitted in a public dance hall varies from 11 p. m. to 8 a. m. in one city to 2 a. m. to 6 a. m. in another. In addition to the cities having these regulations 25 cities (22 in Pennsylvania and 3 in Minnesota) are covered by State laws which contain similar prohibitions, and other cities have police regulations or ordinances applying to public places and public amusements in general covering this point.

Many of the ordinances state the time for closing but authorize the chief of police, mayor, or other designated official to extend the hours of operation, some setting a maximum hour under the extended period, others leaving that to the discretion of the designated authority. This results in greater leeway and seems to be the most popular system. Several ordinances also provide that dancing may be prolonged until a later hour on New Year's Eve and on the eve of other holidays.

An interesting provision in the ordinances of 15 cities that allow dancing until a later hour is that which states that no ticket shall be sold nor accepted for admission after a fixed time. This hour is 9.30 p. m. in Lincoln, Nebr.; 11 p. m. in Colorado Springs, Colo., and Joplin and Springfield, Mo.; 11.30 p. m. in Waterloo, Iowa; and midnight in Denver, Colo., Buffalo, and Mount Vernon, N. Y., Canton, Cleveland, Cleveland Heights, and Lakewood, Ohio, Portland and Salem, Oreg., and Bethlehem, Pa.

Local conditions largely determine the value of these early closing hours. To close supervised dance halls early when unregulated cabarets and still more dangerous places remain open accomplishes little. However, advantages resulting from these regulations were reported. For example, an official in one city said that 11.30 p. m. was set as a closing hour in order to get the young people out of the dance hall in time to catch a bus or car which did not run after midnight. Before the passage of the ordinance girls were sometimes invited into automobiles on the pretext of being taken home but instead were taken to road houses or other places.

In a few cities dance-hall operators have taken advantage of the wording of the ordinance to defeat its purpose. If only the hour when dancing must stop is set dances were stopped at that time for 10 to 15 minutes and then continued. If the ordinance prohibits dancing and keeping dance halls open after a certain hour evasion seems impossible, but the definite closed period is considered the safest provision.

#### Supervision.

Municipal authorities, under their general police powers, may make and enforce regulations governing public dances and public dance

halls. Even without the formal framing of any regulations, the police may supervise such dances. This general supervisory power is seldom exercised, however, except that members of the police force are often required to attend or remain near halls where disturbances or other infractions of the law occur frequently. Approximately 169 cities reported legislation in effect requiring some supervision of dance halls and dances. Twenty-six other cities may regulate this feature by virtue of State laws: Four in Minnesota, 1 in New Hampshire, 1 in New Mexico, 20 in Pennsylvania.

Police regulations and municipal ordinances often provide strict supervision and adequate inspection of all dance halls and public dances. In some cities continuous attendance at all public dances of one or more police officers detailed by the chief of police or the mayor, or of an attendant, generally floor manager or matron, to represent the management, or of both, is required. Another type of ordinance requires supervision and inspection regularly or at stated intervals and provides that certain city officials shall have free access to the dances at all times, but requires no constant supervision. Many of the ordinances that require continuous supervision by a specified officer or officers also contain the provision for free access by certain city officials.

*Supervision by matrons and police.*—Twenty-two cities provide that a police officer or dance inspector and a matron or floor manager must be present during the entire dance. The ordinances in some of these cities require that the matrons be selected or approved by the mayor or chief of police, although they are hired by the person owning the hall or conducting the dance. In 8 of these 22 cities the wages of the police officer and of the matron are paid by the licensee of the hall or dance, the amount of the fee therefor being stated in the ordinance.

A number of the ordinances state what duties the supervisor must perform. For example, Eau Claire, Wis., provides that the floor manager shall see that standards of decency and good taste are maintained and that disorderly or improper conduct is not tolerated, and must remove objectionable persons. A female dance inspector, a matron, or a policewoman appointed by the mayor must also be present at every dance to see that all rules, regulations, ordinances, and laws are enforced. Santa Barbara, Calif., provides that all dances are to be under the immediate supervision of a matron of good moral character who shall be in attendance during the entire dance. The matron shall have free access to all rooms connected with the hall that are used by women patrons. She is to observe and report to the police officers in attendance any misconduct on the part of the patrons.

Eighty-six cities require supervision by the police or by matrons employed by the manager of the dance or dance hall. Cedar Rapids, Iowa, makes it unlawful to hold a public dance without having in attendance during the entire dance two peace officers, one of whom shall be a woman and both of whom shall have all the powers of police officers. The person, firm, or corporation giving a public dance is required to pay to the city treasurer \$3 a day as a fee for the services of each of these officers. The peace officers are to exercise complete supervision over the public dance, to prohibit and prevent all dancing that in their judgment is of a questionable or indecent character, to maintain peace and good order in the public dance hall, and to en-

force all the provisions of the dance-hall ordinances as well as the other ordinances of the city and the laws of the State.

In a few cities the dances are supervised by censors who are police officials named by the mayor or chief of police for this special purpose. Meriden, Conn., has a by-law which states that the chief of police is authorized and empowered to employ one or more women censors to be in attendance at any public dance. It is the duty of these women censors to observe the conduct of persons attending any dance and to report to the proper authorities any improper or unlawful conduct. A board of censors in Enid, Okla., is given more power. Here the section of the ordinance relating to supervision reads as follows:

The mayor and commissioners of the city of Enid, Okla., are hereby empowered and authorized to appoint a board of censors to consist of three disinterested persons, whose duties shall be to censor each and every dance held in the city of Enid, Okla., except such as are held in private homes, and who shall at once, and without notice, upon the performance of any dancing which is considered to be improper, have full power and authority to immediately order such dance to be terminated.\*

Indianapolis, Ind., places the responsibility of compliance with the ordinances upon the matron by providing that "such matron shall have the right, and she is hereby clothed with authority, to cause any person who offends against the decent proprieties of a social gathering in the manner of dress, manners, or language to be ejected from the room or building in which such dance or ball is being held, and to carry out her orders in that behalf she may call to her assistance any policeman or the person holding such permit, whose duties shall be to enforce her orders in so ejecting such offending persons." In this city the application for dance permits must be made at police headquarters 24 hours before the time of the dance. The superintendent of police then names "some matronly woman of exemplary character to be present at such dance or ball, and her name, together with the date and the hour when such dance is to take place, is to be stated in such permit." The matron is paid by the person to whom the permit is issued and is required to be on the floor at all times, but is not allowed to dance.

*Police inspection.*—Sixty-one cities reported regulations which provide for the attendance of supervisors at public dances and public dance halls but which do not make this attendance compulsory or continuous; that is, either the matter of appointing or detailing special officers is optional with some municipal authority or it is provided that city dance hall inspectors or members of the police, fire, and public-welfare departments shall have free access to all such places at all times for inspection and supervision but are not required to be present at all times. The ordinances of some of these cities require inspection by members of some of these or other departments at fixed intervals, at least once a month being a common requirement. In actual practice a number of these cities probably have regular inspectors or supervisors in constant attendance.

Burlington, Vt., provides for neither supervision nor inspection, but the law contains a statement to the effect that the licensee must insure maintenance of law and order at all times. Paris, Tex., and a

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\* Ord. No. 1265, approved Jan. 11, 1923, sec. 3.

few other places have similar provisions. In Sheboygan, Wis., the licensee is given power to use necessary and reasonable force to suppress indecent and boisterous dancing.

**Regulation of physical and social conditions.**

Certain cities have very definite provisions in their ordinances regulating the physical and social conditions in dance halls; others have passed measures to apply to certain phases only.

*Individuals excluded.*—Seventy-nine cities report provisions that exclude certain persons from public dance halls. In some cities the restrictions relate only to persons under the influence of liquor, but in others they exclude persons under the influence of drugs, boisterous or disorderly persons, and those of questionable or disreputable character or of known immorality. Thieves and criminals are expressly prohibited in a few places.

Alameda, Calif., provides that no person shall be admitted to a public dance if the person conducting the same has been notified that such person was expelled from any public dance. El Paso, Tex., prohibits the attendance of women known to be immoral. Madison, Wis., makes it unlawful to permit the attendance or presence on the premises of any person under the influence of liquor or drugs, any idlers, loiterers, or other hangers-on, and any person who is reported on a list of objectionable persons which is prepared by the dance-hall proprietors holding annual permits and filed with the mayor.

*Alcoholic liquors.*—It is a violation of the ordinances of 59 cities to bring, sell, give away, use, or possess alcoholic liquors in public dance halls or rooms adjoining or connecting therewith or at a public dance. Other cities enforce general measures relating to the sale or use of intoxicating liquors in dance halls as well as in other places.

*Personal conduct and type of dancing.*—Approximately 100 cities regulate personal conduct and the type of dancing which must prevail in dance halls and dances, ranging from a single general prohibition, as in Lynn, Mass., where "no unrefined dancing" is to be allowed, to far more specific instruction, as in Lincoln, Nebr., where the ordinance makes it unlawful for any person to participate in a dance of a coarse or vulgar character or offensive to public morals and decency, prohibits the use of profane or obscene language, undue familiarity between partners, indecent, boisterous, or disorderly conduct, or any lewd or lascivious behavior, and defines "the standard position" to be maintained by partners while dancing. Under this ordinance, "the lady shall place her left hand on the gentleman's right shoulder or arm and her right hand on the gentleman's left hand, the gentleman's right hand on the lady's back, and at all times the patrons shall keep their bodies at least 6 inches apart." In Kalamazoo, Mich., the ordinance makes even more detailed provision of what may or may not be done by the dancers.

The attempt is made by these regulations to eliminate indecent or suggestive dances or motions of the body, as well as profane language and boisterous conduct. Many other features, however, are also dealt with. Alameda, Calif., includes a provision that "no one not properly dressed shall be permitted to dance"; Indianapolis, Ind., and several other cities require ladies to remove their wraps and prohibit loitering in halls and stairways or upon the sidewalk in front of the hall.

A number of ordinances specify the dances that shall not be permitted, such as cheek-to-cheek or head-to-head dances and special dances described as the Toddle, Shuffle, Grizzly Bear, Bunny Hug, Texas Tommy, and Camel Walk. Port Arthur, Tex., permits only dances approved by the National Association of Dancing Masters, and in Muskegon, Wis., men may not dance together. In Kansas City, Mo., persons may not sit in the windows or stand in the doorways or upon the dance floor when not dancing; in Manchester, N. H., and in some other cities the ordinances prohibit men from remaining in ladies' rooms. Riverside, Calif., prohibits the exhibition of immoral or obscene motion pictures at any public dance hall.

*Lighting and sanitation.*—Approximately 100 cities have provisions that contain one or more of the following requirements: Dance halls must be brightly lighted; stairways and adjoining rooms and emergency exits must be well lighted, open, and in a clean and sanitary condition; ventilation must be sufficient; separate toilet rooms for men and women must be provided and kept in a sanitary condition; and an adequate supply of drinking water must be available.

Under the lighting requirements Elkhart, Ind., stipulates that the lighting shall be sufficient for one to see and recognize persons across the dance hall. Several cities specify the degree of light to be maintained. Kansas City, Kans., for example, provides that the intensity of light to be maintained at all times must be not less than 1 candle-foot at a plane 3 feet above the floor.

"Shadow" and "moonlight" effects or the lowering or extinguishing of lights during the dance or intermission or while the hall is open to the public is prohibited in 18 cities.

*Smoking.*—Ordinances of 33 cities prohibit smoking in dance halls, but all but 5 of these permit persons to smoke in any room or rooms especially provided for such purpose by the management of the dance hall, or in the men's room.

*Pass-out checks.*—A source of disorder in public dance halls results from the practice of patrons leaving the hall and anterooms at frequent intervals throughout the evening, during which absences from the dance halls drinking and other offenses are often committed. To control this practice, 40 cities have ordinances that prohibit the issuance of pass-out checks and require that the regular admission fee be demanded for each entrance to the dance hall. Alameda, Calif. and Lincoln, Nebr., have such a clause, which applies, however, only after 10 p. m. and 9.30 p. m., respectively; Madison and Oshkosh, Wis., prohibit the issuance of pass-out checks which permit persons to leave and reenter the building except during a definite intermission period of 15 minutes.

*Entrance fees.*—Separate fees for individual dances in addition to or in place of the regular entrance charge are prohibited in nine cities. Four of these and five others also provide that there shall be no discrimination between the sexes in the amount of the regular charge. Kalamazoo and Pontiac, Mich., state that there shall be no discrimination through the offer of free admission to either sex; Portland, Oreg., and Tacoma, Wash., stipulate that the fee for females must be at least half that for males; Bakersfield, Calif., which has a clause prohibiting separate or individual fees for dances or any admission except upon payment of the regular admission fee, provides that the minimum fee for men shall be 25 cents. Of the cities reporting, Paris,



Tex., is the only city that does not permit a charge for admission to the hall, but only a charge for each couple that dances.

**Penalties for violation.**

*Fines.*—Fines for violations are included in the dance-hall ordinances of 152 cities. Some of the ordinances fix a flat rate to be paid for each and every violation, others the amounts for violation of the different provisions, and still others the minimum and maximum sums, leaving the fixing of the exact penalty to the mayor or judicial authority. Elizabeth and Paterson, N. J., and Allentown, Johnstown, and Wilkinsburg, Pa., provide for a fine of \$25 for each offense; Ashville, N. C., provides for a fine of \$50. Attleboro, Mass., has the lowest fine of any city, with a maximum of \$5 for each offense. The majority of the ordinances range from a minimum of \$25 or \$50 to a maximum of \$100 or \$200, although a \$500 maximum is not unusual. In Green Bay, Wis., a fine of \$25 to \$1,000 is authorized for violation of the ordinance.

Appleton, Wis., prescribes definite fines for violations of the various provisions of the ordinance. For noncompliance with the requirement for the license the fine is \$5 to \$15, and in default thereof 5 to 15 days in the county jail; with the requirement for permit the fine is \$5 to \$25 and in default thereof 5 to 20 days in the county jail; with age provision \$2 to \$10 and in default thereof a maximum of 10 days in the county jail; with provisions relating to intoxicating liquors and indecent conduct \$1 to \$10 and in default thereof a maximum of 10 days in the county jail.

*Imprisonment.*—As in the Appleton, Wis., ordinance just referred to, a sentence in the city or county jail may be imposed in addition to or in lieu of a fine in 55 cities and is imposed in default of payment of the fine in 22 additional cities. The period of imprisonment varies in different places, but a maximum of 30 days is the usual term.

*Revocation of license or permit.*—Some of the ordinances specify that the license or permit is revocable at any time by the mayor, city manager, or other authority—generally the same one who issues the license or permit. In a few cities conviction of violation of the ordinance automatically causes such forfeiture.

In Saginaw, Mich., the license is to be revoked if improper dancing is permitted or the lighting requirement is not complied with. The commissioner of health and safety can revoke the license for non-compliance with sanitary, fire, or other requirements. These violations constitute misdemeanors punishable by a fine of not more than \$100 or imprisonment in the city jail for not more than 90 days, or both fine and imprisonment.

*Violations by minors.*—Some of the cities having minimum-age provisions state that misrepresentation of age by a minor shall not excuse the proprietor or manager from a charge of violating the law. The minor himself, however, is also guilty in such case, and his violation of the ordinance is punishable. One such city is Denver, Colo., where a person under 18 violating any provision of the ordinance may be dealt with according to State law by the juvenile court of Denver as a delinquent child; and persons violating any provisions of the ordinance when the violation concerns or involves a minor may be proceeded against as provided in the State laws for contributing to the delinquency of minors.

## ADMINISTRATION OF DANCE REGULATIONS IN 15 CITIES

In the 15 cities—Butte, Mont.; Chicago, Ill.; Dayton, Ohio; Detroit, Mich.; Duluth, Minn.; Houston, Tex.; Los Angeles, Calif.; New Bedford, Mass.; Ottumwa, Iowa; Paterson, N. J.; Portland, Oreg.; Rochester, N. Y.; San Francisco, Calif.; Seattle, Wash.; and Wichita, Kans.—visited in the course of this study the control of public dancing is attempted chiefly through (a) the investigation of individuals applying for licenses and the inspection of halls to be used, (b) the inspection or supervision of the dances, and (c) the insistence by the management upon the maintenance of certain standards of conduct. All except 2 of these cities have dance-hall ordinances. In one of the cities (New Bedford, Mass.) without a special ordinance, the provisions of the State law are applicable; in the other (Chicago, Ill.) public dances are controlled, except for the license requirement, by police regulations. In the latter city the dance-hall inspector has recommended an ordinance in the belief that action by the city council would be of assistance in the enforcement of the regulations.

Licenses or permits, or both, were required in all the cities, and 12 required a preliminary investigation of the character of the applicant and of the safety and sanitary condition of the hall before they were granted. In addition, Houston, Tex., required that an applicant for a permit put up a bond of \$1,000.

### ENFORCEMENT OFFICIALS

In most of the cities visited the licensing authority also had charge of the enforcement of the ordinance or law. In Detroit, however, the department of recreation issued the licenses, and the women's bureau of the police department supervised the public dances. This dual responsibility had been found undesirable, as there was too much opportunity to "pass the buck." In nine cities the dance-hall regulations were enforced by the police department, in three by a special branch of the city government working independently of or with the police, and in two by a private agency cooperating with the police. In one city no one was definitely responsible for visiting the dance halls.

Of the nine cities in which the police department, either through a special division or through special officers, was responsible for enforcement seven delegated this work to the women's division or to women officers, and the other two usually assigned both women and men officers to the work.

In Detroit the commissioner of recreation cooperated with the police in enforcing the ordinance, although his chief responsibility was in making the preliminary investigation before the license was granted and in working with the women's division of the police when licenses were to be revoked. The women's division of the police department had full charge of inspecting the dances after a license

had been granted. In Butte the assistant county probation officer was acting as dance-hall inspector. She was appointed by the mayor to do this in addition to her other work. Any city official was eligible to the appointment, which carried no extra salary. The police gave some assistance. In Paterson two inspectors, a man and a woman, were appointed to serve directly under the board of aldermen.

In Chicago and San Francisco private agencies with police support had the responsibility of controlling the dance-hall situation. In San Francisco the board of police commissioners cooperated with the public dance-hall committee of the San Francisco Center, an influential civic organization of women. The police commissioners issued the dance permits, but the dance-hall inspectors, although paid by the dance-hall managers, were appointed and supervised by a chief supervisor who was directly responsible to the public dance-hall committee of the center. In Chicago the Ball Room Managers' Association and the Juvenile Protective Association hired a dance-hall supervisor and were responsible for the training and supervision of the hostesses in the halls. The dance-hall managers had organized partly to anticipate official censorship, and had drawn up a code of regulations to be enforced in all the halls whose proprietors were members of the organization.

## METHODS OF ENFORCING REGULATIONS

### INVESTIGATION BEFORE THE DANCE

The investigation of the licensee and the hall to be licensed before the issuance of the license was usually made by the agency in charge of enforcing the ordinance. In 9 of the 15 selected cities this agency was a division of the police department, acting independently or in cooperation with other city or private organizations; in 3 the investigation was made by specially appointed officers; and in 3 no preliminary investigation was required.

The investigations varied in thoroughness. In Wichita at least three references were required of the applicant. In investigating these references the dance-hall inspector not only discussed the financial standing of the applicant but definitely asked his sponsors to vouch for his fitness to operate a place of public amusement affecting large numbers of the young people of the city. The applicant was also interviewed so that the point of view of the city officials might be explained and his cooperation sought in advance of the granting of the license. In Detroit a man appointed by the recreation department spent his whole time doing the preliminary work required before a license could be granted for dance halls or other commercial amusement. He inspected the physical condition of the buildings with the cooperation of other city departments and took up the applicant's moral reputation with the police. If the application was for a dance-hall license the women's division of the police department passed on the moral character of the applicant, as this division was responsible for subsequent inspections. Officials in both Wichita and Detroit felt that a large part of the success of their dance-hall control was due to the care with which licenses were granted. In some cities applicants for permits for single dances or for a series of

dances to be held in rented halls were investigated with the same care as those who applied for licenses; in other cities the owner of the hall, which of course had to be licensed, was held responsible for the conduct of all dances held in it.

#### SUPERVISION OF THE DANCE

Special officers of various types were required to be employed in the dance halls by the ordinances. An inspector, who was also known as the chief supervisor in some cities, was usually employed by the city. A hostess, also called the matron or supervisor, was generally employed by the dance-hall manager, sometimes with and sometimes without the inspector's approval. Constables and peace or reserve officers were appointed by the city and paid by the management, but floormen, instructresses, and similar employees were almost always selected and paid without the advice or help of the city officials. In some cities, however, the inspectors checked up on the ages of instructresses if they seemed very young.<sup>1</sup>

The well-trained inspectors in two cities impressed the bureau's investigators as understanding and sympathizing in a helpful way with the problems of the boys and girls with whom they came in contact. On the other hand, the inspectors in one city displayed their police badges as they entered a hall, spoke to no one except for a formal conversation with the manager, and watched the dancers with an air of disapprobation. The latter type was rare, fortunately. The majority of the inspectors looked up the managers and introduced their guests, discussed in a helpful fashion any problems that might be presented, and left with a friendly word of commendation or advice.

To make the preliminary investigation before the license was granted was one of the duties of the inspectors in six cities—Wichita, Portland, Seattle, Los Angeles, Dayton, and Paterson. The officers of the dance-hall committee of San Francisco investigated applicants for licenses at the request of the police. In Detroit all applications for dance-hall licenses were submitted by the department of recreation, which made recommendations to the women's division of the police department before the license was granted.

Permits for one-night dances were granted after investigation by the inspectors in some of the cities, but in the majority the inspectors had no responsibility for the approval or rejection of such permits.

The majority of the dance-hall inspectors considered the regular supervision of the halls their chief duty. A few of the larger cities detailed several men and women to do this work. Los Angeles had three, Detroit two teams of two policewomen each, Dayton one full-time and two part-time women officers, and Paterson a man and a woman, the woman doing most of the supervision and the man doing most of the investigation of applicants.

#### Inspectors.

Inspectors were appointed and paid by the city except in Chicago and San Francisco, where they were employed by private agencies.

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<sup>1</sup>In this report an "inspector" is the person responsible for the inspection of the dance halls, a "hostess" is the woman in charge of supervising the individual hall, and an "instructress" is a paid dancing partner.

Eight cities—Dayton, Duluth, Los Angeles, New Bedford, Paterson, Portland, Rochester, and Seattle—required inspectors to pass the regular civil-service examination for positions in the police department. Four of these—Los Angeles, Paterson, Rochester, and Seattle—specified no other qualifications than the ability to pass this test, but four—Dayton, Duluth, New Bedford, and Portland—either demanded a knowledge of case work and the ability to develop the dance-hall program along helpful lines or consulted with citizens' organizations in securing a capable person.

In practically all the cities visited the inspectors were conscientious, interested, and anxious to do creditable work. This was true not only of the specially trained workers but also of the few political appointees who had found their way into the field, and of the untrained and rather timid women who were greatly handicapped by their lack of training and experience. In two cities, however, the duty of inspection was assigned to police officers who were changed from time to time and who had in consequence little opportunity to become familiar with the problems of the dance halls and with means of improving conditions in them.

Differences in opinion were found among the inspectors as to what constituted supervision, reflecting, often unconsciously, quite different administrative theories. The degree of thoroughness with which the inspectors performed their duties also differed widely. The majority spent at least 20 minutes to half an hour at a well-attended dance, scrutinized the crowd fairly carefully to see if any very young-looking persons were present unchaperoned, glanced in the dressing rooms, and possibly spoke with the manager or hostess. Some inspectors felt it was sufficient to call the manager's attention to some infringement of the ordinance without following up the matter; others saw to it that the situation was corrected. A few inspectors made the most perfunctory visits and ignored or failed to see questionable conditions in the halls. This difference in their feeling of responsibility was particularly marked in connection with one of the most difficult problems to handle—the presence of young girls and boys. Some officials merely questioned a young person as to his or her age and accepted the statement given as final. Others, when in doubt, insisted on proof, telephoned or took the young person home, or checked up on the address given. Some inspectors felt they should not undertake the actual enforcement of ordinance requirements, but instead should place the responsibility upon the dance-hall managers. The statement, "We try not to make ourselves conspicuous," was frequently heard in these cities. Infringements of the ordinance rulings were pointed out to the managers by these inspectors and the correction left to them.

The majority of the inspectors knew where and when dances were to be given. A few felt no responsibility for searching out one-night dances and club affairs and did not go to them unless, as one said, they "just happened to." In Detroit the dance halls were grouped according to their need for inspection. Some were visited once or twice a year, some once a month or once a week, and others were under constant supervision.

Educational work with the managers and with the parents of minors found in the halls to secure their cooperation in solving

the dance-hall problems was considered by some officers to be the most important part of their work; others thought that such work belonged to other agencies if it needed to be done at all. In Wichita the director of policewomen found that the ordinance and the various provisions necessary to enforce it were accepted readily when the need and purposes for which they existed were thoroughly understood. She sought the active cooperation of the managers in making the dance halls what they should be rather than a forced observance of the letter of the law. As a part of her duties she spoke to and conferred with many clubs and civic organizations. Individual parents were reached through a careful follow-up of the young persons found in the halls. Thus the interest of the dance-hall managers, the general public, and the parents was enlisted. In Portland the head of the women's protective division of the police department said that after a meeting of the dance-hall managers at which the points of the ordinance were taken up and discussed there was excellent conduct in the halls. Prospective changes in the ordinance were discussed with the managers also and if they were "absolutely opposed" the change was put off for a time in an effort to secure their acquiescence by further discussion of the need. In one city it was reported that the fact that the managers were not won to the support of a change in the ordinance lost the women's division the cooperation it had previously had from them, bringing in its place a great hostility to supervision and persistent resistance to the age ruling, to which the managers objected and which was, in fact, impossible of general enforcement without their cooperation.

In some instances the cooperation of the managers was obtained because the supervision was of some practical advantage to them. In Wichita the managers saw that the supervisor might protect their interests when an out-of-town orchestra was refused a permit to give a series of dances on the ground that their project was purely commercial, whereas the local managers were cooperating with the city officials in order to offer decent dances for young people. In another city the managers found it convenient to place upon the inspectors the responsibility for the regulations they enforced, thus protecting their own reputations as "good fellows."

Several inspectors cited cases in which the wisdom of patient educational work with the managers had been proved. One inspector told of sending home a girl whose bad dancing a manager had refused to correct. A visiting policewoman commended her action, but the inspector felt she had done a very bad piece of work for, she explained, "It's always easier to send a couple home when you're angry than it is to leave such decisions to the managers and make them realize you expect enforcement by them."

In contrast with such an attitude several inspectors were found who seemed unwilling to be at all friendly or even interested in the managers and their mutual problems. This was particularly true in one city in which two stiffly disapproving, bored women did the inspection. Failures in handling various situations with the managers were reported, and the refusal of the dance-hall managers to cooperate in improving conditions was accepted as inevitable. A social worker in this city said that the managers regarded the policewomen as uninterested in their problems and submitted without cooperation to their visits and requests.

Case work with the dance-hall patrons was sometimes undertaken by the inspectors. In one city the head of the policewomen considered it one of the most interesting parts of the dance-hall supervision and thoroughly approved of the great amount of it undertaken by her inspectors. The same view was held in a second city where the hostesses rather than the inspectors were responsible for an intensive follow-up program. In other cities, however, it was the opinion that the inspectors should not undertake this intensive and time-consuming work. This was true in one city, where the work of the department was considered strictly investigational and all cases were referred to other agencies for treatment.

#### Hostesses.

In 8 of the 15 cities visited hostesses were employed in the halls. In 4 cities they were required by law. In 2 cities the members of the ballroom managers' association agreed to employ them, although in 1 of the 2 cities only the larger halls and a few cabarets had done so. In another city the code of regulations drawn up by the commissioner of public safety required an "accredited chaperone" at every dance, but no examination was made of the references supplied by these women and the requirement was not strictly enforced. In another city, after some urging by a group of interested citizens, a hostess had been employed in the largest hall, and an effort was being made at the time of the study to place another in a popular academy.

In all these cities the managers paid the hostesses, the amounts varying from \$3 to \$5 an evening. To secure the independence of the hostess and at the same time leave the expense of this supervision upon the managers, several cities added the fee for the hostesses and police officers to the license fee or to the rent of the hall, in which case they were paid by the city or by the hall owner.

The dance-hall managers selected their own hostesses in the majority of the cities, but the inspectors of Seattle, Portland, and Chicago approved the applicants before they received their positions, and in San Francisco the inspectors who were appointed by the public dance hall committee appointed the hostesses, although they were paid by the managers. Several managers expressed appreciation of the inspector's assistance in this part of their work. One of the inspectors made the point that, although this cooperation was valuable, she had no real power to appoint or dismiss.

Many officials were interested in methods of preventing the managers from interfering with the work of the hostesses. Some felt this was unavoidable when the women depended upon the managers for their salaries. One inspector thought that all hostesses should be paid by the city. Another wanted them paid by the management but appointed by the inspector as a means of giving them independence in their work. The head supervisor in another city recommended that the managers have full responsibility for selecting and paying them, on the theory that if the police department undertook this work there would be trouble and "charges of graft and favoritism."

In the cities where the inspectors passed upon applicants before managers appointed them an effort was made to secure well-qualified women as hostesses. This, it was explained, was due to the fact that managers had learned that it was a help rather than a hindrance to

have women who were of the right type and wanted to appoint those who would be approved.

In San Francisco previous experience in social case work was considered desirable. It was found difficult to secure women with the proper experience and general qualifications for hostesses and the chief supervisor devoted much time to training them for the work. In Chicago the secretary of the ballroom managers' association who was also an officer of the Juvenile Protective Association selected the hostesses, some of whom were social workers. In some of the other cities no special qualifications were demanded, the wife of the manager frequently being called the "hostess," although she might also sell tickets, serve at the refreshment stand, or act as cloakroom attendant.

Discovering and sending home persons under the age specified in the dance regulations and supervising the dancing and general behavior of the patrons were duties of the hostesses wherever they were employed. Case work was considered one of the most important duties of the hostesses in several cities. Much of their time and interest was given to "follow-up" work with the girls and boys. Many problems were brought to them for solution. The San Francisco report of 1924 stated that among the great variety of cases handled by the hostesses were many that "do not lie within the province of the established social agencies." Examples of the service rendered were as follows: "Employment is obtained, pensions secured for disabled soldiers, feeble-minded girls protected, probation insured for first offenders, runaway girls returned to their parents, mothers' pensions obtained, care for venereal-disease cases arranged, help given to unmarried mothers, and hundreds of other kindnesses done."

Such a diversity of service was reported in other cities. In Los Angeles a manager maintained a \$1,000 fund with which the hostess helped many needy patrons. The stubs of her check book showed expenditures for groceries, rent, help to a pregnant girl, a funeral, and fare home for a stranded girl. Many of the hostesses spoke of the opportunities for service, particularly to young girls, which their position offered and thought this aspect of their work was little appreciated by those who did not understand girls and their problems.

In two other cities, however, those in charge of the dance-hall supervision felt that such individual work should be referred to case-work agencies, and that the hostesses and inspectors should give their whole interest to supervision of the dance hall.

Several dance-hall managers were quoted as favorable to the employment of hostesses. The Chicago and Portland managers particularly expressed their appreciation of trained women in this position. In one of the closed halls of Seattle the hostess said that all the girls who applied for positions as instructresses were referred to her for approval, as the manager realized that she could do more with them than he could.

**Constables, floormen, and other officers.**

Special officers or floormen were employed voluntarily by the managers of all the larger halls in the 15 cities, although 11 of the



cities did not require them. In Los Angeles the ordinance allowed the managers to apply to the board of police commissioners for the appointment of special officers, and the managers agreed in the rules they drew up for their own use to require each manager to appoint such an officer as well as floor attendants. In Wichita every licensee worked out with the help and suggestion of the dance-hall inspector a "management committee." "No individual alone can successfully run a public dance," the policewoman said, so a committee was formed of some responsible person to serve at the door, another in charge of tickets, and a third, who possessed tact, firmness, and an understanding of how to handle people, to act as floor manager. Beside these there were check-room attendants and others.

In an effort to insure the independence of the officers special regulations had been made by some cities specifying how they were to be paid. In Ottumwa a man and a woman must be employed for each public dance, and the \$6 for their services was paid to the city treasurer in addition to the permit fee. This had proved difficult to collect from managers who ran a series of dances and did not come into the city hall before each one. In Paterson the constables received \$5, which was added to the rent of the hall and paid to them by the owner of the building. The New Bedford regulations stated that \$3 must be paid to the reserve officers by the manager before intermission. In this city the officers were policemen in training who were assigned to the halls by the police department.

It was the duty of the police officers to enforce the dance-hall ordinance. In most places this meant the prevention of drinking and the exclusion of intoxicated persons, the maintenance of order, the quelling of rowdyism, fights, and unseemly conduct, and the patrol of the dance hall. They seldom passed upon the dancing or conduct of the dancers, their chief interest being in those who did not dance. In several cities officers in plain clothes served as doormen. Their chief duty was to exclude undesirable patrons.

The floormen and managers corrected poor dance positions in several of the halls, although in the places where a charge was made for each dance they were occupied chiefly in collecting the tickets before dances and in clearing the floor between numbers. The manager of one academy who took great pride in his hall and its management telephoned the parents of any boys or girls who seemed too young to attend the dance.

#### SPECIAL PROBLEMS IN ENFORCEMENT

Many difficulties were encountered in enforcing the dance-hall regulations in the 15 cities. In several cities the dance-hall managers, although keeping within the letter of the regulation, were able to defeat its purpose. Some of the problems in enforcement resulted from the difficulty of enforcing certain provisions of the regulations, particularly the provision restricting the attendance of young persons, and some from the difficulty of supervising the widely different types of dance hall. The out-of-town dance halls, frequently situated just outside the corporation limits and, in most cases, having no adequate regulation nor supervision, constituted the biggest problem in the protection of young people from the dangers of the unregulated commercial dance hall.

## EVASION OF LICENSE AND PERMIT PROVISIONS

In spite of ordinances requiring the inspection and licensing of dances, it was possible in several cities for clubs or individuals to give what amounted to a public dance without complying with the law and yet without breaking it technically. In one city, for instance, a dance for which invitations were distributed was considered a private dance if no money was collected at the door. The policeman said the guest's name had to be written on the card. Two such private dances were given at the time of the bureau agent's visit. One was a dancing class to which the members invited their friends at 50 cents each. Every respectable-looking applicant attracted by the music and possessing 50 cents was admitted whether or not he was acquainted with someone in the class. The other was a dance to which the tickets had been sold before the evening of the dance. Both these dances, not being within the category of "public dances," were unsupervised and unlicensed.

Another method of evading the dance regulations was found at a large dance pavilion in an amusement park within the limits of one of the cities. The management obtained a State charter for a club and ran the dance hall as a "boating club" although there was no water anywhere near it. Membership dues were the admission price to the dancing. Chartered as a club, the hall was not regulated by the city ordinance, and the State law that required all public amusement places to be closed on Sunday did not apply to it.

Tickets were sold to almost anyone for dances given by groups affiliated with various schools and similar organizations in some cities. Although they had far more grounds than the "boating club" for being considered bona fide club dances, they often had a very wide and promiscuous attendance. It was reported that the feeling was strong among the dance-hall managers that under these conditions regulations were enforced upon them which others, running a similar business, successfully evaded.

Cabarets (places where food is served and provision is made for dancing) do not come under the regular dance-hall regulations in some cities because they are considered to be eating places primarily. Without these regulations the protection of young people attending them presents very serious difficulties.

## REGULATIONS CONCERNING CHILDREN AND YOUNG PERSONS

In 9 of the 15 selected cities the ordinances set an age limit under which young people might not attend public dances unless accompanied by a parent or legal guardian. This age limit was 18 years in all the cities, and in all but one, where girls only were excluded, it applied to both boys and girls. In Los Angeles no one under 18 was permitted even when properly chaperoned. In Wichita, instead of the requirement that each minor be accompanied by a parent or guardian, a group of young people could be accompanied by the parent of one member of the group. This arrangement had been found very satisfactory, it was reported.

The ordinances of 6 cities contained no age regulations. In one of them the inspector took home any girl under 15. In another the

policewoman tried without the backing of a law to keep out girls under this age. The department of recreation in Detroit and the police department of New Bedford made special rules supplementing their ordinances. In both these cities 17 was set as the lowest age limit for entrance to dance halls. Of the two remaining cities Houston had made no ruling on the subject and in Chicago the association of ballroom managers had agreed to exclude anyone under 16 years of age.

The enforcement of these regulations depended in the majority of the cities upon the individual managers and their employees, although the inspectors in several cities sent home those under the age limit and in some cases did follow-up work with them.

In Wichita each doorman was required to keep a register of the name, address, and age claimed, by any person who seemed under age. If the person insisted he was over 18 he was admitted and the supervisor checked up on it. If the supervisor found upon visiting the home that the boy or girl was under 18 the management had to see to it that he did not gain admission again.

Through an arrangement with the Portland juvenile court, the dance-hall inspector turned over young girls found in the dance halls to the night matron of the detention home, who took them home if they were first offenders or to the detention home if they were repeaters. The dance-hall inspector in Butte said that when she found very young girls in the dance halls she "just let them stay and dance for awhile—until 10.30. I think it's better for them to be there where we know what they're doing than to send them out on the streets." She felt that often the girls did not go home when they were sent and sometimes visited out-of-town places with "pick-ups." Her theory apparently was that having danced until 10.30 they would be ready to go home.

The hostesses in the Los Angeles halls, according to a regulation of the Dance Hall Managers' Association, were supposed to register anyone who seemed to be a minor. Registration blanks were used which required the patron's name, last school attended, teacher's name, and similar facts. When the hostess suspected that a patron was under 18 years of age he had to fill out one of these blanks. If the hostess was still in doubt after the blank was filled out as to whether the patron was 18, she sent a form letter of inquiry with a return stamped envelope to the school. If the reply showed that the person under investigation was 18 an admission card was issued to him, but if it showed that he was under 18 his description and name were given all the other halls. In the opinion of one of the police officials this method of enforcement was successful. One hall was reported to have filled out blanks for 7,000 young people during a year.

Some of the hostesses questioned closely a girl who seemed very young, and, if they believed she was under 16, sent her home at 10 o'clock, calling her parents to let them know she was on her way. Others telephoned the parents at once to ask if they wished their daughter sent home. One hostess permitted the girls to do the calling, listening to be certain that they told a straight tale. In one city the hostesses urged mothers to take their daughters to the better halls after they had been found at the dances. Although many

of the mothers had been persuaded to take their daughters to the Saturday afternoon dances at one of the best halls, it was difficult to make them understand the basis of the child's demand for this kind of recreation.

The inspectors quite generally agreed that it was difficult to interest parents in their children's attendance at dance halls. Some parents were unable to control their children, others could see no harm in permitting them to attend the dances, although they were under the legal age. An inspector who had difficulty in gaining the cooperation of the mothers of girls said: "About 50 per cent of the mothers knew they were going to public dance halls and wanted to 'trust' them, etc.; the other 50 per cent were ignorant of their daughters' whereabouts." The chief inspector in one city said that the parents of the children with whom she worked were the greatest handicap that she had encountered.

Nearly all the officials responsible for dance-hall inspection felt that the exclusion of young persons was an extremely difficult regulation to enforce; a number of the authorities considered it the most difficult. "The short dresses and hair make it almost impossible to guess a girl's age," they said. Moreover, it is the boys and girls between 16 and 18 years old who are most eager for dancing, feel very confident of their ability to take care of themselves, and resent any parental or public control. Many officials had themselves little sympathy with the age provisions of the ordinance they were supposed to enforce. Some made the excuse that if these youngsters were sent out of the dance hall they might go to worse places, and many made it a practice not to enforce too drastically the age regulations, but endeavored to supervise the dancing carefully and to safeguard the trip between the hall and the home. Several officials in one city stressed the value of the requirement of a chaperone in safeguarding the boys and girls. As one of them explained the value of the chaperone, "It's not the dancing; it's the going and coming and the meeting up with bad characters in the halls, who will take advantage of the unaccompanied girl when they won't the girl who has a father, or mother, or brother with her."

When the ordinance of one city was amended to raise the age limit to 18, the problem was presented of excluding from the halls they had previously frequented a large number of girls, many of whom had been going to public dances since they were 14. Like many others, this city had made inadequate provision for boys and girls between 14 and 18 who wanted social activities, especially dancing. The city officials admitted that they did not know what the young folks excluded from the dance halls found as a substitute activity but added, "We can't make that an excuse for not ending what we know is a bad condition."

The real solution of the problem of minors in the dance halls lies in the education of parents and in the training of the children, according to several city officials. What they were doing was in the nature of a palliative rather than a cure. As young people can not be protected from contact with all sorts of people they should be taught by their parents how to meet them. Even so, the training given by parents would need to be reinforced by supervision of the halls, in the opinion of these officials.

## SUPERVISION IN DIFFERENT TYPES OF DANCE HALL

The various types of dance hall visited in the course of this study presented somewhat different problems of control and supervision.

**Academies, ballrooms, etc.**

The academies or dance palaces were usually large, handsome places attended by huge crowds. They were located for the most part in the central, down-town sections where neighborhood acquaintance, with the restraining influence which it exerts, was almost wholly lacking. Although the large dance halls are without the social control found in the neighborhood centers, the managements of these halls appreciate the importance from a business standpoint of preventing trouble. Many of them have also found that offending the community standards of respectability does not pay and hence regard the reputation of the hall as a valuable business asset. In most of the cities the managers of the big ballrooms were cooperative, for business reasons, in attempts to better the public dancing standards.

For the most part the patrons of the academies were young and unacquainted. The majority found their partners after they arrived, and this seemed to be one of the chief attractions of the halls. An unenforced rule in one city prohibited "stagging"—the attendance of unaccompanied men. One manager tried out its practicability, arranging special music and advertising and issuing invitations to couples only. He had become convinced that such a ruling would not work because, he said, some persons could not find a partner with whom to come and others preferred to make new friends at the hall. The chief problems in the academies were the control of the type of dancing and the exclusion of young persons.

**Rented halls.**

Several types of dances were held in rented halls. "One-night" dances were occasionally given by one or more persons, usually young men, as commercial ventures. Social club dances were given at regular intervals, and family parties were frequently held in small rented halls. The latter were extremely popular in the foreign sections. The persons attending these small dances were usually acquainted, and family groups formed the majority in some halls. They had, therefore, a wholesome social atmosphere. On the other hand, adequate supervision for these small dances was almost impossible in many cities with the small number of supervisors available; several reported that groups giving occasional dances were difficult to follow up. Many did not get permits unless searched out and compelled to. In most of the cities where no permits for one-night dances were required officials said it would be easier for them if this were remedied and permits required. In Detroit the commissioner of recreation who had charge of dance-hall inspection said that the rented halls gave the most trouble, especially in the foreign sections, where drinking and fighting were often uncontrolled.

**Closed halls.**

The so-called "closed hall" catered for the most part to men who for one reason or another could not secure partners at the ordinary public dance. In these closed halls girls were hired on a commission basis to dance with men patrons, and couples usually were not ad-

mitted. In one city girls were not allowed to work in closed halls unless they were 18; but in another city no age limit seemed to be enforced and the girls were extremely young, several who were seen by bureau investigators appearing to be 15 or 16. Boys were usually not found in two cities where these halls were visited; but in a third city the majority of the 200 dancers were under 21, and many of the boys looked to be about 17. A great number of them did not dance but seemed to be there merely to pick up acquaintance with a girl. In all three cities the closed hall was considered objectionable, representing the extreme in the commercialization of the dance, although some officials thought that in ports and other cities with a large floating population the closed hall had its place if closely supervised—such supervision to include rigid exclusion of young girls as paid dancing partners.

#### SUPERVISION OF OUT-OF-TOWN DANCE HALLS

The out-of-town dance halls were considered to present the most serious problem in all the cities visited. It was customary to hear such statements as: "They are our greatest menace"; "liquor and narcotics keep the road houses running"; "the beach places or shacks or halls 'out in the county' allow all the things that are forbidden in the city halls"; "they are rough, cheap, and badly run."

These resorts were not controlled by city ordinance, and their supervision under State laws proved difficult in most of the places where it had been tried. In some places a State law had been a help. A Dayton report stated that in July, 1925, a State law went into effect which embodied many of the requirements of the city ordinance, including the 18-year limit. Several workers said there had been a great improvement in the county situation since the State law went into effect. Many of the worst resorts were refused licenses or went out of business voluntarily, and since the passage of this law the enforcement of the city ordinance had been less opposed by local dance managers. In one city the State law, while beneficial in the city, was not especially beneficial in the country places because permits were granted by township officials in such a fashion that it was difficult to keep track of them and the sheriff who was responsible for supervising the dances had too little help to cover his large territory. The city police and the county deputy sheriffs agreed that the permits should be granted after more careful investigation and that there should be an efficient supervising force, especially in the territory easy of access from the city.

The out-of-town dance halls, although not so strictly supervised as those in the city, were very easy of access because of the wide use of automobiles. In one city an officer spoke of a city dance hall as being merely a recruiting place for the road houses. Young girls went to them, she said, with the idea of meeting men who took them to the country places.

The seriousness of this phase of adolescent recreation was realized by both city officials and dance-hall managers, who took various steps to meet it. Notices were posted in the dressing rooms of some of the Chicago dance halls, warning girls not to accept rides after the dances. Several halls had officers stationed at their doors to see that girls were not picked up as they left the hall. Methods of evading

this type of protection were reported, such as parking the car a short distance from the hall and taking the girls from the hall to the parking place.

The fact that the county places were bad was used as an argument for lenient rather than strict enforcement of the city ordinance in one or two cities where the officials said that making a "clean city" drove people into the country for their amusement. Several others disagreed with this statement although none had proof for their opinions.

# COMMUNITY RECREATION

## INTRODUCTION

The progress that has been made in community provision of recreation resources and play leaders and in increased utilization of the opportunities made available is perhaps more important than the regulation of commercialized recreation, although both are necessary. Training in the best use of leisure time must begin with the play habits of young children. For those who have not learned the pleasures of reading, of outdoor recreation, of music and art, amusements of as high a type as they are capable of enjoying must be provided. For these there must be a continual adjustment of the ideal to the practical with an appreciation of how in the future training of young people the necessity for this adjustment will be decreased.

In the 15 cities included in the dance-hall study and in 2 other cities (Oakland, Calif., and Gary, Ind.) having extensive recreational programs inquiry was made as to the noncommercial provision of some type of recreation. Chief interest centered on the extent to which community recreation successfully competes with the public dance hall for the use of the adolescent's leisure. Special attention was given, therefore, to the activities offered to this age group as well as to any measures undertaken before and during early adolescence that might affect either the child's choice of leisure-time activities or his interest or behavior in dancing.

Not all the cities were visited at a time when the playgrounds, community centers, or schools were in operation, and three cities (Wichita, Butte, and Ottumwa) had no programs of supervised play at the time of the visits. In every city, however, the school or community recreation supervisors were interviewed, and whenever possible the programs were observed.

In the plan of organization adopted by the recreation departments and the boards of education and in the varieties of recreational activity undertaken, the age groups reached, and the effort made to make a success of the programs undertaken, these cities presented interesting contrasts.

## ORGANIZATION

### ADMINISTRATION

In all the cities except Wichita, Ottumwa, and Gary two or more separate tax-supported organizations administered school and community recreation. The board of education hired and paid the directors of physical education and the supervisors of social events, dramatics, and similar activities in the schools, whereas a superintendent of recreation who was directly responsible to the mayor, city commissioners, park board, or board of recreation was in charge of playgrounds and community centers. In the majority of the cities these



departments cooperated with each other, in some places by supplying officials for school games, in others by lending fields and other equipment. In Seattle playground sites were purchased with the idea of having them available for use during school recesses. In New Bedford and Chicago school buildings were planned for use as community centers.

In New Bedford the men who were employed by the park department in the summer to supervise the playgrounds were employed by the school board during the winter as directors of physical education and of community centers. In Chicago the supervisor of recreation for the board of education had jurisdiction over the year-round recreational use of the school buildings and school grounds, and the various park boards employed directors of recreation for the park buildings, playgrounds, and beaches.

Wichita and Ottumwa had no city playground system. Butte employed no director for its parks and playgrounds, although both the schools and the city had supplied supervision at various times. In Gary the whole program was handled under the superintendent of schools.

In Duluth the board of education employed a superintendent of recreation whose funds came from both city and school taxes. The school-recreation program was under the direct supervision of the superintendent of schools, and all after-school use of facilities and grounds, as well as the recreational programs in the city parks, playgrounds, and community buildings, was under the director of recreation.

#### SUPERVISION

The recreation programs were developed in two general ways. In five cities specialists were employed who introduced and promoted such activities as dancing, handicraft, athletics, dramatics, music, and the like. In one city the work these specialists started was done under their supervision only; for instance, the handicraft material was locked up between classes, and the regular playground director attempted to do nothing of the sort. In other cities the specialist set up new work, helped with difficulties, and acted as counselor and aide to the regular staff. In Houston as a part of the program of community service the specialists were loaned to groups in churches, industries, clubs, and other organizations who wanted help in dramatics, game leadership, music, and similar activities. Detroit furnished a similar service for picnics and parties.

Certain educational requirements had to be met by the playground directors and play leaders in the majority of the cities. For instance, one city required that the women assistant directors have physical-education training and university students were used as assistants to a large extent in another. Several of the cities conducted intensive training courses for new workers, and weekly staff meetings were held for the regular directors where problems might be thrashed out and new work planned. Civil-service examinations were given for playground directors in several cities. This arrangement was "thoroughly unsatisfactory," one superintendent said. Politics played a big part in the civil-service appointments in a second place. A former superintendent in one city referred to the fact

that civil service gave her a better opportunity to select good leaders than the method of political recommendations that took its place. The superintendent in another place said politics played some part in the appointment of his force, but he felt that it did little damage. A school worker of this same city said that the superintendent himself was a political employee and had no choice in the appointment of his staff.

The type of workers selected was good in most of the cities where the program was observed by bureau investigators. Because of the strenuous nature of playground and recreation work it does not attract and hold people who are not suited for it.

Both well-trained play leaders and specialists were found in some of the cities, but the expense of the specialists in the majority of cities was held to make necessary the employment of a force of play leaders with inferior training. When the program was chiefly one of playgrounds and community centers, in a system small enough to be adequately supervised by the superintendent and an assistant or two, well-trained play leaders promoting their own programs seemed to produce better results. For a wide community service, including assistance to churches, lodges, and other outside agencies in the development of their recreational programs, specialists were necessary, but it would appear that they should not be maintained as a substitute for trained leadership at public playground and recreation centers.

#### RECREATION PROGRAM

In this report recreational activities have been classified as athletic, esthetic, and social. Although all three of these elements may be found in many of the events, and two of them in most, one usually predominates. Thus participation in an interpretive dancing club has the element of physical development and a strong social value in club membership but should be primarily an esthetic expression.

Various interests and aims dominated the recreation programs. Several of the recreation departments were found to have specialized in recreation for certain age groups. For instance, one superintendent said they tried to interest boys under 14, feeling that if they were given a good start they could be depended on later. The annual report of another superintendent stated that "the playground department [is] established primarily to take care of the needs of the children." In both these cities adolescents and adults used the playground facilities, but the chief interest was in younger children. Other cities had programs that were planned to meet the needs of all ages. "The purpose of this municipal department is to organize and conduct the general recreation of the citizens. This includes not only supervised playgrounds for all children but provision for the proper use of leisure time by young and old of both sexes."

#### ATHLETIC SPORTS

Athletics are a popular and accepted part of most school programs and were included in the recreational programs of playgrounds and schools in all the cities visited. They were promoted in two very different ways, however—by team and general participation.

The majority of the playground and school officials encouraged the promotion of championship teams in the major sports, and in many schools much effort was spent upon the development of a selected group of boys and girls. In one city, out of a high-school group of 600 boys, only 25 played often enough on teams in the three major sports (basketball, football, and track) to be eligible to attend the athletic banquet. The physical director in another city said that he could not promote an adequate program of physical education in the schools because he had to produce winning high-school teams or he would lose his job.

A few notable exceptions to this condition were found. In several cities competition was upon a classroom basis, and every child who was physically able competed for the honor of his group. Inter-school playdays were frequently planned when all the teams in one school met those of another, and when in some cases no scores were published and no final winners declared. Those who were promoting programs of this sort claimed that with the other benefits secured by universal participation school spirit was as keen and much more wholesome than under the championship-team arrangement.

The physical-education program in Los Angeles and Oakland, especially, and in several other cities to a limited extent, was based upon the theory that the whole school should be reached by the events that were promoted, that sports are not for a select group of athletes who, perhaps, would find recreation opportunities elsewhere if they were not offered by the school.

A brief study was made of school and community recreation in Oakland, Calif., because its extensive playground and school physical-education programs are based on this principle of general participation. The superintendent of recreation was also the director of physical education in the schools of this city. Every child was given an opportunity to participate in the activities, and it was estimated that 95 per cent of all the children attending school took part in the posture parades and that 90 per cent competed in the district track meets and playdays that were held frequently. Final scores were not determined in these activities. In Los Angeles the elementary and high schools had playdays with interscholastic competition in all sports. The junior high schools, on the other hand, had intramural competition only. In 1925 there were 4,000 elementary-school baseball teams whose games were umpired by a high-school organization called the "Knights of Sport." The physical-education program was built around a decathlon for boys and for girls in which the children competed against their own records for the honor of their group.

In Duluth the elementary and junior high school athletics were under the playground department, which was administered by the board of education. Baseball for boys and girls and football for boys were played in three classes based on school grades. A school might enter as many teams in any sport as it could organize. Thus participation became more general than under the championship-team plan.

Interclass games were fostered in one of the Rochester junior high schools, and 1,400 of the 2,000 students in one school played on teams in 1925.

As a part of the athletic program five cities worked with the industries, churches, stores, and similar agencies in organizing athletic commissions or associations. Through these organizations teams and leagues of teams were brought together, facilities were pooled and assigned equitably, officials secured, and schedules arranged. In Duluth a commission of five members was appointed by the mayor "to promote, coordinate, and act as a clearing house and board of arbitration" for all municipal athletics. As practically all the baseball and ice-hockey fields were controlled by the city recreation department and membership in the athletic association gave preference in the use of these facilities, nearly all the organizations in the city had joined. The baseball commission of Detroit acted in conjunction with the department of recreation. More than 550 teams played in the various leagues on the city playgrounds. Boys and men ranging from 11 to 30 years of age participated in the games. These organizations were entirely of men and boys, but the industrial athletic associations of Paterson and Oakland had girl and women members also who came from the factories, banks, laundries, and stores.

The question whether athletics can compete with commercial amusements met with various answers. Some workers thought that active interest ended with school attendance and that although the boys and girls would enjoy watching games after leaving school few would continue to play. Several recreation directors felt that sports would have a stronger appeal than dancing to many older boys and girls if adequate facilities and attractive companionship were available.

Dancing in the community centers and ice skating on the flooded playgrounds were especially popular with the adolescents of Duluth. This city's plan for increasing the number of swimming pools and athletic fields with baseball diamonds and tennis courts had as its prime motive the supplying of adequate facilities for adolescent and adult recreation. The superintendent of recreation said that such athletic fields did more to carry over adolescent interest in sport to adult life than any other provision made by the city. Interest in tennis, golf, swimming, bowling, and horseshoe pitching was more frequently carried through life and was introduced to playground boys and girls of Duluth with this end in mind.

The Portland playground officials agreed that tennis was the most popular sport with adolescents, and that this is true quite generally was borne out by observation in the other cities. In one city the playgrounds that were equipped with tennis courts were the only ones with adolescents in attendance. Courts had been built on all the larger playgrounds in Rochester and were used extensively by young people between 14 and 25.

School athletics as promoted in the majority of cities were considered an end in themselves, and the creation of a permanent taste for outdoor recreation was not a part of the program.

Doctor Cutten in "The Threat of Leisure" has pointed out the importance of considering school athletics as an opportunity for training children in what will be a wholesome use of their leisure in later life.

Such games as football, baseball, basketball, lacrosse, hockey, and other games classed as "major sports" are of practically no use after graduation

so far as helping to solve this problem is concerned, since they are not played by many college alumni, nor can they with safety be a part of the program of later life, except when a person devotes his whole time to some one of these sports in a professional way. There are, however, certain "minor sports" that are very valuable to this end, chief among which are golf and tennis. There are, in addition to these, such activities as handball, squash, volley ball, bowling, swimming, and similar sports, down to and including quoits and horseshoes.<sup>1</sup>

#### ESTHETIC EXPRESSION

Esthetic activities as features of extracurricular and leisure-time programs are receiving an increasing amount of attention. Art, dramatics, music, handicraft, and similar courses are given as a part of the training of teachers and recreation leaders, and sketch classes, choral societies, glee clubs, orchestras, bands, dramatics, poetry clubs, and similar groups are organized in both the schools and the community centers of many cities. When such a program was offered in the schools that were visited it was frequently done through clubs. Membership in such organizations was quite general, especially in the junior high schools of some of the cities.

#### Music.

In Houston a music specialist was employed by the Recreation and Community Service Association to conduct city-wide rehearsals and classes, community sings, concerts, and chorals. In the Chicago public-school playgrounds harmonica orchestras, whistling, vocal quartets, ukulele playing, and other popular musical activities were encouraged. In New Bedford a group of young people between 16 and 20 years of age were found singing around the piano of every center visited.

#### Dramatics, pageantry, and dancing.

Combining music with action in pageantry, folk and classic dancing, and minstrel and vaudeville performances was popular.

Pageantry, with its drama and dancing, frequently found a place in the outdoor program, forming, in many places, the climax of a season's work. One May festival that was seen included boys and girls, their older brothers and sisters, and a large group of mothers and grown-up friends. This outdoor affair marked the close of the indoor season and exhibited the winter's work of the dancing and gymnasium classes. Minstrels were in preparation at the time of the visit to another city, and groups of older adolescents were working on songs and dances in most of the centers.

Dramatic clubs were a part of the junior, intermediate, and senior boys' and girls' programs in Detroit. Some of the productions in this city were directed by specialists, but every center had locally directed plays also.

An outdoor theater had been built on one of the Oakland playgrounds. "One director is kept busy arranging the dramatic activities of story telling, impromptu and original plays, and special matinees presented by organized groups. These matinees, given weekly during the summer vacation, attract large audiences."<sup>2</sup> This

<sup>1</sup> Cutten, Geo. Barton: *The Threat of Leisure*, pp. 142-143. Yale University Press, New Haven, 1920.

<sup>2</sup> *Recreation and Play in Oakland*, p. 8. Bulletin of Information, Recreation Department, Oakland, Calif.

city maintained a costume room with several thousand costumes and properties available for the use of amateur groups.

#### Handicraft.

Handicraft is a means of esthetic expression for some. The joy of making something that seems beautiful is a part of the attraction in classes in basketry, sewing, sealing-wax craft, woodwork, modeling, and the infinite variety of other things to make that both the schools and the playgrounds offered. One superintendent of recreation encouraged the manufacture of attractive articles from discarded materials close at hand. For instance, rag rugs were made from old clothes, bags from discarded inner tubes, and wooden toys from cigar boxes. Puppet theaters combined handicraft and dramatics in Houston, where the children dressed the puppets and acted the plays. The supervisor of the Chicago Bureau of Recreation worked out such unique handicraft projects as snow modeling and stained-glass effects in ice as well as including sand modeling, making lantern slides, and whittling.

#### Story-telling and reading.

Story-telling was considered a part of the playground program in the majority of cities. In some places the children were encouraged to tell as well as listen, and the dramatization of the stories was frequently a part of the story hour. In Rochester the story-teller was also the librarian and offered access to the 2,500 books which the recreation bureau owned as well as furnishing the usual program of stories. This was a year-round service.

The public libraries cooperated with the playgrounds in some of the cities, making books available at the grounds on certain days. The Los Angeles playgrounds not only had this service but also owned a large number of volumes. School libraries were more general than playground or community-center ones, but in the playgrounds and recreational centers reading was promoted as a recreation, as is done more frequently in the English classes in schools than was formerly the case.

It was generally agreed that all these recreational activities have what the directors call a high carry-over value. The joy of reading, of self-expression in music, rhythm, dramatics, story-telling, and handicraft increases as the children grow older. The fact that adults respond so readily to the opportunity to take part in those activities is proof of their continued enjoyment of them.

### SOCIAL ACTIVITIES

#### School parties and club affairs.

School parties occurred with frequency and regularity in most of the junior high schools as well as in the upper grades of many elementary schools. They were also a part of the club programs in the high schools. These dances, particularly in the lower schools, were frequently held in the afternoon after dismissal, although in several cities the school gymnasiums were available for this purpose on Friday evenings.

Clubs of all sorts were found to have been organized in the schools either by the faculty or with faculty approval. This was particu-

larly true of the junior high schools visited. In two of these every child belonged to some organization, being privileged to select the group that interested him most. He was also a voting member of the body that elected the student-government officers. A specialist in club activities was employed in the Rochester schools, but in Los Angeles the faculty members worked out the leadership of the various groups among themselves. The Rochester club specialist felt that 70 per cent of the club interests become hobbies in later life. The aim of the club work was not to find a permanent hobby, for interest is bound to change when a subject is exhausted, but to establish the habit of an active, wholesome use of leisure.

#### School dances.

School and recreation officials held various attitudes toward dancing. Before describing the dancing in her building an assistant principal said to the Children's Bureau investigator, "First of all, I am strongly in favor of dancing. I enjoy it myself and love to have it done in my own home. \* \* \* You can't fight a recreation that eight-tenths of the population enjoy. It must be accepted and all efforts made to improve it."

A director of physical education in another city favored the teaching of dancing in the schools because, he explained, "You can't combat the evils of the public dance halls through police control. You must do it through education; through teaching the right kind of fun in the schools and on the playgrounds." Another reported that "it is impossible to suppress public dancing. The department of recreation is endeavoring to substitute clean, wholesome neighborhood and community dances in the school buildings which we use at night; and also in community centers and social settlements under our jurisdiction. I believe the policy should be one of substitution instead of suppression."

Although a number of city and school officials held such views, others were diametrically opposed to them. In a number of the cities visited the giving of dances in the school buildings was forbidden. This was due in one city to the objection of the ministers and in another to the feeling stirred up by a revivalist. The fact that they had been poorly supervised was given as the reason for stopping the high-school dances in a third. They were to be tried again in this city during the term following the visit of the Children's Bureau agent but were to be closely supervised.

What standards should be insisted upon in school dances is an important factor in supervision. After experiencing much difficulty with dances held by high-school groups in community club buildings, the municipal dance-hall inspector and school officials of Portland conferred, and the following outline of regulations was drawn up by the high-school principals and deans:

It is to be understood that high-school dances are those held in the respective high-school buildings under direct supervision of the principal and faculty.

1. That a definition of high-school dances shall be printed on high-school report cards.

2. The number of dances shall be limited to four in each semester and shall be held in high-school buildings only.

3. They shall be held on Fridays only, beginning at 8 p. m. and closing not later than 10.45 p. m.

4. No afternoon dances shall be permitted, and jitney<sup>1</sup> dances shall be prohibited entirely.

5. The principal and dean of girls in each high school shall be a committee in charge of the dances and shall be empowered to appoint the following assistants: (a) At least 5 members of the faculty; (b) at least 10 patron chaperones; (c) a floor committee of 5 from the student body.

6. That an invitation list shall be submitted to the dean at least 48 hours in advance of the dance; admittance to be in accordance therewith.

7. Parents shall be requested to notify the dean of any tardy arrivals at home after attending high-school dances.

8. The character of the music and the program of dances shall meet the approval of the dean in charge.

9. Unchaperoned pupils shall not be permitted to leave the dance until the close of same.

10. All dances shall be conducted in accordance with regulations adopted by the American Association of Masters of Dancing.

The committee further recommended that the managers of hotels and clubs be notified that all high-school dances were to be held in high-school buildings and that they be requested to cooperate with the board to the extent of denying the use of their halls for any so-called "high-school" dances.

In the cities where dances were held in the schools the rule usually followed was that the number should be limited to one a semester for each class, club, or other organization. Faculty sponsors and parent chaperones were frequently required.

Afternoon dances were promoted in one of the Los Angeles high schools where the annual Reserve Officers' Training Corps' ball was the only night dance held under faculty auspices. Afternoon and noon dances were very popular in this city. One of the principals is quoted in *The City Boy and His Problems* as saying:

We always have our dances and parties here in the afternoon. This reduces the problems connected with such affairs. Held in the afternoon, they are very closely chaperoned, and then when the affair is over everyone goes home in much the same way as he does from school. Thus are avoided a thousand and one problems of behavior after they leave here, such as the parents calling up the next day, "Mary was at the dance last night and never got home until 3 o'clock. Where was she, anyway?" We have none of that.<sup>2</sup>

The failure of an attempt at supervision of dances given by high-school students under the patronage of an association of parents in the schools of one of the cities was reported as due primarily to a lack of appreciation of the problems involved and the consequent necessity for intelligent and understanding supervision. The association assigned in turn some 20 of their women members who were to act as patronesses at each dance. They did not take the responsibility seriously, and it frequently happened that there were neither patronesses nor a matron in attendance. Stories of improper conduct on the part of the boys and girls were soon current. Following the criticism which resulted from this condition the association adopted a policy of very stringent supervision, with the result that for a time there were frequently more patronesses than dancers present. A student complained that the only parents who came were the

<sup>1</sup> At a "jitney dance" there is no charge for admittance to the hall, a fee being collected from each couple at the beginning of each dance number.

<sup>2</sup> Bogardus, Emory S.: *The City Boy and His Problems*; a summary of boy life in Los Angeles, pp. 44-45. Los Angeles, 1926.



ones who wanted to find something to object to. The probation officer of this city said that as a result of this lack of understanding of the problem the school dances had been a detrimental influence, worse in some ways than the public dance halls.

One of the school dances in this city was visited by the Children's Bureau investigators. It was well attended and closely supervised. Although the dance-hall inspector criticized the positions of some of the couples as rather worse than those permitted in the public halls, she considered the value of these dances was in keeping the young people in their home neighborhood. The general atmosphere at this dance was wholesome.

School officials in several cities where the use of school buildings for dances was not permitted regretted the fact that the boys and girls were forced to go to hotels or hired halls for their dances; in one or two cases they had recommended that the schools be opened to them.

Although prohibiting dancing in the school buildings some high-school officials sanctioned school dances held in other halls. Such approval was also given for the large affairs in some cities where the school buildings were used. For instance, the "parents' assembly," a big dance for the San Francisco high-school students, was held annually in a hotel. The junior-senior "prom" in Butte was given at a large amusement park with the approval of the school officials. Dances were permitted in the school buildings of both these cities, although they were limited to a few afternoon affairs in San Francisco.

The students of the high schools in one city were not allowed to give dances in the schools, but three in a semester could be held in hired halls without objection from the school officials. A junior order of one of the lodges ran well-supervised dances in one city. They were almost the same as high-school dances, were attended by a number of parents, supervised by the policewomen, and satisfactory in conduct and dancing. In another city the high-school dances were always attended by two faculty sponsors and some parents.

Many permits for dances were granted in one city to fraternities and clubs whose members might be high-school students though the officers were generally no longer in school. Difficulty in controlling such dances as these and others given by students without the backing of a school organization had been experienced in several cities.

A hotel manager in one city said the dances held by high-school fraternities and clubs were the worst he had to contend with as they were unsupervised and unchaperoned except for a "hand-picked couple, maybe." The dance-hall inspector of another city found much worse dancing at the affairs held by high-school students at a community clubhouse than was allowed in public halls. In this city the problem was solved through requiring not only a permit for dances to be held by high-school groups but also a note to the club managers from the dance-hall inspector saying that the applicant was eligible as to age and responsibility. A school principal in a third city suggested that the approval of the school principal should be secured in that city before a permit was issued to anyone applying for a hall in the name of the school.

In one case a group of high-school boys sponsored a dance that was to have been given in a road house outside the city limits. It came

to the attention of the girls' adviser of a junior high school, several of whose students had been invited to attend. Feeling it imperative to stop the affair so that a precedent would not be established, she approached the police and school officials, who found themselves powerless since the school had not sanctioned the dance and the road house was out of the city. This woman then went to the State police. They had no authority to prohibit the dance, but they sent the children home for driving without permits, which were not granted to persons under 18, and for having liquor in their possession.

Dances to which tickets were sold by the pupils to other than school students were another cause of difficulty, as such selling made possible the attendance of older dancers and the problems of supervision were increased. Special difficulties were always created when one age group attended the dances of another; for example, college students were reported to cause much trouble at high-school dances and high-school pupils at junior high-school dances. The older group are apparently eager to show they are no longer subject to the restrictions and conventions imposed upon the younger.

Some of the school officials in another city considered that dances held after the high-school basketball games were really public dances, as anyone could buy a ticket. The dances had been discontinued without affecting the attendance at the games, which some had thought might be less popular without the dances.

#### Community clubs and parties.

Almost without exception the parties and social affairs held at the playgrounds and community centers were sponsored by clubs or small groups. Camp Fire Girls, Girl and Boy Scouts, and similar clubs were organized by the play leaders or encouraged in holding their meetings in the community centers in several of the cities.

A boys' club with a program of degree work modeled on the men's secret organizations was fostered by the recreation department in Seattle. Two girls' clubs met at one of the Rochester centers. The director had held one of these groups five years with a program of gymnasium classes, parties, banquets, and service. Both groups were small, the older having 30 members, the younger 15. Two clubs of young men also met at this center, one with 100 members ranging in age from 16 to 30 and the other a group of about 20 boys around the age of 17. Their programs included athletics, social events, especially dances, and some kind of charitable enterprise.

Most of the recreation activities in Detroit were conducted on a club basis. Between 2,700 and 2,800 clubs were meeting during the season of 1925. Some recreation workers think that this method of promoting recreational activities excludes young people who, because they do not want to join clubs, feel they can not attend community affairs, but the commissioner of recreation reported he had not found this to be the case in Detroit.

In New Bedford, Houston, and Rochester clubs of adolescent boys and girls, many of whom worked, met with the play leaders for parties, classes of various sorts, dramatics, and dancing.

Community clubs, replacing the old improvement clubs that used to battle for street repairs, sewers, and other neighborhood needs, had been promoted in another city. The programs included meetings, dances, and "socials" as well as the civic projects that were once

their chief interest. Junior community clubs had been formed in several sections. They were sponsored by the adult clubs, which supplied advisers to assist the young members in planning their dances and parties. These organizations were popular, and it was felt that they served to interest the young people in the social life of their own neighborhoods rather than in down-town amusements.

The superintendent of recreation in another city was not convinced of the value of club organization as a playground or community-center activity. Clubs were encouraged to use the facilities of the department, but the superintendent felt that play leaders should not devote their time to small groups and that volunteer leaders were not dependable.

Although clubs were quite generally organized they did not seem to reach many individuals in the majority of the cities. This was true also of the parties and other social affairs. They were given by small groups for their own friends and under the existing conditions were of negligible importance as a community activity.

#### Community dances.

No dances were permitted in the centers of New Bedford, Detroit, or Los Angeles unless an organized group was back of them. These clubs assigned their members to various positions in the dance management and assumed full responsibility for the conduct of the affair, although the director of the community center was also required to be in attendance.

The commissioner of recreation in Detroit considered club dances easy to manage and a valuable community activity. The value of a club is that it constitutes a social unit for the members and makes it possible to develop through group action and club loyalty responsibility on the part of the membership for their own conduct. To meet the needs of the different age groups in some of the centers one night was devoted to older groups and another to younger. The attendance varied from 20 couples to 200.

The dances were usually arranged by clubs whose members vouched for any nonmembers who attended. The floor committee in charge of the dance knew the dancers by name and could easily control their behavior and attendance at future dances. The behavior of nonmembers reflected credit or discredit not only on the individuals but also on the friends who sponsored them. Such checks made the management of the dances very simple, the commissioner said.

In New Bedford the club was directly responsible to the community council for the conduct of the dance, and two members of the council always attended. The superintendent had been complimented on running the best dances in the city. The dance-hall inspector said they had given no trouble. They were not under her supervision. Visitors were welcomed to the dances in this city, but limitations were placed upon their attendance in other places. Nonmembers had to be vouched for by members of the clubs in Detroit. In Los Angeles when a playground club gave a dance each member could invite an escort, but the membership was limited to 150 and no more than this number of couples could attend.

The athletic clubs of one city gave occasional dances in hired or borrowed halls because, the superintendent of recreation explained, the playground auditoriums were too unattractive to be conducive to

well-managed affairs. Community Service of San Francisco also sponsored athletic club dances. To these, club members only were eligible. No admission was charged, for the club dues entitled members to attend.

A club dance in a playground field house was visited in Rochester. It was given by a group of about 20 boys around the age of 17, the majority of whom were employed. Many of the girls were students of the junior high school. About 250 young persons were present, all of whom were under 21. A checking fee of 50 cents was charged to defray the expense of the orchestra, any surplus going to charity. Two of the playground directors were present as chaperones, but a floor committee of club members supervised the dancing.

*Supervision.*—The attendance of parents, teachers, play leaders, or other responsible chaperones to supervise the dancing was generally held to be important for successful community dances. "The success of such dances depends on supervision. If it is bad the dances are bad. Ours is good," said the superintendent of recreation in one city. The Los Angeles superintendent considered supervision to be the ultimate solution of the problems.

Supervision of the community dances in one large city by social workers unfamiliar with dance-hall problems was unsuccessful. The failure of unintelligent supervision was said to have caused the unsatisfactory results of several other public-dance experiments.

In Los Angeles the playground director was responsible for the arrangement of dances, the approval of programs, and the definition of proper dance positions, and the enforcement of rules regulating the dances. A floor committee composed of three members of the group giving the dance was made directly responsible for the actions of the dancers. The assistant superintendent of playgrounds said that by attending commercial dances at least every six months she became acquainted with the standards upheld in them and obtained a basis for the decisions she had to make at the community dances.

In Seattle the director attended all community-center dances, but three responsible and representative citizens had to be present and assume responsibility for the conduct of the dancers. The group supplied its own chaperone and other attendants. All groups of boys and girls under 16 who attended a dance had to be chaperoned.

Community-center dances in one city were run by a neighborhood committee which supervised the dancing and had charge of collecting an admission fee (15 cents). The chief of the women's protective division reported that an investigation of these dances showed they were among the best in town. The fact that their entire management "is in the hands of interested committees or boards of directors—mothers and fathers of the community—has proved most helpful in managing the details of each dance and in determining general policies."

*Value.*—In one city in which it had been necessary to give up community dances officials felt they were depriving the people of an activity they needed. Dances for high-school groups, for young employees, and for married people assisted in solving the dance question in certain communities, it was said; but "I hardly believe this reaches far enough in providing the opportunity for many who do

not have access to recreation centers," one superintendent of recreation explained.

The superintendent of one of the large playground systems was much opposed to permitting public dances to which any one was admitted in the park field houses. Although by encouraging organized groups only some were excluded, it was his opinion that the protection of the many at the expense of the few is a better policy and that only through the club system could the majority be surrounded with the necessary safeguards.

The dance-hall inspector of another city thought that the community dances were good, but he said they did not reach the general mass of young people who "want to go where they can do as they please." This criticism was made of the whole community program, however, in the majority of the cities. It was felt that the activities were valuable as far as they went, but that they reached too few individuals.

Although opinions differed as to the value of school and community dances there seemed to be agreement that their success or failure depended to a great extent upon the sort of people in charge of the dances and the amount of preparation made for this part of the recreational program. When an adult committee of understanding, sympathetic individuals sponsored the dances and arranged for the necessary committees and when the surroundings were attractive and the music good, the attendance was large and dances easily supervised. When any of these factors were lacking difficulties increased.

#### Classes in dancing and etiquette.

Some of the disorder and rowdyism that develop in connection with dances is due to the fact that the young people do not know how to dance well and so do not enjoy dancing as such. Others seek to conceal their embarrassment and lack of ease because of their unfamiliarity with social conventions by a rude defiance of the standards insisted upon by supervisors. To better these conditions, dancing and so-called etiquette classes had been conducted in Los Angeles, Seattle, and Rochester. A lack of agreement existed as to their value. The superintendent of playgrounds in one of the cities discontinued a social dancing class at one of the community centers. He thought the younger children who attended would acquire an interest in dancing soon enough without this encouragement. The same argument was presented by a policewoman in another city. She thought the classes in one of the schools attracted the attention of the students to dancing prematurely in some cases. One of her coworkers considered these classes a constructive force that would be bound to affect public dancing as a whole if given more generally through the schools. The teacher in charge of the work in the school said that as few of her children went to high school, she felt that this instruction in proper dancing was a safeguard. A club dance which many of the students of this school attended was visited. An atmosphere of courtesy and pleasant formality was strikingly apparent. A decided improvement was reported in the dancing after a dancing master had been employed in another city to conduct classes in social dancing in the high schools and among the faculty members who were responsible for chaperoning the school dances.

## DEVELOPMENT OF RECREATION PROGRAM

The majority of recreation officials, social workers, and others who were interviewed felt that community recreation had not yet found its real place in the lives of older boys and girls and young adults. The need for the development of the program was undisputed. Many thought that it offered the only method by which the conditions that create the dance-hall problem can be changed. The former chief supervisor of the San Francisco dance halls said in concluding her report "no matter how excellent supervision may be, it is other agencies, public and private, which must meet the challenge of the dance hall. The committee earnestly recommends the rapid increase in the work of these recreational agencies." Particularly in the case of young boys and girls whose exclusion from the public dance hall is thought necessary, an adequate community recreation program would provide not only enjoyable counter attractions but also training in character development and in the proper use of leisure time.

In many cities, however, a fine plan for future development had been worked out, and the foundation already laid was good. Especially good features were provision of adequate facilities and trained leadership, general participation of students in school athletic and esthetic activities, and emphasis on activities that were of value in promoting constructive use of leisure time in later life.

A growing use of recreational facilities and increase in the public recreational resources were found in most of the cities visited. To an increasing extent the school plant was being used to meet the social and physical needs of the community, and community baseball diamonds, tennis courts, and other facilities were being multiplied. To provide leadership in the use of these facilities and to expand the recreation programs specialists in recreation and trained play leaders were being employed. The assistance of the parents is being more successfully used through carefully organized committee work, and the sense of responsibility of the young people themselves for their own conduct is being developed in the club organizations.

In the schools the more general participation of students in athletics and other activities was notable. Interclass and intergroup teams were displacing the old championship-team system from which only a few derive benefit. The schools were also laying more stress on activities with a high "carry-over" value, resulting in the formation of good habits in the use of leisure time. Emphasis was being put upon the development of the so-called sports (such as tennis and swimming) and of hobbies. Because such activities do not cease with the end of school they are of permanent value.

## CONCLUSIONS

The chief problems of present-day dance-hall supervision are: (1) Supervision of music, dancing, and general conduct in the halls; (2) provision for and protection of minors; and (3) control of the after-the-dance rendezvous. To meet these problems there has been a steady increase in dance-hall legislation during the last 15 years, 75 per cent of the more complete ordinances having been enacted since 1918.

The tendency of this legislation has been to define the terms "public dance" and "public dance hall" in order to make the regulations applicable to all dances that are, in fact, public and not to allow certain types of such dances to be free from regulation because of a technicality; to require licenses for halls and permits for dances in order to find whether the hall in which the dance is to be given is sanitary, well lighted, and otherwise suitable, and to insure that the person in charge of the dance can be trusted with this responsibility; and to fix restrictions on the age of admission and hours of attendance of minors and on the type of dancing and conduct in the hall.

In the administration of the dance-hall laws and ordinances the most effective supervision was found in those cities in which a city inspector was in charge and in which a hostess was employed in every hall. The method of appointment and the duties of these officers varied. Merit appointment protected by civil service, especially when backed by an enlightened public opinion, insured the best service. Although experience pointed to no one method for the appointment and payment of the hostesses, it was clear that they gave little protection to young people if they were dependent upon the dance-hall managers unless the latter themselves were interested in the elimination of the dance-hall evils. As to duties, some officials believed that the work of the inspectors should be educational as well as supervisory; others felt that the work should be limited strictly to enforcing the letter of the regulations. There was also a wide difference of opinion as to whether or not the hostesses should do follow-up work in connection with supervision of dance conditions. It seems quite clear, however, that where such educational and follow-up work results in greater cooperation from the dance-hall managers and in a more active interest upon the part of the public, particularly of the parents of minors found in the halls, dance-hall supervision is more effective.

To meet the situation presented by the after-the-dance rendezvous, the out-of-town hall, which next to the exclusion of minors is the most troublesome problem encountered in public dance supervision, legislation must be passed by the State or county and provision made for local enforcement.

Although dance-hall supervision is necessary, the dance-hall situation can not be remedied unless those in charge of the enforcement of the laws can secure the interest and support of the public. The most effective regulation has been in those cities in which the managers of dance halls have cooperated most actively. Not only can they aid in seeing that good conditions are maintained in the halls and that the regulations are carried out but they can assist the dance supervisors and other social workers in creating social values in the dance hall.

In many of the cities it was reported that the lack of cooperation from the parents of minors found in the halls was the greatest handicap confronting the supervisors. This lack of cooperation was due sometimes to ignorance of what their children were doing, sometimes to indifference, and sometimes to the old belief that young people must sow their wild oats. The cooperation of parents is, however, so important that public education as to recreation and recreational needs must be increased.

The provision of community recreation and training in recreational activities will not eliminate the commercial dance halls, but they should assist in greatly modifying the character of the commercial amusements as well as developing the play interests of the whole population, providing types of amusement not commercially profitable, and developing latent leadership in the provision of a wholesome neighborhood social life.



## APPENDIX A.—PROVISIONS OF MINNESOTA LAW<sup>1</sup>

The Minnesota act applies to all public dances and public dance halls. A public dance place is defined as "any room, place, or space open to public patronage in which dancing, wherein the public may participate, is carried on and to which admission may be had by the public by payment either directly or indirectly of an admission fee or price for dancing." A public dance is defined as "any dance wherein the public may participate by payment either directly or indirectly, of an admission fee or price for dancing or a fee for a membership in a club, and shall include any manner of holding a dance which may be participated in by the public through the payment of money, directly or indirectly."

In order to hold a public dance the owner or proprietor of the hall in which the dance is to be held or the person intending to give the dance must procure a permit from the governing body of an incorporated municipality or from the town board of the county if the dance is to be held outside the corporation limits. Such permits may be issued for one or more public dances or for a period of time not exceeding one year. The application for the permit must be accompanied by the affidavits of two freeholders testifying that the applicant is of good moral character and has not within five years been convicted of a felony, gross misdemeanor, or violation of the public-dance regulations. The dancing place must not be connected by stairs, passageway, or otherwise with "private apartments" or "private rooms" used for other than legitimate purposes, and lighting and sanitary conditions, including toilet and washroom facilities, must be satisfactory in the judgment of the licensing authority. The permit must be posted in a public place in the dance hall during the time the dance is being held.

Public dances are not permitted between 1 a. m. and 6 a. m. on any day nor before 12 noon on Sunday. Other regulations as to hours not inconsistent with these State provisions may be imposed by the licensing authorities in the various municipalities. Unmarried persons under 16 attending public dances must be accompanied by parent or guardian, and those 16 to 18 who are unmarried must be accompanied by parent or guardian or present the written consent of one of these.

The act prohibits indecent or immodest dances or dances characterized by immodest motions of the body; rude, boisterous, obscene, or otherwise offensive acts or speech; and the admission of intoxicated persons and prostitutes or other individuals of known immorality. The use or sale of intoxicating liquors in the dance hall or on connecting premises or within 1,000 feet of the entrance is also prohibited. No dancing is permitted with lights extinguished or dimmed.

An officer of the law is required to be in attendance during the time the dance is in progress, fees for this service to be paid in advance by the one securing the permit. Violations of the act are punishable as misdemeanors and in addition may result in forfeiture of the permit.

<sup>1</sup> Minn., act of June 1, 1923, Gen. Stat. 1923, secs. 10161-10174, pp. 1399-1401, as amended by act of Apr. 22, 1926, Laws of 1926, ch. 802, p. 383.

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## APPENDIX C.—DANCE-HALL LEGISLATION OF 1926, 1927, AND 1928

During the years from 1926 to 1928 laws relating to public dancing were enacted in seven States. In four of these (Colorado, Massachusetts, Montana, and Pennsylvania) certain phases of the subject were already regulated by laws analyzed in the body of this report. Before 1926 Virginia, Kansas, and Louisiana had no laws regulating public dancing. The Kansas and Pennsylvania laws are the only new ones which cover more than one or two aspects of the public dance or dance hall.

### DEFINITIONS OF PLACES COVERED

Kansas passed a law effective in counties with a population of more than 110,000 and less than 130,000, and Pennsylvania enacted one applicable to all townships in the State. As the first, second, and third class cities in Pennsylvania were already regulated under a law having very similar provisions this leaves only the boroughs and one town in Pennsylvania still unregulated by State laws.

The Virginia act defines public dance halls. It applies only to a county adjoining a city of 50,000 or more inhabitants (except counties adjoining a city of 50,000 to 60,000 or in excess of 100,000 but not more than 165,000 according to the census of 1920) and to counties having a population of more than 300 per square mile according to the last United States census. The Louisiana law is applicable only to municipalities. The Colorado law does not apply to incorporated cities and towns. The Massachusetts and Montana provisions are state-wide.

### RESTRICTIONS ON ATTENDANCE OF MINORS

Kansas prohibits persons under 18 from entering or being present in a public dance hall after 8 p. m. unless accompanied by a parent or legal guardian, except a married woman accompanied by her husband over 18, unless the person is a member of a group and the parent or guardian of another member is present. Pennsylvania prohibits the attendance of persons under 16 after 9 p. m. unless accompanied by parent or guardian. The old law effective in the cities forbids attendance of all those under 16 after 9 p. m.

Montana enacted a state-wide provision, making it a misdemeanor for owner, proprietor, manager, or employee of a public dance hall, or a place where public dances are held, to encourage or permit a minor under 16 to be, remain in, or frequent such hall or place while a public dance is in progress unless accompanied by his or her parent or legal guardian.

Virginia prohibits a person under 18 from entering or remaining in the dance hall while dancing is being conducted unless accompanied by parent or legal guardian, or a brother or sister over 21, or except with the written consent of parent or legal guardian.

### LICENSES

Kansas and Pennsylvania require licenses and provide that such licenses must be conspicuously posted in the public dance hall. A license is issued in Kansas only after a bond has been given by the applicant. The Virginia law requires a license from the circuit court for the operation of public dance halls. The county commissioners issue licenses in Colorado for all public dance halls, booths, pavilions or other places where public dances are held. In Massachusetts where licenses formerly were required for certain dance places, they are now required also for "innholders, common victuallers and keepers of restaurants" who maintain and carry on a dance. The law specifies that in towns with less than 2,500 registered voters the license must be approved by the commissioner of public welfare as in the interest of the public good and morals.

**HOURS OF OPERATION**

Kansas halls must close at midnight, but those in Pennsylvania may remain open until 1 a. m. and upon special permission of the county commissioner until 2 a. m., except on Saturday nights. Both States prohibit Sunday dancing.

**SUPERVISION**

Kansas and Pennsylvania do not require constant supervision by either privately employed or public officials, but both provide for free access at all times for police officers. The Kansas law includes also all executive and law-enforcing officials and police officers of the State and the United States.

The Louisiana law permits municipalities to employ matrons or police women and place them in dance halls to see that no lewd, vulgar, or suggestive dances are given and that the costumes of the patrons are proper. The ordinance fixes the salary of such persons, the amount specified to be paid by the proprietor.

**REGULATION OF PHYSICAL AND SOCIAL CONDITIONS**

Kansas and Pennsylvania laws provide for clean, well-lighted halls and stairways, but Kansas also includes adjoining grounds and has special provisions prohibiting smoking, gambling, drinking, carrying or serving intoxicants, vulgar and improper language, conduct, and manner of dancing. No women are admitted to these halls in Kansas without a male escort, and all persons must pay the same entrance fee. Operators, regular employees, law-enforcing officers, and members of the fire department only are permitted entrance without such fee.

**PENALTIES FOR VIOLATION**

Revocation of the license for cause is provided as a penalty under some of the laws, as well as fines, and in Kansas an alternative jail sentence.



U. S. DEPARTMENT OF LABOR  
JAMES J. DAVIS, Secretary  
CHILDREN'S BUREAU  
GRACE ABBOTT, Chief

CHILDREN OF ILLEGITIMATE BIRTH  
WHOSE MOTHERS HAVE KEPT  
THEIR CUSTODY



By  
A. MADORAH DONAHUE



Bureau Publication No. 190



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## LETTER OF TRANSMITTAL

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UNITED STATES DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
*Washington, July 22, 1928.*

SIR: There is transmitted herewith the report of a study of the care of children of illegitimate birth whose mothers have been enabled to keep the custody of their children. So little case record material showing concrete methods of social provision of this sort is available, that it is believed these case histories will prove useful to agencies dealing with the problems of illegitimacy and to training schools.

The study was made by A. Madorah Donahue, formerly a member of the staff of the social-service division of the bureau, who has written the report. Assistance on the report was given by Mary E. Milburn, also of the social-service division. The case histories upon which the report is based were prepared under Miss Donahue's supervision by staff members of institutions and agencies, to which the bureau is indebted for helpful cooperation.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,  
*Secretary of Labor.*

# CHILDREN OF ILLEGITIMATE BIRTH WHOSE MOTHERS HAVE KEPT THEIR CUSTODY

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## INTRODUCTION

### THE PROBLEM AND METHODS OF MEETING IT

Until recently social agencies and institutions in this country caring for unmarried mothers during the first months of the child's life have followed one of two general plans for practically all the children born out of wedlock for whom they have assumed responsibility—either the child has been permanently separated from the mother very soon after his birth, or the mother has been required to keep him for a definite period of time, nursing him if possible. Although the experience of social workers who have observed these two plans in operation over long periods of time must necessarily be of service in pointing the way to others, little has been done to make available the results of their experience.

It is difficult to follow the records of any considerable number of children who have been separated from their mothers in early infancy, but studies of infant mortality rates tell the tragic story of the uneven chance for life itself that babies born out of wedlock have in contrast with those born in wedlock. A number of instances are found of suitable placements in foster homes, where the child's interests have been protected. Instances are found, too, of unsuitable placements that have worked much injury to helpless children. Adoption laws in most States fail to safeguard even those children who are accepted by foster parents with full legal responsibility.<sup>1</sup> It has been possible to obtain records of children whose custody has been retained by their mothers, because certain institutions and agencies that advocate the plan of keeping children of illegitimate birth with their mothers and that have insisted on it in many cases, have kept in touch with the children thus provided for and have been able to supply information as to its results.

Study of the origin of institutions and agencies rendering service to the unmarried mother reveals reasons for the development of the two distinct types of policies. Practically all except those of recent origin were established with one of two motives: The spiritual reclamation of women who were immoral or the protection of women who sought to conceal their maternity. Many of the latter type were commercial institutions operated for profit. That the child may be a factor in holding the mother to the path of rectitude is obvious;

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<sup>1</sup> Adoption Laws in the United States: a summary of the development of adoption legislation and significant features of adoption statutes, with the text of selected laws, by Emelya Foster Peck. U. S. Children's Bureau Publication No. 148. Washington, 1925.

hence the institutions and agencies whose primary motive was moral rehabilitation usually tried to influence all the unmarried mothers with whom they dealt to keep their babies. That the acceptance of the baby by the institution or agency is an important means of safeguarding the mother from public knowledge of her motherhood is equally clear; so the institutions and agencies that were concerned chiefly with protecting the mother's privacy usually developed a policy of accepting babies from unmarried mothers at birth or very soon thereafter.<sup>2</sup>

There is now manifest a tendency on the part of a considerable number of institutions and agencies in both groups to modify their policies; and practically all those established in recent years, except the purely commercial ones, have had as their primary motive the protection of the child. This purpose has been shown in their efforts to assist the mother to adjust herself in the community, this adjustment including the assumption of responsibility for the child's welfare by his parents and their relatives.

The change in the policies of institutions and agencies may be ascribed to several causes, the first of which, it seems safe to assume, has been a realization of the high rate of infant mortality among babies separated from their mothers at a very early age. A second cause has been the awakening of the public conscience as to its responsibility for safeguarding the unmarried mother as a result of the publication of facts in regard to certain types of commercial institutions and agencies operated ostensibly to render assistance to unmarried mothers but in reality conducted as profitable business enterprises.<sup>3</sup> A third factor has been the demonstration by social case work that individualized treatment usually results in placing the responsibility for the child's care on his parents and other relatives.

Modern study of child psychology is developing an appreciation of the influences brought to bear on the child by certain environmental factors. Do children left in institutions or placed in foster homes without information as to their families remain satisfied? Do they accept the stories invented not so much to insure their peace of mind as to accommodate their relatives and their foster families? Are these children subject to doubts and fears as to their parentage? What of the issues created in association with other children—in school, at play, in many other contacts? Are adopted children who have been reared to believe that their foster parents are their own parents really deceived, or does the knowledge of their true status ultimately reach them? When it does, what is the effect on the child of this knowledge? What is the attitude of the child who faces, with his mother, the problems that frank recognition of the situation may bring, and what of the child who remains with his mother or her relatives, although an attempt is made, through some subterfuge, to conceal the real situation? These are some of the questions that social workers and others have been asking. This report does not answer these questions, but light is thrown on some of them by the histories upon which the study is based.

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<sup>2</sup> A Study of Maternity Homes in Minnesota and Pennsylvania. U. S. Children's Bureau Publication No. 167. Washington, 1926.

<sup>3</sup> The Welfare of Children of Illegitimate Birth in Baltimore as affected by a Maryland law of 1916 governing the separation from their mothers of children under 6 months old. Part I. Mortality among infants born out of wedlock in 1915 and 1921, by Rena Rosenberg. Part II. Effect of the law on the policies and work of social agencies, by A. Madorah Donahue. U. S. Children's Bureau Publication No. 144. Washington, 1925.

The child born out of wedlock is entitled to the same opportunity as any other child. But the child born out of wedlock belongs to a group of children in whose interest special effort must be exerted if they are to have this opportunity.

In recent years desire to provide necessary protection for children handicapped by illegitimate birth has found expression in two types of legislation: (1) Enactment of laws declaring it to be the responsibility of the father to furnish the child with the necessary maintenance and support and providing improved legal procedure for the enforcement of this responsibility; and (2) enactment of laws or formulation of policies by public departments, which have for their object keeping mothers and babies together during part, at least, of the nursing period.

The Minnesota children's laws that were enacted in 1917 contain far-reaching provisions for the protection of the child born out of wedlock. The law providing for establishment of paternity states that its purpose<sup>4</sup> is to safeguard the interests of children born out of wedlock and to secure for them the nearest possible approximation to the care, support, and education that they would be entitled to receive if born of lawful marriage. This law stands in strong contrast to the laws in some other States, which have as their purpose the protection of the State or county against the child's becoming a public charge.

Minimum standards for the protection of children born out of wedlock were adopted in 1919 by the child-welfare conferences called by the United States Children's Bureau.<sup>5</sup> As a result of regional conferences called the following year to consider standards of legal protection for children born out of wedlock, the National Conference of Commissioners on Uniform State Laws was requested to take this subject under consideration. After two years of work by a committee of the conference a uniform illegitimacy act was approved in 1922 and was recommended to the States for adoption. This act places the responsibility for support and maintenance of the child upon both parents, makes the father liable for the expenses of the mother's pregnancy and confinement, and makes the obligation of the father enforceable against his estate. The provisions of this act were adopted substantially by North Dakota, South Dakota, Nevada, and New Mexico in 1923, and by Iowa in 1925.

The first of the legal provisions for keeping mothers and babies together was the Maryland law of 1916 that prohibits the separation of a child younger than 6 months from his mother except under specified conditions. In 1917 North Carolina passed a similar law; South Carolina in 1923 passed a law applicable only to counties of 90,000 to 100,000 inhabitants, prohibiting removal of a child under 6 months of age from his mother for the purpose of placing in a foster home without written consent of certain officials, and in 1924 passed a law requiring that persons, agencies, or organizations removing a child under 6 months of age from his mother report to the child-placing bureau of the State board of public welfare the names

<sup>4</sup> Minn., Laws of 1917, ch. 210, sec. 3225 (d), as amended by act of Apr. 23, 1921, Laws of 1921, ch. 489.

<sup>5</sup> Minimum Standards for Child Welfare Adopted by the Washington and Regional Conferences on Child Welfare, 1919, p. 13. U. S. Children's Bureau Publication No. 62. Washington, 1920.

and addresses of those taking the child and of the parents of the child (this requirement does not apply if the child is known to have been born in wedlock). The North Dakota laws of 1923 also contain a recognition of the State's responsibility for safeguarding the child.\*

In some localities having no legislative provision of this kind, public agencies concerned with the care of unmarried mothers have adopted regulations intended to prevent separation of mothers and babies during the first months of the children's lives. The Minnesota State Board of Control and the State Board of Health in 1918 formulated a policy by which maternity homes and hospitals are required to use every possible means to insure breast feeding for the babies in their care.<sup>7</sup> Through this policy babies of illegitimate birth are practically assured of three months' nursing by their mothers. An example of the efforts of a municipality to protect infants of illegitimate birth is found in the regulations of the department of health of the city of Milwaukee. This department in 1919 inaugurated a program for keeping mothers and babies together during a three-month nursing period.<sup>8</sup>

The results of these laws and policies have been to increase the baby's chances of being breast fed and of being kept by his mother after the period required has passed; and this assumption of responsibility by the child's mother has often led to the sharing of it by the father and by other relatives.

But in most places there are no laws nor official regulations for preventing the early separation of mother and baby. Plans have been developed, however, in a number of communities by which agencies and institutions have decided upon policies that insure the child protection and in many instances make possible his permanent care by his relatives. In the course of this study several cities were visited in which such definite policies for the protection and care of children born out of wedlock were in effect or in process of development by social organizations. In Cleveland, Cincinnati, Detroit, Kansas City, and St. Louis various institutions and agencies were cooperating in working out plans to standardize the services rendered to mothers and their children and to minimize duplication of work. These plans had been influenced considerably by local illegitimacy conferences affiliated with the Inter-City Conference on Illegitimacy.<sup>9</sup>

## PURPOSE AND METHOD OF STUDY

This study, which is based on an analysis of the histories of children of illegitimate birth who have remained in the custody of their mothers or other relatives, was undertaken by the United States

\* Md., act of Apr. 11, 1916, ch. 210, Laws of 1916, p. 416 (Bagby's Annotated Code 1924, art. 27, secs. 536-539, pp. 1135-1136); N. C., act of Feb. 20, 1917, ch. 53, Public Laws of 1917, p. 113 (Consolidated Stat., 1919, ch. 82, sec. 4445, p. 1814); S. C., act of Mar. 25, 1924, No. 728, sec. 7, Acts and Joint Resolutions of 1924, p. 1191; N. Dak., act of Mar. 2, 1923, ch. 152, Laws of 1923, p. 144.

<sup>7</sup> Report of the [Minnesota] Children's Bureau, State Board of Control [Jan. 1-Oct. 31, 1918], p. 10. St. Paul, 1918.

<sup>8</sup> Illegitimacy as a Child-Welfare Problem, Part 3, p. 100. U. S. Children's Bureau Publication No. 125. Washington, 1924.

<sup>9</sup> The Inter-City Conference on Illegitimacy was established in 1915 during the meeting of the National Conference of Social Work in Baltimore. Its membership comprises social workers and others dealing with the problem of illegitimacy. The purpose of the conference is the advancement of standards of case work with unmarried mothers. It provides a cooperative exchange of information by correspondence and through the bulletin of the Child Welfare League of America.

Children's Bureau in response to the request of a number of social agencies and institutions dealing with unmarried mothers and their children. Its purpose was to ascertain the advantages and disadvantages of carrying out the plan of keeping these children in the custody of their mothers.

In selecting the cases for study only those children were included who were well established in their communities, maintaining the usual relationships that constitute the child's world, such as those in school, church, and Sunday school. The retention of the child's legal custody by the mother rather than the provision of actual physical care or support by the mother constituted one of the conditions of inclusion. No child was included unless he was 8 years of age or over. In fact, many of them had reached manhood and womanhood when the histories were written, in 1925. It is reasonable to suppose that in almost all, if not all, cases the plans for the child's care may be deemed to have covered a sufficiently long period of time to warrant judgment of the wisdom of the child's being kept in the custody of his mother.

In obtaining the material for this report a number of cities were visited. Conferences were held with the directors of institutions and agencies; case records were read to determine the value of the material available; and arrangements were made for workers in each city to write histories of the cases. The number of children of illegitimate birth fulfilling the age requirements who had remained in the custody of their mothers and about whom the cooperating organizations could give sufficient definite information to be of value in this study was 253.<sup>10</sup> Two hundred and forty-one mothers were represented by these 253 children.<sup>11</sup> The histories were supplied by 27 organizations in 11 cities: Washington, Baltimore, Philadelphia, New York, Boston, Cleveland, Cincinnati, St. Louis, Dallas, Kansas City (Mo.), and Detroit.

Reports of the United States Children's Bureau have treated various aspects of illegitimacy as a community problem,<sup>12</sup> its bearing

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<sup>10</sup> In selecting the case histories for the study three cases were rejected because in each one the child was born in wedlock, though his mother was unmarried and pregnant when she came into the care of the organization that supplied the history. It is the status of the parents at the time of the child's birth, not of his conception, that determines legitimacy. In all States of the Union intermarriage of the parents at any time prior to the child's birth makes the issue of legitimate birth.

<sup>11</sup> Eleven of the mothers had more than 1 child considered in the study, 10 mothers had 2 children, and 1 mother had 3 children. Seven of those who had two children had had them by different fathers. The other three who had two children had had them both by the same father. The mother with three children had had them all by the same father.

<sup>12</sup> *Illegitimacy as a Child-Welfare Problem—Part 1. A Brief Treatment of the Prevalence and Significance of Birth Out of Wedlock, the Child's Status, and the State's Responsibility for Care and Protection, with bibliographical material* (Publication No. 66, Washington, 1920); *Illegitimacy as a Child-Welfare Problem—Part 2. A Study of Original Records in the City of Boston and in the State of Massachusetts* (Publication No. 76, Washington, 1921); *Illegitimacy as a Child-Welfare Problem—Part 3. Methods of Care in Selected Urban and Rural Communities* (Publication No. 128, Washington, 1924); *Illegitimacy Laws of the United States and Certain Foreign Countries* (Publication No. 42, Washington, 1919); *Standards of Legal Protection for Children Born Out of Wedlock; a report of regional conferences held under the auspices of the U. S. Children's Bureau and the Inter-City Conference on Illegitimacy* (Publication No. 77, Washington, 1921); *Infant Mortality—Results of a Field Study in Baltimore, Maryland, based on births in one year* (Publication No. 119, Washington, 1923); *The Welfare of Infants of Illegitimate Birth in Baltimore as affected by a Maryland law of 1916, governing the separation from their mothers of children under 6 months old—Part I. Mortality among Infants Born Out of Wedlock in 1915 and 1921—Part II. Effect of the Law on the Policies and Work of Social Agencies* (Publication No. 144, Washington, 1925); *A Study of Maternity Homes in Minnesota and Pennsylvania* (Publication No. 167, Washington, 1926); *Analysis and Tabular Summary of State Laws Relating to Illegitimacy in the United States in effect January 1, 1928, and the text of selected laws* (Chart No. 16, in press).

on infant mortality and on child dependency and neglect, public responsibility for care of children born out of wedlock, and standards and existing provision for legal protection. Inquiries have also been made by the bureau into the methods and standards of typical institutions and agencies rendering service to unmarried mothers and their children. It was, therefore, decided that in this study data concerning agencies and institutions should be obtained only on policies that influence the practicability of plans designed to make it possible for unmarried mothers to retain the custody of their children. The future opportunity of a child born out of wedlock is affected materially by the policies of the organization assisting his mother—the thoroughness with which the organization investigates the conditions and problems that affect the placement of the mother and child, the attitude of the organization toward keeping babies with their mothers and toward the mothers' assuming the status of legitimate mothers, its provision of material relief when needed, its efforts to fix paternal responsibility, and its willingness to continue assistance beyond the period of actual care. Information on all these points was collected from the cooperating agencies on schedule forms prepared by the Children's Bureau.

An outline for case histories was prepared also, and the workers cooperating were asked to follow it in writing the histories. This outline provided for data on the following points: The personal history and the character of the child's father and mother, the chronological history of the case, the status of the child at the time of the last information obtained, the outlook for the child, the attitude of his mother and other relatives toward their own course in having accepted the child and assumed responsibility for him, and also the effect on the child of the knowledge of his illegitimate birth if he was aware of it. (See p. 103.)

## POLICIES OF ORGANIZATIONS THAT COOPERATED IN STUDY

As the organizations providing the histories were selected, in the main, because they had a modern approach to their problems and were therefore likely to render to their clients better than average service, they can hardly be taken as representative of the ordinary agency working for the unmarried mother and her child. The 27 organizations included 14 maternity homes, 6 children's agencies, 1 agency rendering special assistance and protective care to girls, 1 agency doing family-welfare work and child-welfare work, 2 public departments doing family-welfare and relief work (both under the same State department), and 3 juvenile courts. In recent years hospitals, through their social-service departments, have been referring unmarried mothers to social agencies during pregnancy, whenever possible, to insure proper provision for them in case they can not go back to their own people after the birth of the child. Of the mothers included in this study 79 per cent came into the care of the organizations during pregnancy or before their babies were 2 years of age. About half of the cooperating organizations were maternity homes. A number of the mothers in the maternity homes had entered the homes after their confinement in a hospital, coming to the homes directly from the hospital. In most of the cases in which the child was 2 years of age or over when he came to the knowledge of the organization, the mother or her relatives had applied for boarding-home care or institutional care. The children of unmarried mothers had come to the knowledge of the juvenile courts through some special circumstances other than the mere fact of illegitimacy. In some instances the children were neglected, dependent, or delinquent; some of these children were as old as 15 when they came to the attention of the court. The cases included from one city (Detroit) had become known to the court because of the mothers' application for assistance under the mothers' aid law.

### INVESTIGATIONS

Twenty-six of the twenty-seven organizations made some investigations for the purpose of obtaining information that would be of value in assisting the mother to make plans for herself and her child, and one—a maternity home—acquired only such facts as were necessary for its records from contact with the girl's relatives and friends during her stay in the institution. The large majority of the agencies (18 of the 27) used case-work methods of investigation, and 8—all maternity homes—limited their investigation to facts related by the mother herself and those contributed by her visitors and gleaned from her correspondence. Obviously the scope of such investigations depended largely on the personality and attitude of the workers in



contact with the mothers. Four of the eight maternity homes reported that some of the girls were received from social agencies making investigations. One of these institutions kept no records, considering that they constituted a breach of confidence.

## KEEPING MOTHERS AND BABIES TOGETHER

### PLANS

The experience of social workers, physicians, and others in contact with unmarried mothers shows that care of the baby by his mother during the early months of infancy usually results in the assumption of responsibility for his permanent care by his mother or by other relatives. All except one of the organizations cooperating in this study had a definite policy of fixing the permanent responsibility for the care of the child upon the mother whenever possible, and they tried also to develop resources for the child with his relatives. The majority of the maternity homes and other organizations giving assistance to unmarried mothers during the first months of the infant's life required breast feeding for a specified period; the others required it to whatever extent seemed practicable, but did not specify any particular period of time. The one maternity home that made no definite effort to influence the mother's decision as to keeping her child reported that two-thirds of the 75 mothers cared for by the institution during the year preceding that of the study took their babies with them when they left the institution.

In one city two maternity homes required a minimum period of six weeks of breast feeding, and in the same city an agency that accepted children for boarding-home care would not accept babies under 6 weeks of age. Thus the child-caring agency, by this requirement, had assisted in putting into practice this health-conservation measure, influencing the policies of the two maternity homes and probably helping to save the lives of many infants. In another city it was found that most agencies and institutions required six months' residence of the mother with the child. This was due, doubtless, to a State law that controls earlier separations of babies from their mothers.<sup>1</sup>

One hundred and nine of the 191 mothers with children under 2 years of age at the time of application to the agency had clearly conceived plans in regard to keeping their children, and only 8 of them wanted to give the children up. The majority of these 109 mothers planned to care for their babies personally, but in order to make this possible many of them needed financial relief or help in finding employment. A few mothers had planned to place their children in relatives' homes or in boarding homes. Apparently, with a few exceptions, the mother's decision to keep the child was not influenced by the organization. Many of the mothers who came into the care of the agencies and institutions during pregnancy were determined to keep their babies, and so expressed themselves, even before the babies were born; many of them were willing to make sacrifices for this purpose. In some cases the plan of the mother was to provide for her baby temporarily in the hope that a relative would

<sup>1</sup> Md., Laws of 1916, ch. 219, pp. 416-418.

become interested and later take the child into her home; in others the mother was unable to meet the financial burden of supporting her child and asked help in order that she might retain his custody.

The fact that the 82 mothers who apparently had no plan for their babies and the 8 mothers who planned to give them up kept them ultimately was, in all probability, due to the influence of the workers who dealt with the cases.

### METHODS

Although not all unmarried mothers who come to social agencies and institutions for care are in need of material assistance the majority of them are not able unaided to pay the expenses entailed by their pregnancy and confinement and to provide for themselves and their babies. Records of maternity homes usually show a considerable proportion of cases in which the mother or her relatives pay none of the cost of the maternity care given by the home, or only part of it. As most maternity homes require mothers to work in the institutions it is fair to assume that most mothers earn at least part of their way. The need for material assistance, however, is clear from the very fact that so many women seek shelter in maternity homes; if they had adequate means many of them could find methods of adjusting their own problems, even if their plans were not in accordance with such sound social principles as would insure adequate protection for the children.

In the course of this study workers in the institutions and agencies commented frequently on the need in their communities for financial resources to meet the actual needs of the mothers and their children after the period of care by maternity homes. Though some assistance was rendered by these organizations themselves their contribution in many cases was felt by their own workers to be inadequate. Usually this contribution took the form of giving the mother a start by providing her with necessary clothing for herself and her baby when she left the institution to go to work. Arrangements for temporary care of the baby were made also in some instances.

In 18 of the 27 organizations studied the staff undertook responsibility for giving or developing such relief. In several of these, however, relief was limited to accepting the child for care free of charge or at a rate of board that the mother could pay. The agencies and institutions that were able to meet the relief problem adequately represented only a small proportion of the number studied. Eight organizations did not give any relief but referred cases to relief agencies.

From one maternity home the only information on this point was the statement of the superintendent that all the mothers discharged either went to relatives with their babies or took employment where they could provide for the babies. This worker appeared not to appreciate the possibility that the status of the mother and child might change at some later time.

Certain methods of assistance used by some of the organizations indicated a real appreciation of the problem that the mother meets in adjusting herself in her community. Four maternity homes had departments of child care in which for certain periods of time mothers

could board their babies. Other homes made arrangements with child-caring institutions for this service. Usually these maternity homes and child-caring institutions were willing to care for the babies at a rate that the mothers were able to pay, even though it did not meet the entire cost. Instances were noted in which babies were cared for without any charge when the mother appeared to be unable to pay anything. Some of the institutions encouraged the mother to return for assistance, accepting both the mother and the child repeatedly when the mother was out of employment or in poor health, or for some other reason was unable to meet her financial obligations.

It is generally assumed that a mother in good health should be able to support herself and one child. It is the experience, however, of persons working with unmarried mothers that because of circumstances that militate against their opportunities to obtain employment a mother with a child of illegitimate birth finds more difficulty in supporting the child than a mother who has been married.

Besides finding it difficult to obtain employment, the unmarried mother finds it difficult to obtain relief, for both private agencies and public departments administering relief appear to give preference to the married mother over the unmarried one. Also, the unmarried mother sometimes hesitates to bring her case to the attention of a relief agency because she does not wish to disclose her true status.

At the present time public aid to children in their own homes ("mothers' pensions" or "mothers' allowances") is provided in 44 States, the District of Columbia, Alaska, and Hawaii.<sup>2</sup> The statutes regulating the granting of this aid vary in their provisions for granting aid to married and unmarried women. The laws of 3 States specifically authorize aid to unmarried mothers, and in some other States the law may be so interpreted. Among the statements concerning relief for unmarried mothers made in the course of this study by social workers were several that emphasized the importance of united effort by all persons concerned for the welfare of the child born out of wedlock, to obtain for this group of children the full benefit of mothers' assistance funds in all the States where such funds are provided.

The importance of facilities for financial assistance to mothers attempting to provide for children born out of wedlock was emphasized in the regional conferences on standards of legal protection for children born out of wedlock held under the auspices of the United States Children's Bureau in 1920 in Chicago and New York. The resolutions of the Chicago conference included the following: "In cases where there is inadequate support from the father we recommend careful consideration as to ways and means by which the mother of a child born out of wedlock may receive assistance in supporting her child from other sources." The resolutions of the New York conference included the following: "The mother should be persuaded by good case work to keep her child at least during the nursing period whenever possible. When necessary, steps should be

<sup>2</sup> A Tabular Summary of State Laws Relating to Public Aid to Children in Their Own Homes in Effect January 1, 1925, and the text of the laws of certain States. Revised Edition, U. S. Children's Bureau Chart No. 3. Washington, 1925. (See also mimeographed addenda to chart, 1928.)

taken to secure for mother and child the benefits of the so-called mothers' pension acts."<sup>3</sup>

No general system of acceptance of unmarried-mother cases for relief by private family-welfare agencies was found in any of the cities visited. The policy of most of these agencies appeared to be to accept those cases in which the mother was one of a family group, although the mother who was alone often presented a more urgent problem. A tendency toward centralizing the care of unmarried mothers was observed in several cities, one result of which was the assumption by a specified agency of responsibility for providing relief in the form of boarding-home care for children. This was noted in Cincinnati, St. Louis, and Cleveland. Assistance in providing boarding-home care was especially common in Boston. In several cities it was the policy of agencies to provide boarding homes for the mothers with their children, although the more usual plan was to place the children without their mothers.

### ATTITUDE TOWARD MOTHER'S ASSUMING STATUS OF LEGITIMATE MOTHER

Much has been said about the stigma that rests on the child born out of wedlock and on his mother. By many persons an attitude of discrimination against them is justified as a necessary means of safeguarding the interests of the legal family. This attitude has been stated by Mrs. Ada E. Sheffield, as follows:

The stigma which rests upon the mother and the child is inseparable from society's respect for monogamy. As for this stigma—just so long as it adds to our self-respect to think of our own parents as having observed custom and the moral law, just so long will it be impossible for us to feel an equal respect for those persons whose misfortune it is to have had parents who did not observe the moral law.<sup>4</sup>

Taking another point of view Prof. Ernst Freund has said:

The view that the interest of the child is the paramount interest to which all other considerations should yield is not only attractive but socially sound. The view, on the other hand, that in the interest of the institution of marriage the fruit of illicit relations must be penalized and made odious is intrinsically abhorrent. But it is clear that intense prejudices prevail upon the subject.<sup>4</sup>

Inequality of opportunity growing out of the attitude of discrimination in the interest of legal marriage and the stigma itself have been responsible for attempts on the part of the mother and others to conceal the facts. The experience of most workers is that the mother fears to face the community with the truth and that her family is usually anxious to conceal the truth by providing for the child among persons to whom his parentage is not known.

Throughout the histories ran the story of deception. It was practiced by the parents of the child, by other relatives, and by the agency workers themselves. It was the policy of a few organizations to refuse to cooperate with mothers in their assumption of the status of legitimate mothers. The ethical problems presented in case work with unmarried mothers are very grave, and they are fraught with

<sup>3</sup> Standards of Legal Protection for Children Born Out of Wedlock: a report of regional conferences held under the auspices of the U. S. Children's Bureau and the Inter-City Conference on Illegitimacy, pp. 15, 19. U. S. Children's Bureau Publication No. 77. Washington, 1921.

<sup>4</sup> *Ibid.*, p. 99.

<sup>5</sup> *Ibid.*, p. 27.

perplexing difficulties on every hand. Social workers often honestly desire to refrain from cooperation in these deceptions, yet they feel powerless to direct the mothers in a wiser course. To say that in order to be successful and enduring relationships must be established on a basis of truth is one thing, but to go so far as to assume responsibility for engineering the lives of human beings toward this end is a different matter. The conscientious social worker who seriously contemplates the position of the mother and the child will usually hesitate to go further than to advise—perhaps insist on—honesty in intimate relationships, such as with close relatives, families who employ the mothers in their homes, and prospective husbands.

There is a difference of opinion among social workers and other persons as to their obligations to the public and to those directly involved—the mother, her child, and her family—in the matter of concealing the true status of the mother and the child. As a means of ascertaining the extent to which organizations that assist unmarried mothers deem it expedient to help them with plans for concealment, an effort was made to learn the practice in the organizations cooperating in this study.

Representatives of 19 of the 26 organizations which gave information on this point stated that they would cooperate with a mother by recognizing her as a legal mother if she chose to assume that status. Two of these 19 persons were court workers. One spoke only for herself, the court having no policy on this point, and the other stated that the policy of the court was to advise mothers to admit their true status but that the workers addressed the mother as "Mrs." when she insisted on this. One worker stated that her agency was decidedly opposed to such subterfuges and yielded only when a mother was insistent. It was noted that almost all these workers felt that the truth should be told to employers, immediate relatives (in most instances), and prospective husbands. The policy of one organization was to suggest to mothers that they assume a legal status for their protection and that of their children. Representatives of six organizations would not assist in any plan for deception; they insisted that each mother with whom they dealt live the truth, and they refused to cooperate in any other plan. One of the workers in this group stated her own position only, as the organization that she represented (a court) had no policy on this point.

The statement by the worker in charge of one of these organizations, that it refused to cooperate in any plan for deception, was contradicted by a statement given in one of the case histories supplied by this organization. According to the history, the status of the child and the mother, both of whom had lived for some years in this institution (the mother being employed there), was not known, either in the community or at the school attended by the child. The inference was that this mother had assumed the status of a legal mother to conceal the facts regarding the status of her child and that the institution had cooperated with her.

The following quotations from the statements of some of the workers are significant:

You will see that we pursue the *via media*.

First: We put pressure upon the girl to acknowledge her condition to those people immediately concerned with her; i. e., parents, or, if she is planning to marry, the man himself.

Second: We do not put pressure on her to call herself wife or widow, but we do cooperate with the concealment by addressing her as "Mrs." when writing or in other ways where we feel that a knowledge of her true station would expose her to aggression on the part of the community.

I realize fully that this compromise may retard the education of the public at large and so share in the evils of the old-fashioned policy of concealment, but at the same time I feel that the girl is by public opinion placed at such a disadvantage in her upward struggle that she deserves some privileged treatment for her protection.

Whilst consenting to this, however, we really do try to get over to the girls the essentials of the square deal, both with relatives and with the prospective husbands, and the paramount importance of facing close relationships on an honest basis.

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Many times we have found that the girls have assumed on their own responsibility the title of "Mrs." and wear a wedding ring, giving as a reason to us that they find it protects them and saves many questions. If a girl wishes to do this we do not object, but we do insist upon the truth existing between her and the employer, or her own family with whom she is intimately connected.

We do not address our mothers as Mrs. on their mail, unless they have been known in the community as Mrs. and have found occupation independently of this office.

If a girl works without her child she almost never assumes the title of "Mrs." In many instances we have permitted the girls to find their own positions, and we have not told of the existence of boarded children to employers with whom we felt sure it would make a difference in the girls' status. We believe in the truth and in facing the facts. These are general policies, but every case must be decided according to the individual mother's circumstances. It is very evident to us that if girls live constantly under a falsehood it is very definitely weakening to their character, in that they are constantly falsifying their whole life; therefore, for those who are intimately connected with the girls, as in their own families or at work, we demand that the truth be given; to the casual neighbor or visitor we do not consider it necessary to explain a girl's situation.

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I approve of the girls putting "Mrs." to their own names but never taking an alias. In getting their positions I either give the impression that they have been deserted or the husband is dead, giving the same impression in the homes where the girls board. I have tried letting them go under their true colors and have found that the landlady or superintendent over them in the factories or stores has sooner or later referred to this in a way which has hurt the girl's self-respect.

One worker stated that she had been concerned as to the proper course for her to pursue in this matter. After much consideration and consultation with persons who were, she felt, competent to advise her, she decided that it was proper for her to cooperate with a mother who assumed the status of a legal mother. In addition to the protection afforded the mother and the child this worker was actuated in her decision as to her policy by her feeling that she was obligated to refrain from giving information about persons which in her judgment might cause injury to them.

In contrast to these points of view is that of the superintendent of a maternity home whose policy was to insist that mothers face the world with the truth. Here the policy was to address all the mothers as "Miss" while they were in the home and afterwards. This worker has followed up the cases of a number of children who have gone to the public school while living in the institution, as well as after discharge, and is emphatic in stating that none of them has ever been discriminated against. In general, the experience of this worker has been that only good results have come from the policy of open admission of the true status of the mother and child.

## CHILDREN OF ILLEGITIMATE BIRTH

Dr. Richard C. Cabot, in discussing the obligation of the social worker to base his dealings and relationships on the truth and not on falsehood, has referred to the policy of cooperating with unmarried mothers in deceiving the public in regard to their status. He says: "But so far as we take any part at all we are bound to deal fairly with the public and not actively to assist in foisting a lie upon it."<sup>6</sup>

It will readily be seen that the motive of these workers was chiefly a desire to help their charges. That their policies were inspired by a conscientious consideration of the problem can not be doubted. Is the experience of the majority to be taken as an indication that the treatment accorded the child of known illegitimate birth is such as to necessitate concealment of illegitimacy? Are these subterfuges actually necessary to insure the child and his mother a place in the community? Many persons appear to think they are. On the other hand, there is the experience of those workers whose policy has been to insist that these mothers live the truth, and workers in this group frequently point to successful results of their policies.

It appears that the matter resolves itself into a question of the personal approach to the mother and the care taken to insure that she and her child have a protected position in the community in which they begin their ordeal of reinstatement in society.

### EFFORTS TO ESTABLISH PATERNAL RESPONSIBILITY

Since the observation of a considerable number of workers in the field of social help for unmarried mothers and their children is that the need for relief is pressing, it is to be expected that these workers would utilize all practicable means of providing financial help for their charges. Foremost among the potential sources of support is the father of the child. Adequate provision for maintenance has an important bearing on the child's opportunity for a permanent home with his own people. A number of mothers who had received no help from their families had asked assistance in providing for institutional and foster-home care because they could not pay for boarding care without help.

As the maternity home as a rule had contact with the mother either before or very soon after the birth of her child one would naturally expect that these agencies would make a uniform practice of endeavoring to establish paternity, either through their own efforts or through close cooperation with other agencies equipped to do this. Only 6 of the 14 maternity homes from which histories were obtained followed a definite routine in attempting to fix paternity. Five of the 6 child-caring agencies and 6 other agencies—courts, public relief agencies, and family-welfare agencies—undertook as a matter of routine to establish paternity. The one protective agency cooperating had no routine method of procedure.

One maternity home made absolutely no effort to fix paternity; it was significant that this organization reported a high proportion of

<sup>6</sup> Cabot, Richard C., M. D.: "Veracity in social work." *Survey*, vol. 52, no. 2 (Apr. 15, 1924), pp. 67-67, 113-117.

cases in which babies were surrendered for placement by their mothers soon after birth (during the year immediately preceding the year of the study, 25 babies were surrendered out of 75 cared for). Nine organizations had considerable limitations in their plans for attempting to fix paternal responsibility. In one of these this effort was limited to bringing about marriage if it was desired by both the girl and the man and if it gave promise of being permanent. One organization made a rule of sending for the man to come to its office to confer on the matter; if this did not bring results the effort was dropped. The superintendent of one maternity home endeavored to ascertain whether the alleged father was in the city, and if he was she tried to induce the mother to initiate court proceedings to compel him to support the child. This worker had a conviction that to proceed otherwise would induce failure, as she was sure that in all such cases the men would leave the State if privately approached. Five organizations left the question to the mother, following whatever plan she chose—whether private approach to the man, court procedure, or effort to arrange marriage. One organization did not go quite so far in complying with the mother's wishes; but if she asked that the man responsible for her child be communicated with, this was done, and if she wished to have the case taken to court she was shown how to proceed. Beyond these points this organization did not go because it was the opinion of the management that to do so would tend to foster the association between the girl and the man, in all probability with disastrous moral consequences for the girl.

The influence of the organizations was probably an important factor in many of the 86 cases in which paternal responsibility was established, either by court action or by voluntary agreement.

Only a few of the histories of cases in which paternal responsibility had not been established gave reasons why action for this purpose was not taken. The reasons given are the same as those generally given by case-work agencies for their failure to fix paternal responsibility in a greater number of cases than they do: Insufficient information given by the mother; absence of the man from the State or lack of knowledge of his whereabouts; unwillingness of the mother that the man be approached at all; sexual promiscuity or other conduct of the mother that would preclude probability of establishing paternity if action were taken.

Granted that the mother's wishes should be given due consideration in the matter of approaching the man it would seem that many mothers unwilling to risk the embarrassment or the publicity of court procedure might be persuaded to permit an interview with the alleged father of the child at least. The gratifying results of suitable private approach to the man in some of these cases, which are typical of the experience of many case-work agencies, recommend the measure as an essential step. Aside from the helpful results accomplished by the establishing of paternity and the obtaining of financial support for the child, contact with the man is advisable from the standpoint of the social investigations. An interview with the man named by a girl as the father of her child has sometimes been most helpful in planning for the future of the mother and the child.



Earlier inquiry by the United States Children's Bureau into this matter of effort to procure for the mother assistance from the father of her child has also revealed the fact that agencies and institutions engaged in work for this group of mothers and children are not availing themselves of this resource so fully as is desirable.<sup>7</sup>

Comparison of the histories supplied by two case-work agencies that were organized at about the same time and that apparently had similar standards and policies disclosed great difference in the information recorded concerning the fathers. In 19 of the 26 histories contributed by one of these agencies there was information from which some idea could be formed of the man's general character, his ability to support the child, and the possibility of legal establishment of paternity. Three of the 7 histories that gave no information stated the reason why it was lacking. In none of the 16 histories obtained from the other agency was the information on the father of the child at all complete. Only 1 history contained fairly adequate information; 7 contained very little information; and 8, none. The difference in the kind of records kept by the two organizations can be explained only on the ground that more intensive effort was made in the first agency than in the second one.

In 35 per cent of the total number of histories information in regard to the fathers was completely lacking, and in many more it was very limited. How is the meager information on the fathers of these children to be interpreted? Does it indicate an utter lack of appreciation, on the part of many organizations working for unmarried mothers and their children, of the importance of information about the father in making plans for the child's future? Considered from the standpoint of case work the omission is not understandable except among certain older organizations, whose motive has always been moral reclamation of the mothers and whose workers have had a sincere conviction that their aims would be accomplished best by discouraging any association between the girl and the man involved with her. For this reason these workers have tried to avoid any reference to the man while the girl was in their care.

### SUPERVISION OF CASES AFTER DISCHARGE FROM ACTUAL CARE

Although some unmarried mothers who come to social agencies for assistance need definite supervision for considerable periods of time after discharge from actual care, many need only the friendly relation that gives the mother the assurance that she may turn to the organization for direction and help.

Thirteen organizations, including 5 maternity homes, continued contact until they felt that the mother and her child had completed their adjustment in the community; 1 (a child-placing agency) continued contact indefinitely; 8 (maternity homes) maintained in-

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<sup>7</sup> *Illegitimacy as a Child-Welfare Problem.*—Part 2. A study of Original Records in the City of Boston and in the State of Massachusetts. Part 3. Methods of Care in Selected Urban and Rural Communities. U. S. Children's Bureau Publications Nos. 75 and 128. Washington, 1921 and 1924.

formal contact though they lacked definite plan and equipment for this service; 3 (juvenile courts) supervised the case only as long as the mother and child were being dealt with by the court; 1 (the children's division of a State department) gave no after-care supervision; and 1 (a maternity home) made no effort to keep in touch with the mother or child, apparently failing to appreciate the necessity for such effort.

The unmarried mother who plans to keep her child with her without moving to a new place is confronted with a difficult task in making adjustments to her community. The various circumstances that affect her interests in matters of employment and residence require that in most cases she have further assistance from the organization that has sheltered her immediately before and after the birth of the child. Although many of the maternity homes maintained only an informal friendly relation it is safe to assume that this contact, indicating as it does the helpful spirit of the organizations, has been the means of assisting some of the mothers over crises in the ordeal of fitting themselves and their children into their communities.

Those organizations whose policies indicated an appreciation of the future needs of the mothers and their children were found to have provided for continuing contact with them by means that insured their protection, with due consideration for the delicacy of the task. The success of the method depended on the worker's willingness to interpret the service to the mother in terms of sympathetic help, rather than as an effort to control her life. A few organizations had aftercare workers who undertook this continuing contact as their definite task. By gradually becoming acquainted with the mother during the time when the organization was caring for her one of these aftercare workers would take over the case from the original worker without the mother's being aware of the transition.

Undoubtedly the failure of some organizations to keep in touch with children who have come under their care, as shown by the small number of histories of children that were obtainable from them, was sometimes due to respect for the desire of the mother and her family that as a means of protecting the privacy of their plans for the child association with the organization be ended as soon as possible. There are cases in which workers are unable to continue contact with the mother because of her attitude. Such cases, however, are rare with those organizations whose work is of high standard. The lack of information on the fate of many children whom the agencies and institutions had assisted appeared to be due chiefly to changes in the personnel of the organizations. The difficulty in attempting to have after-care work done by a staff of changing workers is easily apparent. Whenever one worker had remained with an organization through a long period of years it was found that a considerable proportion of the cases were known to the agency, and it was by such workers that the greater number of the histories studied in this report were supplied.

Although much that is done by private and public agencies in the field of social service can not be measured in terms of actual results, it is evident that a considerable portion of their work can be so meas-

ured. Organizations that render assistance to the unmarried mother and her child in accordance with advanced standards are providing definitely for continuing contact, which serves the double purpose of furnishing advice and assistance to the mothers and of preserving the record of service rendered. This record, continuing through the life of the children, will show oftentimes the wisdom or unwisdom of the plans formulated for them by the organizations. Some of the older organizations, as has been shown, were able to provide definite information on the children years after rendering service to them. This contribution has served to point the way to newer organizations.

# THE CHILDREN AND THEIR PARENTS

## PLANS FOR CARE OF CHILDREN

### ORIGINAL PLANS

Although only a small proportion of the children were permanently adjusted by the first plan made with the assistance of the organization caring for them, this first plan is worth studying, as it shows the means by which the mothers were enabled to retain the custody of their children. Of the children who had been adjusted successfully by the first plan the majority had been kept with their mothers. The plans made for the 61 children who were beyond their infancy when referred to the organizations are considered as secondary plans, rather than original ones.

Study of the first plans for the 192 children who were infants when they were referred to the organizations shows the variety of arrangements that were necessary to meet the needs of these children and their mothers. Although certain types of homes were used more generally in some cities than in others, it was apparent from the records that more or less individual treatment was given, according to the particular needs of the case.

The most significant placements were those of the 44 children provided for either with or without their mothers in the homes of grandparents or other relatives, where they shared the family life. Three other children were provided for in homes maintained by the mother alone or by the mother and father, who married soon after the child's birth. Fifty-three children were placed first in family homes where the mothers did housework. The advantages of this arrangement, which enables the mother to be self-supporting and to nurse her baby, have led many social workers to use this plan rather generally for unmarried mothers. Forty-eight children were boarded first in family homes. A large majority of them were boarded without their mothers, the mother either taking a position at domestic service elsewhere or returning to her parents' home, where for various reasons it was not possible for her to have the baby with her. In most of the cases in which mothers and babies were boarded together the mother returned to the kind of employment that she had had before pregnancy and the boarding mother cared for the baby while the mother was at work. Some of the mothers paid in full for the child's board, others paid part of it, the agency helping either by obtaining a reduction of rates to an amount the mother could afford to pay or by paying part of the board itself. Thirty-eight children were cared for in institutions, mostly maternity homes, where the children stayed either with or without their mothers. For most of these children the mothers paid full or partial board; in only a few instances was the entire expense met by the

institution. One child was placed in a free foster home but was later returned to his mother. The original arrangements for placing the remaining five children were not reported.

#### PERMANENCY OF PLANS

For some of the children included in the study successive changes in living arrangements over a period of years ended with the mother's marriage or with the acceptance of the child by relatives. These two arrangements, milestones in the life of a mother and her child, were often found to mark the ending of temporary arrangements and the beginning of a settled plan of care. The stabilizing influence that these arrangements exerted proved them to be a desirable outcome for most of these children.

The very fact that a considerable proportion of the children considered in this study had to be provided for in homes away from their relatives after discharge from actual care by the organizations that assisted their mothers during pregnancy and afterwards indicates the shifting from place to place which is characteristic of the type of care given to many children of illegitimate birth. While no authoritative data are at hand for comparison of the changing environment of this group of children with that of any other comparable group of children in need of special care, the question arises whether on the whole children born out of wedlock who are under the supervision of the best type of social agencies really are subjected to a changing environment to a greater degree than dependent, neglected, and delinquent children in general who are under similar supervision.

Although some of the children were moved only in order to go to the mother's home when she married or to go to the home of relatives who had decided to accept them, a large proportion of the children were moved from one type of home to another or from one home to another of the same type because the earlier arrangement was not satisfactory. For some children several changes were necessary before a more or less permanent adjustment was made for them in an institution, in a boarding home, or in the mother's place of domestic employment. A few were constantly shifted around from place to place until they became old enough to make their own arrangements.

Information was obtained as to the number of placements of 186 of the 192 children who were under 2 years of age at the time they came to the attention of the agency.

A relatively small proportion of these 186 children (12 per cent) were found to be well adjusted in the first placement made for them by the organizations. Most of these children were either with relatives who had taken them into their homes during very early infancy or with their mothers, who had married. Approximately three-fourths of the children who had had only one placement were from 8 to 10 years of age, the remainder being from 11 to 14. All of them had lived in the homes where they were placed for a sufficient time to indicate that the plan was likely to be permanent.

A considerably larger proportion (35 per cent) of the 186 children were well adjusted by a second plan, one change being made after the original arrangement. For more than half of these chil-

dren this change was caused by the marriage of the mothers. Some of the children in this group were accepted by relatives after a period of care in boarding homes or of living with their mothers in domestic positions; others remained in boarding homes or were transferred to institutions. More than half the children in this group were from 8 to 10 years of age at the time of the last information; a slightly smaller group were from 11 to 17, and three children were from 18 to 20.

Twenty-five per cent of the 186 children appeared to be adjusted with promise of permanency by the third plan made for them. Here, too, changes were caused by marriage of the mother, acceptance of the child by relatives, changing of boarding home, or placement in an institution. About one-third of these children were from 8 to 10 years of age, and the same proportion were in each of the other two age groups—from 11 to 17 and 18 and over—the oldest being 30 years of age.

Twenty-seven per cent of the children were placed more than three times. This group of cases included some in which it was stated that the mother had been in "several" or "many" domestic positions with the child or that the child had been in "a number" of boarding homes. Nearly half of these children were finally adjusted by the marriage of the mother. This group was about equally divided as to age, nearly half being from 8 to 10, and half from 11 to 17. Three children were 18 and over, the oldest being 31 years of age.

Three of the histories were remarkable on account of the number of changes recorded: One history stated that the mother had had 10 domestic positions in 4 years, keeping the child with her; one, that because of the mother's poor health the child had been boarded in institutions or families while the mother was in hospitals, involving 14 changes in 7 years; one, that the mother had had 26 domestic positions in 15 years, keeping the child with her.

It was evident that many of the mothers sought advice and assistance from the organizations in making new arrangements for their children. Instances were noted in which children were changed from one boarding home to another in an effort to improve the health of the child. Several children were moved because of behavior difficulties. In all probability the histories in which information concerning changes in living arrangements was lacking included some in which changes from home to home were made for the child without the guidance essential to a wise choice of plan. The dependence of some of the mothers on the judgment of others was apparent. Some, actuated by a desire to do the best possible for their children, consulted the agency workers before making arrangements. There were cases in which the child had been removed from the care of his mother through persuasion or by court order, but these were very few.

A number of the children were grown at the time of the last information, and nine had established their own homes. That some of the children whose mothers had married were not in homes maintained by the mothers was due to various causes, such as unsuccessful marriage, death of the mother or stepfather, neglect by the mother, or mental defect or delinquency of the child.

## STATUS OF MOTHERS AND CHILDREN IN COMMUNITY

Because of the marriage of a large proportion of the mothers (about 60 per cent) and the adjustment of many children into the homes of relatives during the early years of their lives, it is not surprising to find that the great majority of the children included in the study were known to their communities as legitimate children; in only 13 of the histories was it specified that the child's true status was known to anyone except immediate relatives. In these few cases the history stated that the child was treated kindly and that he suffered no discrimination among other children.

The moral support of relatives and of other families with whom unmarried mothers and their children find homes looms large as a factor in the acceptance of these mothers and children into the life of the community. Obviously the status of the mother and her child born out of wedlock has an important influence on the position of the child during his early life. Forty-two of the children who were under 2 years of age when first placed by an agency went with their mothers to the homes of relatives and 2 were placed with relatives without their mothers. It is probable that some deception was practiced in keeping from neighbors and friends the truth in regard to the status of many of these children; some of the families moved into new neighborhoods, the child's mother posed as a widow, or the family represented the child as being adopted or as belonging to a relative or friend living elsewhere. A few of the mothers returned to the homes of relatives soon after the birth of the children and acknowledged their true status in the community.

Although certain mothers were willing to make sacrifices for their children, even to the extent of cutting themselves off from their families, in a much greater number of cases relatives were sympathetic and cooperated with the mother in providing for the child. The financial assistance given by relatives and their kindly interest went far toward reestablishing the mother in her own self-respect. All but six of the mothers were reported as being glad they had accepted the responsibility for their children and had retained close contact with them.

The following list summarizes the attitude of the mothers' relatives toward the children:

	Number of children
Total.....	253
Friendly throughout.....	129
Child received into home at once.....	60
Child received into home later.....	24
Child not received into home.....	45
Friendly at first, unfriendly later; child received into home at once.....	4
Unfriendly at first, friendly later.....	13
Child received into home later.....	2
Child not received into home.....	11
Unfriendly throughout; child not received into home.....	9
No contact with child.....	57
Not reported.....	41

<sup>1</sup> Includes children whose mothers' relatives were not in the United States.

The practice of deception in regard to the child's status was not confined entirely to the cases of children who went to live with relatives. Some children were placed at board, their mothers returning to the homes of their parents. The records afford little information concerning the status of such a mother in the home where the child was boarded. What did the child surmise about the home of his mother and about the reason why he did not live with her as did other children? Is it possible to deceive a boy or girl for any length of time with scant mention of a supposedly dead or deserting father? Justice to the child requires that his demand for knowledge of his parentage be met with information that will satisfy him.

Increasing interest in the men involved in cases of illegitimate births is characteristic of organizations caring for unmarried mothers and their children in accordance with modern standards. In many cases it is probable that the father's family did not know of the existence of the child. It is quite conceivable that this is the situation with regard to many children born out of wedlock. In only 12 cases was it stated definitely that there was any contact between the child and the father's family. In 6 of these cases the contact was due to relationship between the mother and the father, the father of the child being the mother's own father, brother, brother-in-law, or other family connection.

Only 18 children were reported as being aware of their illegitimate birth (doubtless the information of the social agency was incomplete on this point in many cases). The reactions of these children to the knowledge of the circumstances of their birth differed. On 9 the knowledge did not appear to have a harmful effect. On 3 the effect was bad at first, but their feeling later changed, and they adopted a normal attitude toward life with an affectionate relation to those with whom they were living. One girl appeared to be indifferent at first but later became immoral, possibly as a result of emotional stress caused by learning of her illegitimate birth; on 2 other children also the effect was bad. Three histories did not show the effect of this knowledge on the child.

Most of these children learned of their illegitimate birth when they were between 12 and 15 years of age, and in some cases this information came later. Those who learned the facts about their birth during the earlier years seemed to be affected less by the revelation than those to whom the knowledge came later.

## SOURCES OF SUPPORT OF CHILDREN

### ASSISTANCE BY AGENCIES

The records show that comparatively few of the mothers were able to support their children unaided. Various types of assistance were given by the organizations in addition to maternity care. Arrangements were made for the care of children in institutions either with or without their mothers; some of these children remained in the institutions for extended periods at little or no expense to the mothers. Boarding homes were provided in which the children were cared for at the expense of the agency or at such rates as the mothers were able to pay. Agencies frequently helped mothers to obtain employment, especially in domestic service, with families where they kept



their babies with them. Assistance was given in getting help from relatives or from the fathers of the children. In many cases the marriage of the mother helped to solve the problem of the child's support. Although about two-thirds of the mothers married and the husbands of most of them assumed responsibility for the child, very few of the marriages occurred during the child's infancy. Then, too, some of the children whose mothers married did not go to the home of the mother and stepfather immediately, and a few never did.

#### SUPPORT BY FATHERS

Although the importance of requiring the father to contribute to the support of his child born out of wedlock is generally recognized, in many cases no effort was made by the agencies to obtain this type of assistance. Reference has been made to the fact that some of the agencies cooperating in this study failed to assume any responsibility in connection with obtaining support from the fathers. Only 86 men—the fathers of 90 of the 253 children—were ordered to contribute to the support of their children or assumed voluntarily the obligation to do so.

Responsibility was fixed on 33 of these fathers through court action, 30 of them agreed voluntarily to contribute to the child's support, and 23 married the mothers.

Many of the histories indicated that the men had little sense of responsibility in connection with their payments. Those who entered into voluntary agreements met their obligations more regularly than those who had been placed under court order; some of these men did this in order to avoid publicity or to protect their reputations. Only 19 of the 63 fathers who were ordered to pay or who agreed to pay without marrying the mothers met their obligations satisfactorily or fairly well; 44 did not. Thirteen of these 44 fathers made cash settlements at one time, 1 of whom paid confinement expenses only. Fifteen made periodical payments for a short time or irregularly. Twelve failed to pay anything; 5 of these were unable to pay because of imprisonment, 1 was imprisoned because of his failure to pay. No information was obtained as to whether the other 4 met their obligations.

The amount that the court ordered the men to pay depended somewhat on their circumstances, consideration being given to the obligations of married men to their families. The amounts ordered and the period of time for which the orders were effective varied in accordance with the statutory provisions in the different States. The amounts ranged from \$2.50 a month to \$4 a week, but few of the orders provided for a sum approaching the maximum. For the majority of the fathers the orders ranged from \$1 to \$2 a week, or the equivalent in monthly payments. In one case a cash settlement of \$125 was made. There were two cases—both reported by the same agency—in which \$2.50 a month was ordered, the small amount being due to a statutory provision that fixed the sum in such cases. However, the law in the State concerned was changed some years ago. Of the 27 fathers for whom the amount ordered by the court was reported all but 4 were ordered to pay weekly or monthly. In one court case the order of \$1.25 a week was faithfully paid to the end of the time set, 16 years.

In a large majority of the 30 cases in which the father assumed some responsibility for the support of the child without court order his action was brought about through an appeal by the girl and her family or by a social case worker. It seems clear that in a few instances such an appeal was not made, the men voluntarily assuming responsibility, presumably from a motive of self-protection.

Most of the men who entered into private agreements adjusted the matter by paying a stated sum, varying from \$50 to \$500. Only five settlements of more than \$200 were reported—three of \$300 and two of \$500. The largest amount reported in any continuing arrangement was \$25 a month. The original agreement had been for \$3 a week, which was increased several times; regular payments had been made for more than 10 years. In one case of a private agreement the man paid the stipulated amount, \$8 a month, regularly for 12 years, the period of time provided by law in this State. In another agreement the man paid the amount, \$10 a month, with regularity until his death, five years after he entered into the agreement. An 18-year-old boy who entered into a private agreement for \$4 a month kept faithfully to its terms for the 12 years stipulated.

A cash settlement was obtained in one case in which the mother had "two or three" older children by different fathers; and in two cases, in which the mother had an older child, the father of the second child married the mother, one of these fathers receiving the older child into the home with his own child. One man who had volunteered to make monthly payments continued his payments regularly, even after the mother had a second child by another man.

Not all the histories in which settlements were recorded stated that a definite plan for controlling expenditures had been made. It seems essential that when settlements are accepted there should be some arrangement by which the money is safeguarded for the child, with supervision of expenditures or a stated allowance drawn by the mother at regular intervals.

Although privacy in making arrangements for support is highly desirable, protection of the child's rights is equally important. An official record of the transaction should always be made. In addition to the financial consideration, agreements for support should contain admission of paternity. The social significance of this provision is in itself important to all persons concerned—the child, his mother, and his father.

### OUTLOOK FOR CHILDREN

At the time of the last information 42 of the 253 children were 18 years of age or over; most of these were self-supporting, married, or living in their parental homes. It was evident in the histories that these young people were capable of supporting themselves and required no more supervision or assistance than any other young people of the same ages. For 121 of the 211 children under 18 the future promised at least a fundamental education; and for a considerable proportion of them further advantages were expected, including training to equip them for suitable employment. It was

stated in some of the histories that the child was to have training for a profession. The outlook for the future of 21 children was uncertain. For only 23 children were the prospects sufficiently unfavorable to warrant the expectation that the child would not be equipped for self-support and that he might possibly become dependent upon the public. Mental defect of the child or of his mother was responsible for the unfavorable outlook for a few children. It was found necessary to remove some children from their relatives because they were not properly cared for, and the future of others was being jeopardized by their false positions in homes in which they were living.

It was not possible to hazard a forecast of the future for 46 children, either because their histories did not give sufficient information about the relatives to make it possible to judge whether they might be relied upon to protect the child or because the status of the child was such as to indicate the probability of some change before long.

### CASE STORIES

The following case stories are presented not necessarily as examples of excellent work by social agencies but merely as examples of what has been done by certain agencies in dealing with unmarried mothers and their children. It will be noted in the plan for preparing this material (p. 103) that the aim was not merely to collect cases in which the results had been successful but to give a cross-section of the case work done by the agencies cooperating in the study. In the main the 253 stories show good case work by the agencies and a successful outcome for the child. In preparing these stories names have been changed, and any other points that might lead to identification of the children or their parents have been omitted.

### CHILDREN WHOSE MOTHERS MARRIED

The marriage of the mother either to the child's father or to some other man was the most important influence in the lives of many children. One hundred and forty-three of the two hundred and forty-one mothers were married after the birth of the child. These marriages even in cases where normal family life did not persist gave the mother the benefit of the status of a married woman and assured the child's acceptance as a member of a family group. Almost invariably if children were born of the marriage the child of illegitimate birth appeared to share equally with his half brothers and sisters in the father's affection and in the opportunities provided for the children in the home.

Seventy-two of the one hundred and forty-three mothers who married did so before the children were 5 years of age. As a rule these marriages resulted more happily for the children than those contracted later. A child who is not old enough to question why he does not live with his mother, nor why his father is absent, nor why he has no relatives becomes adjusted into a step-parental home without any of the bad results in after years that are the lot of an older child who has lived in a foster home for several years and who is

compelled to modify all of his family relationships after the marriage of his mother.

Of the 143 who married, 13 married more than once; 1 married four times. Twenty-three of the mothers married the fathers of their children. Four of these mothers were married twice, three marrying another man after divorcing the father of the child and one marrying the father after the death of her first husband. In addition to these 4 mothers who married another man as well as the father, 120 mothers married other men, 9 marrying more than once.

Marriages between the mother and the father of the child were not usually so successful as marriages between the mother and another man. Through remarriage after divorce or after the death of the husband these 143 mothers contracted 158 marriages—23 marriages with the fathers of the children and 135 marriages with other men. Out of 23 marriages of parents, 4 were broken off by divorce and 1 by separation; and in one case a divorce was pending at the time of the study. Out of 135 marriages of the mothers with other men, 7 divorces and 8<sup>2</sup> separations were reported, the situation in one family not being reported. The proportion of marriages broken through divorce, separation, and desertion was not large for the group as a whole.

In addition to the families broken up by divorce or separation, a number of families were broken up by the death of the father or mother. At the last information 16 parental homes and 103 step-parental homes were still being maintained. There were, however, 28 children of illegitimate birth in these families who for some cause were living elsewhere. In some cases this was due to some difficulty of the child with his parents or step-parent; in others to physical or mental handicap of the child; in a few to successful adjustment previously in a foster home. In addition to these were several older children who were married and maintaining their own homes or who were working and boarding away from home.

#### CHILDREN WHOSE MOTHERS MARRIED THE FATHERS

Legitimation of children born out of wedlock by subsequent intermarriage of their parents with acknowledgment of the child by the father has been provided for in all the States of the United States.<sup>5</sup> The marriage of parents does not always prove a satisfactory solution of the problem of providing care for the child of illegitimate birth. Seven of the 23 mothers (representing 28 children) married after court action had been started to establish paternity or under pressure of a public department charged with the care of the child. Four of these seven marriages were characterized as successful; the other three as unsuccessful, the mothers later divorcing the fathers. Thirteen of the 16 marriages contracted voluntarily were successful. The father's attitude toward the child was favorable in all but four marriages. In two of these the parents never lived together after marriage, and in another there had always been much family fric-

<sup>5</sup> Including two separations because of bigamous marriages.

<sup>6</sup> Illegitimacy Laws of the United States and Certain Foreign Countries, by Ernst Freund. U. S. Children's Bureau Publication No. 42. Washington, 1919.

tion. The last case was a very unusual situation. The parents did not marry until the child was several years old, and they never acknowledged her as their own child. In several cases, of which the story of James is given as an example, the father's attitude toward the child was kindly, but the mother was too unstable to assume entire care, and the child was provided for in other types of home.

Of the 28 children whose parents intermarried the histories of 6 are given:

*Sophie.*—Sophie's mother, Belinda, had been deaf and mute since early childhood. During her pregnancy her parents asked the agency for assistance in making some plan by which the girl and her coming baby might be cared for away from home until they could decide what to do. They hoped that some plan might be made whereby mother and child could be kept together later.

It would have meant untold sacrifice for the family to bring the unmarried mother and her child into the neighborhood, where they were much respected. They had lived in the same house for many years, and Belinda's mother had been born there. At the same time the parents' love for their child never wavered, and mother and daughter wept together over the misfortune. The girl's character can be described best by quoting her mother, who said, "She was the joy and happiness of our lives." Her education had been received at the State institution for the deaf, where she had been taught "lip speech." It was difficult to understand her, though she was intelligent and quick to grasp the conversation of others. Her love for the father of her coming child governed her love for the child—she had no thought of separation.

The father of the child, a deaf-mute from birth, had worked at the same place as the mother and had become acquainted with her there. He had visited her home and had been welcomed by her parents, and he had said they would be married. He was born in another State, where his relatives still lived. He was well educated but had not learned lip speech. He left the city after he was told of Belinda's pregnancy.

A position as wet-nurse was found for Belinda in the hospital where her baby, Sophie, was born. In the meantime pressure was brought to bear on the prosecuting attorney's office to bring the man back to the city, and this action was taken finally. When the detectives arrived in the city with their charge he was willing to marry the girl, whom he said he had always loved. He wrote a letter to Belinda, telling her that he was eager to right 'he wrong. Belinda went home to her parents at once, and the young couple were married the next day.

The family are now in their own home. The husband has an excellent position as a machinist. The marriage is happy, and three other children have been born. Sophie is now 8 years old. She is normal in speech and hearing, and so are the other three children. The outlook for her future is promising.

The agency had formal contact less than one year, but a friendly relation has continued between the mother and a former worker.

*James.*—When this case was referred to the agency Etta was a girl of 16 with a baby boy, James, of 9 months. After leaving the

maternity home where the baby was born Etta had had two domestic positions in succession, in both of which she had worked for her board only. In each of these homes she had kept the baby with her, the baby's board being paid by Etta's mother, Mrs. W. Mrs. W. was sympathetic and willing to do all in her power to help her daughter. Her husband, however, was unsympathetic. Mrs. W.'s sister and a cousin were willing to help but could do little financially. Etta's plan was to board her baby, to whom she was devoted, and to learn a trade, as she disliked housework and as persons interested in her felt that she was too bright and intelligent a girl to make it her life work.

Etta herself was of illegitimate birth, and she passed, even at the time of her application to the agency, as her mother's younger sister. Her mother had been married when Etta was 11 years old. At about that time Etta's grandfather (her supposed father), fearing that she might hear the story from an outside source, told her that he was really her grandfather and that her supposed sister was her mother. After this she never felt that she belonged to the family. Later her grandfather's home was broken up, and she went to live with her mother. She felt that her stepfather, who knew about her birth, disliked her; and she did not respect her mother, who she felt should have acknowledged her. She continued to pass as her mother's sister.

Etta had been a bright, attractive child, rather spoiled. She made a good record in the elementary school, and she entered high school at the age of 13. During her second year in high school Etta had become pregnant by a boy who was an older pupil in the same school and who came frequently to her home. Mrs. W. was often away at clubs and lectures and gave her daughter much less protection than a "boy-crazy" girl with a bad inheritance needed. Etta had decided before her baby was born to keep it and acknowledge it, as she felt that so many of her own troubles were due to her mother's attitude toward her.

The father of the child was the son of a prosperous saloon keeper. His father was dead, and he and his brothers and sisters lived with their widowed mother. At 19 he was in the third year of high school and was more prominent in football than in scholarship.

The young man acknowledged that he was the father of the child; but before court proceedings could be taken he disappeared, aided by his own family who for financial and religious reasons objected to his marrying Etta. When he married her three years later he had never seen his child nor contributed to his support.

Shortly after the case was referred the agency assumed guardianship of both Etta and her child James and placed them together in a foster home, Etta to do housework for both her own and the baby's board. Even then, however, she was interested in every man and boy she met and had sex relations with them when there was an opportunity. She was separated for a time from the child, as she was obliged to have two surgical operations. After this she studied dressmaking, at which she was very successful. While she was learning dressmaking and working at it her baby was boarded in the country with a Mrs. A. and Miss A., where Etta had been before with James.

A young man having a family history of epilepsy and feeble-mindedness became interested in her, and even after his most undesirable physical inheritance had been explained to Etta it was with difficulty that she was dissuaded from marrying him. When James was 3, Etta went to a neighboring city and there renewed her intimacy with his father. In a few weeks they were married, he being 23 and she 18 at the time. About this time a mental examination by a psychiatrist showed her to be of normal intelligence.

Little was heard from them until about a year after the marriage, when they returned to the vicinity of their home city. The husband worked steadily, earning good wages, and the couple lived in furnished rooms. The agency continued to keep James until his parents should establish a suitable home for him. The parents desired to have him, and he was permitted to spend a holiday with them occasionally. The father reimbursed the agency for the support of his child. The couple continued to live together apparently amicably for about three years, when Etta was brought into court on a charge of adultery. She was put on six months' probation. At the end of the hearing she announced that she was suing her husband for divorce on the ground of cruel and abusive treatment. He immediately filed a cross bill for divorce on the ground of adultery. He began to take more interest in the child, went to see him, and asked whether there was anything that he could do for him. Six months later a divorce was granted to the husband on the ground of desertion, the question of the guardianship of the child being left open. James remained meanwhile in his foster home with the A.'s. After some months the paternal grandmother petitioned for the guardianship and was awarded it.

James has always been healthy, with an unusually good physical and mental development. When he was 6 he was given a mental examination, and the examiner found that he was a child of superior intelligence, with an intelligence quotient of 121. Some of his exceptional development is doubtless due to the type of foster home in which he spent his early years. Miss A. had been trained in kindergarten and Montessori methods, and she taught the little boy at home until he was 7, when he entered the third grade in a public school.

At present James is living in his paternal grandmother's home and seems perfectly happy in his new environment. Etta's mother and Miss A. both visit him. His father does not live with him much of the time, but from the child's report is again living with Etta, who has a furnished room and is working. The little boy sees both his father and his mother frequently. He does not know that his mother's marriage was subsequent to his birth; and all his relations with his father and mother, as well as with his grandparents, have been that of a legitimate child, as are also his social relations outside the family. He will be given a good education and will be fitted for business or professional life.

Etta, as she was legally married to her child's father, has a protected status. She is very fond of her child and would not give him up but is too unstable ever to assume the entire care and responsibility of rearing a child.

The agency has had continuous contact with the case for eight years.

*Sidney and Lillian.*—Two children, Sidney and Lillian, of the same father and mother are considered in this study. The mother,

Laura, 18 years old, applied to the agency during the early months of the life of the first child, Sidney, for help in finding a home where she might live with him and work in a factory, as she had done before the child was born.

Laura had little education but considerable intelligence and ability. She was living in a boarding house. Her father and a married sister were living in the same city. She saw them occasionally, but apparently there was no close bond between them. Her mother had died when Laura was a small child, and the family had been held together for a few years by the father and then had disintegrated. Laura had begun work at 15.

Charles, the father of the baby, made his home with his parents, respectable working people. He was a machinist and earned good money. So far as could be learned he was the only man with whom Laura had had much association, and it seems certain that she had not had sexual relations with any one except him. For several years he had been paying her attention, and they expected to marry. In a quarrel they had separated. After several months he had come to her and told her that he was responsible for the pregnancy of another girl but that he loved Laura and still wished to marry her. Laura refused his advances and insisted that he marry the other girl for whose coming child he was responsible. He did so. The child did not come to term, and the couple did not live together.

There was no attempt on the part of either Laura or Charles to conceal the fact they were very much in love with each other. In a signed contract in which he acknowledged paternity he readily agreed to support the baby and to make the payments through the agency.

Laura and the child, Sidney, were placed in a boarding home, and Laura resumed her employment as a factory operative, at which she made excellent wages. Though all possible persuasion was used by the agency to induce her to break off the association with Charles, and though he, too, was urged to see the injustice to Laura and to his wife, they continued to meet. Charles was devoted to the baby, and he visited the boarding home, but he promised the agency worker that he would go there only in the mother's absence.

When the baby, Sidney, was nearly 2 years old Laura disappeared. The boarding mother insisted on keeping Sidney without compensation, saying that she had often promised his parents that he would always have a home with her. Naturally it was supposed that she was in the confidence of the parents and that they visited the child. After several months Laura called at the agency office, looking far from well. She evaded all queries as to where she was living. Several weeks later the agency worker, in dealing with another case, found her by accident in a miserable attic room, with a second baby, Lillian. She had been living with Charles, who was drinking heavily and working irregularly. Laura was supplementing their income by doing part-time domestic work. The baby was being nursed and was in excellent condition.

Laura was induced to leave this home and to stay for a while in another of the agency's boarding homes with the baby. When the baby no longer required nursing Laura returned to the boarding home and resumed factory work. She then went into domestic service, keeping the baby with her. Charles had agreed willingly to



support the second child by payments made through the agency, as with the first child. He was very careless about his payments for the children, and the mother seemed to be changing her attitude toward him.

Laura was a faithful mother. She would sew and do laundry work until late at night after working all day, and she kept both children well and attractively clothed. Sidney continued to live with the boarding mother who had kept him from the first; but under no circumstances would Laura relinquish her claim to him, and she visited him often. Her father and sister she seldom saw, and they would not do anything for her unless she would give up the children.

Even though Sidney received free care from the first boarding mother and though some little assistance was given by the agency, the burden became too great for the mother, and she decided to make their father responsible for their support, through court order. Lillian was then nearly 2 years old and Sidney 4. Charles was indicted and was ordered to pay \$3 a week for each of the two children.

About a year after this Laura met an older woman of very bad reputation, who introduced her to men of means and education—contacts that she had not had hitherto. She went out repeatedly on parties with this woman and her friends and when Lillian was 3 years old gave birth to a third child. This matter came to the attention of the agency through the attorney for the father of the third baby, whom the mother had had arrested. After a preliminary hearing this man paid the mother \$600, though he was unwilling to admit that he was the father of the child; he had borne other expenses amounting to nearly \$200. The man's attorney had sought the services of the agency partly as a protection for his client and partly to insure that the money paid would be used for the child.

The third child was placed in the boarding home with the mother and Lillian. No one associated with the mother ever suggested removing any of her children from her care.

All this time Laura had been living in the agency's boarding home. The boarding mother had not given the agency any hint of Laura's conduct, of her long absences from home—late at night and all day on Sundays. This kind of conduct was new to her, as her life had been entirely centered in her children. It was learned that the man responsible for the third baby had frequently entertained her, with the older woman and another man, in his parents' home while the family were out of town for the summer.

Throughout these experiences the mother was extremely ashamed of her conduct and apparently was grateful for the assistance of the agency. The father of her third child had given her money for an abortion, which she refused to have performed, saying that it was a sin to take the life of an unborn child. She had kept the money and used it for the new baby.

About a year after the court settlement regarding the third child the entire case was transferred (except for a friendly interest on the part of the agency's workers) to a court worker who handled the money paid by Charles, the father of the first two children. This worker was particularly interested in the mother and had assisted her in many ways, and she now asked to be permitted to take full responsibility for the case.

The first agency had no further information until recently, when inquiry revealed that the mother had lived with another man five years ago and had given birth to twins. She had been seen by a psychiatrist, who said that no formal mental examination was necessary, as he believed her to be of normal mentality. She brought the twins to live in the boarding home with Lillian and the third child. All this time Charles had paid, fairly regularly, for the support of Sidney and Lillian. The mother had drawn a fixed amount monthly from the money belonging to the third child, and she and four of her children continued to live in the boarding home, the third home she had lived in. The boarding mother was of excellent character; her home was comfortable, though none too well kept. She was extremely kind, and she made a great effort to give the mother and her children a real home. She was impressed by Laura's devotion to her children and by the readiness with which she would make any personal sacrifice for them. Sidney had remained with the first boarding mother, according to the plan made years before.

Five years ago the wife of Charles, the father of the first two children, died; and two years later he married Laura. They left Sidney in his foster home. The other four children are with Laura in her husband's home. The family appears to be happy. Charles supports the household, and the children are well cared for by their mother. The court worker is in close touch with the family and visits them, as a real friendship has been maintained between her and the mother, who is friendly with the original agency worker also, sending her messages from time to time. The three older children have made normal progress in school; the twins are too young to go to school.

The final report from the court worker says, "The mother is still very attractive. She dresses conservatively and keeps her children well dressed. The children apparently know nothing of their mother's [former] promiscuous life and are very happy in their home."

The agency kept in contact with the case for five years continuously; then it was transferred to the court worker, who has maintained contact to the present time.

*Alexander.*—Alexander was born within 24 hours after his mother, Constance, had entered a private maternity home, expecting to be confined a month later. She gave the maternity-home worker a wrong name and other misinformation about herself, wishing to conceal her identity, as she felt disgraced by her illegitimate pregnancy. She said that she had no near relatives living, but it was found later that she had several, including two sisters who had stood by her when they learned of her trouble.

Constance was 20 years old. After finishing high school she had taken a two-year course at the nurses' training school of a large hospital in the city where she had always lived, and after graduation she was employed in this hospital. About a year before her graduation her parents had died within a few weeks of each other. Her father had been a laborer employed by the city.

The father of the child was a medical student, 25 years old, who was serving as interne at the hospital where Constance was employed. She was in love with him, but he cared nothing for her.

Constance intended to keep the baby with her, and the agency, whose policy it was to favor keeping mother and child together whenever possible, assisted her in doing this.

A month after her confinement Constance took the baby, Alexander, to the home of a friend who knew her circumstances. Meanwhile the agency was exerting its influence to bring about a marriage between Constance and the father of her child, and when the child was 2 months old the marriage took place. The man had consented to the marriage to legitimize the child only on condition that he would not be expected to live with the mother. From time to time he contributed small sums of money toward the child's support, but he showed no other interest in him or the mother.

Soon after the marriage Constance found employment as a nurse and went to live with her sister, placing Alexander in a boarding home. Two years later she obtained a divorce, which was not contested.

For six years these arrangements continued. During these six years Constance constantly regretted that she could not have her boy with her. She wrote, "It just kills me to go and see little Alexander. I know he is getting the best of care and is happy, but he is getting away from me. Very soon I will mean no more to him than a stranger." She finally took him to live with her and her sister; and the boarding mother, who loved the boy as though he were her own son, was broken-hearted.

About this time Alexander became curious about his father and asked many questions about him. Later he wrote letters to the father, with the mother's encouragement, but never received an answer.

When Alexander was 8 years old Constance married again. Her husband accepted the child, and the family of three moved to another section of the country. It is not known whether the stepfather adopted the child. Constance has always loved her boy, and now that her life is happier she is glad that she was able to keep him with her. She supported herself and him throughout the eight years before her second marriage.

The agency had about six years' continuous contact with the case, and one of its ex-workers had informal contact for two years longer.

*Benjamin.*—Carrie, a foreign-born girl of 23, the mother of Benjamin, was the daughter of a couple who were in fairly comfortable circumstances. They owned a grocery store and were well known in the community. The girl was devoted to her parents, and she could not bear to tell them of her pregnancy, so she applied for shelter to a maternity home. In her native country Carrie had received an elementary-school education. She was a good-natured girl, healthy and intelligent, and she had a refined manner. She worked at the millinery trade and was competent at it, and she also helped her parents in the grocery store.

The father of the child had been a schoolmate of Carrie's in their native country, and a year after she came to the United States he followed her here and went to live in her parents' home. At that time the man was not yet in a position to marry, as he was still an apprentice at his trade, millinery, but the young couple were considered engaged by their friends and by the girl's parents. Though

Carrie had been very much in love with this man when they were in Europe, she began to grow cold toward him after they came to this country.

A worker at the maternity home told Carrie's parents that she was being cared for at the home, and they went to see her and took a kindly attitude toward her. Carrie had planned to keep the baby but not to marry the man. However, her parents were anxious that she should be reinstated in the community, and accordingly she consented to marry the man. The marriage took place when the baby, Benjamin, was 5 months old.

Carrie and her husband and baby went to live with Carrie's parents, as the husband was not earning enough money to enable them to start a home of their own. They remained there several years, but they were not happy together. The older couple were kind to them, but Carrie did not love her husband; and although he loved her he was quarrelsome.

During these years they had saved enough money to buy a grocery store of their own, and they left the child's grandparents and set up housekeeping. Carrie helped her husband in the store. Working together seemed to accentuate the incompatibility of the couple, and they quarreled a good deal.

After about seven years of married life Carrie and her husband separated, and she and Benjamin went back to live with her parents, who are devoted to them. This arrangement has continued for about two and one-half years. Carrie is doing well financially as agent for a sewing-machine company, and she is highly respected in her community.

The husband, who had gone to live in another city when the home was broken up, has returned to the city where Carrie lives. He is still fond of her, but she is against a reconciliation, for she believes that it is impossible for them to live harmoniously. The fact that she has such a good home with her parents undoubtedly contributes to her attitude.

The father sees Benjamin occasionally. The boy is now 10 years old and is in the second half of the fourth grade at school. He attends religious-instruction classes after day-school hours and also takes violin lessons. Carrie and her parents are devoted to Benjamin and plan to give him a college education.

The agency had contact for 10 years intermittently.

#### CHILDREN WHOSE MOTHERS MARRIED OTHER MEN

One hundred and twenty-three mothers, representing 128 children, married men other than the fathers of their children, and 3 of these mothers married both the fathers and other men. On the whole the majority of these marriages might be characterized as successful. Only three of the histories definitely stated that the stepfather of the child knew nothing about the child's parentage. The basic understanding of the truth between the mother and the stepfather in most of the marriages was probably one of the reasons for the happy relationship of the stepfather and the child.

In only 20 of the 123 cases in which the mother had married a man other than the father of her child was the step-parental home not being maintained, and in a number of instances where the child was

not living in the home the relationship of the child and the stepfather was a happy one. A child who is not taken into the mother's home at the beginning of her married life or who for several years has lived in a relative's home or foster home rarely attains a strong feeling of family unity or security even though the stepfather may be kindly.

Although some of these children did not live in their mothers' homes continuously, and others were not satisfactorily adjusted in their stepfathers' homes, the majority of them were afforded the benefits of a family home and normal adjustment in the community by the marriage of the mothers.

Many of the stepfathers accepted the children into their homes, and some of them gave the children the added assurance of permanence in their family relationship by adopting them. Fourteen of the 128 children whose mothers married men other than the fathers of the children were legally adopted by their stepfathers. Three other stepfathers who had been married to the mothers of the children only a few years when the histories were written were planning, as was Dick's stepfather (p. 38), to adopt the children legally. When legal adoption occurred it was usually on the suggestion of the men themselves and for the protection of the children, although the story of George (p. 59) indicates that in this case at least there existed another less altruistic motive.

#### **Effect of early and of late marriage of mothers.**

The early adjustment of the child when the mother marries during the early years of the child's life is illustrated by the story of Emily. The case of Nina (p. 39) suggests some of the misgivings that a mother has who undertakes to bring into the step-parental home a child who has been left in a boarding home for many years.

*Emily.*—Emily's mother, Nathalie, 17 years old, had been referred to the agency during pregnancy by a maternity home. She was entirely without funds. Her immediate needs were met by the maternity home, where she was not required to pay any of her expenses. Her mother was able to give a little assistance by providing a few articles for the girl and some clothing for the coming baby. At that time the girl's plan was to give up her baby for adoption at birth or as soon thereafter as possible. Her mother approved of this plan.

Nathalie was one of a family of four children that had been separated in early childhood when their father divorced their mother, charging her with unfaithfulness. The court had given the father the custody of the one son and two of the daughters, leaving to the mother one daughter who was an imbecile and unable to walk. After several years the three children who were in the father's custody were taken from him on account of neglect and were placed in family homes, one of them, Nathalie, in the home of a married cousin, who was addicted to the use of drugs and whose grown son was feeble-minded.

At an early age Nathalie had been employed in a cheap candy shop at low wages. She had spent very little time in school, but her father, a well-educated man, had taken her and her sister from place to place with him on his journeys as a civil engineer and he had taught them to some extent. Although Nathalie lacked formal edu-

cation, she had excellent command of English and had read considerably and she wrote a fair letter in good handwriting. She seemed unusually intelligent; no mental examination was made. After she had been placed in the cousin's home she had come into contact with her mother.

There was no information as to the father of the child. It seemed clear that the feeble-minded cousin was not the father, though Nathalie's mother thought he was.

Breast feeding was insisted on in the hospital where Emily was born and also in the maternity home where the mother and baby went for after-care. This probably influenced the girl to keep her child.

Considerable time was required to prepare Nathalie to take a position with her baby. She decided to go into a family home, at least while nursing the baby. A home in a large town was selected, the family consisting of a man and his wife. The wife wanted a companion and Nathalie's refinement and attractiveness made a strong appeal to her. The girl was happy in this household; but it became necessary for business reasons for the family to leave this location and they moved to the country. When they had been living in the new home a short time the worker from the agency visited Nathalie and her child. Both were in excellent physical condition and the relation between them and the family was all that could be desired. However, the loneliness of the situation, together with other features, decided the worker to suggest a change, which was soon made.

The mother and child returned to the city and were placed in a boarding home with a Mrs. Roe. The baby had been weaned by this time and so a new type of occupation was sought for the mother. A position as attendant in the reception room of a large corporation was obtained for Nathalie at a salary ample to provide for her and the baby. Her contacts at this place were desirable. With a little help, made possible by the manager of the business, Nathalie soon learned to fill the position creditably. She accepted responsibility well and her development was gratifying. Her true status was known to her employer and to the Roes. With all others Nathalie assumed the status of a widow.

After two years in this position, living a normal home life with the Roes and associating with her mother and her brother (he had been located by the agency after a separation of some years), Nathalie married the son of the boarding mother, Richard Roe, an unsettled youth earning a small salary. Emily was then nearly 3 years old.

Five children have been born of this marriage. The house has not been kept well, and the family has moved frequently. Nathalie has shown poor judgment in expending money for attractive but unnecessary furniture. Several times she has bought expensive articles on the installment plan, only to lose them after a considerable sum had been paid because she could not meet the payments. This same experience was undergone in the attempted purchase of a house. Nathalie's mother, who has married again, has been a steadying influence on the family, a source of strength and of financial help, though her means are limited. Assistance has been given also by the husband's mother. Relief has been given several times by a social agency. Emily has done well in school, though during her early

school years her attendance was much interrupted by unsettled conditions in the home.

In the light of the family history and of Nathalie's irresponsibility in some matters a mental examination seemed desirable, but it was not practicable.

After nine years the family moved into their present home, where they have lived for nearly three years. This has been their longest stay in one location, and this home gives promise of permanency. Conditions have greatly improved. Emily's stepfather receives a better salary than he had been receiving, and he has been entirely supporting the family. Emily has the same status and the same place in the affections of her stepfather and his relatives as the other children have. The children are all healthy and attractive. The atmosphere of the home is a happy one, with really affectionate family ties. Emily is athletic, and she and her stepfather are companionable, enjoying swimming and other sports together. The mother is gratified by this association because her household duties prevent her from going out with her husband as much as she would like to. His even disposition and real affection for his wife and for all the children have doubtless made possible the holding together of the home through its many crises.

Emily has not learned the truth about her birth. She believes that her stepfather is her father. (Nathalie never told the agency worker who the father was.) The sudden reunion of her mother with a brother and sister after years of separation (Nathalie's sister, on reaching her majority, promptly located her people), the knowledge that her maternal grandmother is divorced and remarried, and her mother's marriage constitute a combination of circumstances that might have disturbed the child. That it has not done so may be due to the affection she has had from so many persons. She has always had the influence of two well-established, secure homes, that of Nathalie's mother and that of the husband's mother, both of whom love the child. (It will be remembered that the husband was the son of a boarding mother with whom Nathalie and Emily had lived.) An influence of practical religion pervades the latter home, which has carried over to some extent to the son's home. Now well over 15 years of age, in high school, Emily seems happily adjusted. Nathalie believes that she will not ask further questions about her antecedents. Except for the possibility of having to leave school and go to work before completing high school the prospects for the future are good. Her position in her school and other relationships are assured.

Recently Emily wanted to go to work in order to have "silk stockings and a fur coat, like other girls." The mother was alarmed at the thought of applying for an employment permit because of the questions that would have to be answered as to the girl's parentage. The stepfather has insisted that she remain in school.

The mother has always been glad that she kept Emily.

The agency had continuous contact with the case for five years. From the time this contact ceased until the present a friendly visitor has been in close touch with the mother and child.

*Dick.*—Dick's mother, Mollie, a 19-year-old girl of foreign birth employed in a factory as forewoman of a department, was referred

during her pregnancy to the agency reporting the case, by a social worker connected with the factory. She had come to the United States when 3 years old and had attended the elementary school, completing the sixth grade.

The father of her coming child had planned that they would go to another city and be married. Mollie told her family of the plans, and her father gave her \$75. The day they were to leave the man refused to go, saying that he would join her later. Her father took her to another city and placed her with a family he knew. The young man wrote to her, telling her to arrange for her confinement in a hospital and afterwards to place the child somewhere and return home. These plans were not carried out. She had now no plans for the future, but she did not consider giving up the baby. Her family was still friendly and sympathetic.

The father of the child was a youth of little intelligence, an unskilled mechanic. He had completed the fifth grade in the elementary school. He had been Mollie's childhood playmate and later her accepted lover, whom she expected to marry. He was an only child, and he lived with his parents. His character may be judged by his complete failure of the girl at this critical time. Later he was ordered by a court to pay \$12 a month, after all attempts at private settlement had proved fruitless.

After the birth of the baby, Dick, Mollie and he lived with her parents, and the little fellow made a place for himself in the family. Mollie returned to her position in the factory and continued to live at home until Dick was 2 years old, when she married.

Mollie has been married six years. Dick is now in the second grade at school, and he is a healthy, normal child. It is unlikely that he will ever know of his illegitimate birth, as his stepfather intends to adopt him legally. This step was decided on when the child entered school and his birth certificate was called for. Getting this certificate brought out the truth about Dick's birth, and this disturbed his mother to such an extent that her husband decided on the adoption to avoid a repetition of this unhappy incident in the future, when an employment certificate may be required. The boy already goes by the stepfather's name.

It is interesting to note that the boy spends more time with the parents of his stepfather than with his maternal grandparents.

The father of Dick married another woman, who found it necessary to seek court assistance in obtaining support for herself and two children.

The agency had contact with the case for three years continuously, and five years of informal contact through a former worker.

*Nina.*—Nina, 2 years old at the time the case was referred to the agency, had been for about a year and a half in a boarding home in the suburbs, in the vicinity of a hospital where her mother, Helen, was in training to be a nurse. At this time Helen had just given up this training course on account of difficulty with her supervisor. She now needed help in finding work and in placing Nina in a boarding home in the city. Helen told the agency worker that the father of the child was a few years older than she, a close friend of one of her brothers. He and Helen had grown up together. They



were not engaged. She had seen the man only twice since she had left home and she had passed him on the street without speaking. This was in her home town, during two of her occasional visits there.

Helen was an attractive girl of 22 who, during her pregnancy, had come from a small town to the city to conceal her condition from her family. She had a good reputation in her home town, and she had intended to place the child in an institution or a family home and to return to her home and resume her place in the community, telling no one of the child. This plan had been defeated by the maternity home's policy of investigating resources among the child's relatives; one of the staff had written to Helen's parents telling of the baby's birth. The parents did not answer this letter, nor a second one, but they wrote to Helen, telling her to place the baby for adoption and to come home. They said they would not accept the child nor assist the mother in caring for her.

Helen did not go home (although later she visited her parents from time to time, concealing the existence of the child from her younger brothers and sisters). The maternity home had a policy of insisting on breast feeding, so Helen remained with the baby until she could wean her safely. She then entered upon the nurses' training course mentioned previously. While in training she incurred little expense, and by rigid economy she was able to pay the child's board and other expenses, but she had not been able to save any money. In her home town she had been a teacher; but as she had not had a complete teacher's training course she could not get a teaching position in the city. Now, when the little girl was 2 years old the mother frankly blamed the home and still wished that she had given up the baby. Her reason as given by herself was that it would have been better for Nina; but her attitude in certain ways indicated that she would prefer not to have the responsibility of providing for her. Nevertheless she was a faithful mother, and an affectionate relation existed between her and her daughter. As Helen's intention to keep her family from knowing about the baby had been frustrated she had no other reason for giving up the child. Besides, she said that she would not have done so after the child had come to know her, on account of the bad result this might have for Nina.

When the case was referred to the agency, the plan of boarding care for the child had been in effect for many months, and so the agency advised continuance of this plan and placed Nina in one of its boarding homes. Helen registered as an undergraduate nurse and took cases. She was successful in this work; and when she was employed her earnings were adequate to pay her expenses and those of her daughter, but her work was not continuous. She developed a condition that required hospital care. Two surgical operations were performed. After six years she was obliged to give up nursing. She then took a clerical position in a town near the home of her parents. She was unable to pay the child's board at this time, and the agency paid it.

Nina was a very attractive child, so bright as to be almost precocious, and she caused many problems for the boarding mothers.

The record of the boarding homes is no longer available; but it is known that the child was destructive at times, and that great difficulty was found in the selection of a suitable boarding mother. Under the guidance of a psychiatrist the troubles were corrected, and the child remained in her last boarding home for several years with satisfaction to the boarding mother and to the agency. She was happy here, but she always preferred to be with her mother rather than in the care of any other person (it was Helen's custom when she was not on a case to stay in the boarding home with the child). Nina had been told that her father had died when she was a baby. The boarding mothers had asked no questions. The child was accepted without question by other children in the neighborhood in which she lived and in school. Nina had no association with any friends of her mother's; Helen had no close friends in the city.

Nina was very nervous, and she contracted practically all the usual "children's diseases." These made her lose much time from school and retarded her progress. Her naturally keen mind enabled her to retrieve some of her loss. Her mother at one time had plans for placing her in a superior school—an endowed institution—but the child was barred by her illegitimate birth, though the president of the board of trustees was interested in obtaining her admission.

When Nina was 9 years old (she was still living in a boarding home) her mother married a steady, refined man, a skilled mechanic, about two years younger than Helen. He had been told all about Nina, and he was quite willing to accept her as his child; so a year after the marriage, soon after the birth of a baby, Nina was taken to Helen's new home by the agency worker who had known Helen and Nina since they were first referred to the agency. The child was overjoyed that she could now live with her mother. She had been much hurt by her mother's failure to visit her for two years. To the boarding mother she had confided her belief that her mother no longer wanted her, since she had a husband to love. The new home was a comfortable, attractive house in a mountain town. Nina was received with affection by her stepfather. Helen had told her husband's relatives that Nina's mother was a cousin who had died at the time of the child's birth, and that her father had died a little later; that she, because of her devotion to this cousin, had looked after the child, using the money that the father had left for the purpose. Helen expressed to the worker her misgivings about having Nina with her, as she feared that suspicion would arise and cause the child suffering.

The last information available was in letters from the little girl and her mother to the worker, written during the second year of the child's residence in the new home. Helen's letters gave no reason to suppose that trouble had arisen for the child; they were simply friendly letters. Those from Nina told of her happiness in her home and interest in her school work and described her interests and pleasures. It had been her mother's intention to place the child in a boarding school as soon as she had the money to do so. She felt that the opportunity for the child would be more favorable there than in the local public school; that is, there would be less probability that the child's history would be suspected. This had not been done, however, up to the receipt of the last letter. A note of thanks from

the child for a remembrance at the time of her second Christmas with her mother was the last contact. Helen had ceased to write before this. When two personal notes were unanswered the worker dropped the correspondence, in the belief that the mother thought it better to end contact with the agency. It had been made clear to Helen when she took the child to her home that both the worker and the agency would always be ready to assist in plans for the child if the need should ever arise.

The outlook for the child seems fairly favorable, though her mother's flimsy story about her parentage may not be effective in protecting them. One favorable point is the location of their home. Although it is not far from the town in which Helen's parents live it is in a location difficult of access. None of the husband's people live there. The little girl herself must at some time have questioned her status. The child has a reticent nature, and it is probable that she would conceal as long as possible any fears or doubts she might have. It is highly improbable that so bright a child could fail to be affected by the story of her relationship to her mother as given by the mother to relatives and others, when she knew herself to be the true child of her mother.

The agency has had contact for nine years.

#### Adjustment of children of unstable mothers.

The favorable outcome of the mother's retaining the custody of her child may be attributed in some instances to the kindly attitude of an intelligent stepfather rather than to a mutual working out of family problems by the mother and the stepfather.

Most of the mothers who failed to cooperate were either emotionally unstable or of limited mental ability. Several of these mothers had more than one illegitimate child by different fathers. The stabilizing effect of the mother's affection for her children, as well as the special consideration shown the children by their stepfathers, is brought out in the stories on pages 42 to 48.

The story of Catherine illustrates the successful development of a dependent mother whose greatest asset was deep affection for her children. First, under the intelligent guidance of an agency, and later under the stimulation of a happy marriage she successfully maintained a home in spite of her limited intelligence.

Emotional instability of the mother rather than low mentality was the problem in the case of Louis (p. 44). This story not only shows the successful development of a satisfactory step-parental home for the younger child but also illustrates the sort of case in which the child remains in a foster home even after the mother establishes a satisfactory home of her own.

The mother of Rita (p. 46) was emotionally unstable; she deserted her husband and child several times. During the mother's absence the child was left to the care of her stepfather, who had adopted her when she was 5 years old.

*Catherine.*—A maternity home had suggested that Catherine, 10 years old, and two younger half sisters, all three of illegitimate birth, be taken from their mother, Martha, an unmarried woman of 80 (another child, also of illegitimate birth, had been adopted by a family). Although Martha was making a struggle to take care

of her children she was not able to provide them with food and clothing, as her earning ability was small and she had no help. The last man with whom she had lived had deserted her. Her family were antagonistic. Her church had dropped her from membership, and her friends had ostracized her. Martha was embittered by her position but was determined to keep her children with her and showed marked devotion to them.

Catherine's father was a brass molder. Martha had left her home to live with him in the home of his people, who believed them married. They lived thus for a year and a half. Six months after Catherine's birth he deserted and has never been heard from since. Martha stated that he was alcoholic, indolent, domineering, and abusive, and that she believed that he was sexually promiscuous while she lived with him.

Martha had attended a public school, going as far as the fourth grade and leaving school, at the age of 14, to work, first in a factory and later as a servant. According to her own statement she was first misled through an unfortunate friendship with a woman of questionable character. Her four children had different fathers. She lived with one man at a time, keeping the children with her, hoping always to marry and have a permanent home. Examination by a psychopathic clinic showed her to be of low intelligence. The diagnosis was "subnormal, emotional type, psychopathic personality." The examiner found her nervous, easily upset, apprehensive, and quick to take offense but was able to gain her confidence and cooperation.

Until Catherine was 10 years old her mother had managed somehow to get along without help. But when the fourth child was born and the three children then with her showed the effects of lack of care, the hospital where Martha was confined referred the case to the juvenile court with the recommendation that the children be taken from her.

The psychopathic clinic recommended that for a trial period Martha be given a "mother's allowance" from the county fund and that she be established in a separate home and entrusted with the care of the two youngest children, Catherine to be boarded with a cousin until it was apparent whether the mother would be successful. The allowance was granted, and the mother was supervised by the clinic. She did no work outside her own home. She responded promptly and well to supervision. Her record shows a notation as follows:

After one year's supervision the adjustment has been complete. There has been no repetition of any of the former troubles. She keeps her home clean and takes good care of the children. Has been thoroughly cooperative with the doctors, nurses, and clinics as well as the supervisor. She apparently is contented at home with her family; and now that the oldest child has also been given to her, she has no complaints and is perfectly happy. She is most appreciative of what has been done for her; the children show good care. The family feeling here is very strong. The friends and family have again accepted the patient and she was recently readmitted to her own church.

During the short period that she lived with her cousin, Catherine was reported to be doing well in school; her attendance was regular and her class work satisfactory. Her health was good. All this time, although she had a good home, she was anxious to return to her mother.

When Catherine was 12 the mother married a widower with one child (he was not the father of any of her children). Marriage has completed her reinstatement in her social world. Her husband is a man of property, of good earning ability, and of good standing. He seems as devoted to her children as to his own child. Martha is finding a serious problem in controlling his child, who is troublesome, but she is standing up to her difficulty well, determined to make a success of this problem as well as her own.

Catherine seems not to know of her illegitimate birth. She is devoted to her stepfather and to her mother. She seems to get on well in her present situation, and, of course, will continue living in her mother's household.

The paternity of Catherine was never established.

The agency had contact one year and a half; then the case was closed.

*Louis.*—Nellie, herself of illegitimate birth, was 23 when she applied to the agency for a domestic position where she might keep her baby, Louis, 17 months of age. She used the title "Mrs.," and at this time the agency was not sure whether she was married or not. Her own mother also had been of illegitimate birth. Nellie was penniless, and her relatives would not help her in any way; they would have nothing to do with her. She had no plan except to earn a living for her child.

Little was known of the baby's father. He was a fireman, 33 years old, living with his mother.

Nellie had lived in an orphanage until she was almost grown, when she was taken by her mother's relatives, who offered her a business education. They found that she was inclined to be wild and that she would listen to no one, so her uncle-in-law forbade her the house, and she had had nothing to do with her relatives since then. She had been in domestic service before the birth of Louis.

Nellie was of frail appearance, but she had good health. She always resented being a servant and was never satisfied until, against the advice of the agency, she obtained a place as housekeeper in a home where she was one of the family. The household consisted of two unmarried men and their aged mother. Nellie and Louis were together in this household until the child was 4 years old, when the mother again became pregnant, this time by one of the men of the family. He gave her money and sent her to a near-by city, where she had an abortion performed. She then returned to his home. Later she showed signs of a severe emotional disturbance; and this man sent her to a psychiatrist, by whose arrangement she was placed in a mental hospital. Tests showed that she had a mental age of 15 years, and she was judged emotionally unstable. She left the boy in the home where she had been employed, as the family desired to keep him. He has remained with them ever since under supervision of the agency. As Nellie has had no contact with her relatives the boy has not known them.

The mother was in the mental hospital for about three months. While there she met a man of 25, who was being treated for drug addiction. After both were discharged from the hospital Nellie lived with this man as his wife in his mother's home. She became pregnant but did not allow the child to be born. After a while the

man's mother learned that Nellie was not married to her son; and she compelled the young woman, who was again pregnant, to leave the home. A second child, Jessica, was born soon after this; and Nellie obtained a domestic position where she could keep the child with her.

A year and a half after the birth of the second child Nellie married a man whom she had met while working as a housekeeper in the country. In this community she was known as a widow, but she told the man the truth about her two children, and he still wished to marry her. The husband has a trade and makes excellent wages. He has always been very devoted to Jessica, and she goes by his name; and as they are now living in a new community Jessica is thought to be the child of her stepfather. She is now 9 years old and is in the third grade. She did not begin school as soon as she should have because she was living in the country.

Nellie has always been industrious, honest, and scrupulously neat, and, according to her ability, she has always been a good mother. When asked why she kept her first child she answered that until he was born she had never known what love was like. It is not known whether Louis has ever been told of his illegitimate birth. He is still with the family that kept him when his mother went to the mental hospital, and he writes to his mother frequently. His mother has visited him at intervals, and he is under the supervision of a children's agency. He is in the seventh grade of the elementary school. The boy has a good home, and the mother believes that he will inherit from the two men of the household.

The father of the first child never supported him at all. The father of the second child signed an agreement to pay \$12 a month toward her support for 12 years. His payments have lapsed frequently, and the agency has checked him up. After a lapse of two years the payments have been resumed, and the mother is now receiving \$30 a month.

The agency has had continuous contact with the case for 14 years.

*Elsie.*—The case of Florence, Elsie's mother, was referred by a court when she was placed on probation after her mother had charged her with incorrigibility. Florence had been doing housework for a very poor type of family. When referred she was dependent upon friends. She was pregnant with her first child (not Elsie, the child whose history is given) but apparently was not aware of the fact at the time. She was 19 years old.

When Florence's mother, a widow, learned that her daughter was pregnant she felt that she could not keep her and the baby. The girl went to an institution for maternity care. The baby died when 2 months old.

Florence was very weak in character. She was inclined to be untruthful and willful, and at times she was subject to spells of stubbornness. When she was 18 she was given a psychological examination and was found to have a mental age of 9.6 years. Though not in ill health she was not robust.

After the death of the baby Florence held a position as a domestic. Later she worked in a factory and lived in the home of her sister. While living with her sister, who was not leading a moral life, Florence became illegitimately pregnant the second time. When

the second baby, Elsie, was about 4 months old she was removed from Florence's care by a child-protective society, on the advice of the agency, because of neglect. The baby had institutional care for a short time and was later boarded in foster homes.

Little is known of the father of Elsie. He was of foreign birth and was about 40 years old. He was a steward on a yacht and made a good salary. Some time after the birth of the child he was known to have served a prison term.

About one year after Elsie was removed from her mother's care, the mother married, and 18 months later Elsie was placed with her again. In the meantime Florence had given birth to the first child of her marriage. Since then she and her husband, with the two children, have lived together practically continuously, although not always without difficulty. The husband has at times been domineering, not realizing his wife's limitations; or, when he has realized them, he has made decisions concerning the family without consulting her. On her part, Florence has been developing resourcefulness and strength in meeting situations, but she sometimes has shown emotional instability. Twice after family quarrels she left home. With the help of the agency the situations were straightened out and the family reunited; for under their surface disagreements both husband and wife have a real desire to preserve the family life, and they realize its value to the children. Maternal affection and responsibility are now apparent in Florence's attitude, although these characteristics were not noticeable earlier. She seems to have developed gradually in character, and she now shows resourcefulness and forethought in making her plans.

Since her mother's marriage Elsie has been accepted by relatives. The husband has shown a very fine attitude toward his stepchild. He takes a special interest in her and often is wiser and more patient than her mother, and the child shows affection for him and trust in him.

The mother has affection for Elsie and interest in her, but has been unable to meet certain difficult behavior problems that began to develop a year ago. Elsie did not study, and her teachers complained that she was untruthful and that she frequently took money from others. Under observation in a child-guidance clinic she has improved. Florence has done her best to cooperate with the clinic, and her husband has been a real help in the special interest he has shown in Elsie and in the understanding he has given her. There are encouragingly fewer complaints regarding her conduct. At 8 years of age she is in the second grade at school. She does not know of her illegitimate birth.

The agency has had contact with the case for 10 years, with two intermissions.

*Rita.*—After discovering her pregnancy, Lurline, a 17-year-old girl, went to the home of a married sister in another city. The sister received her, sheltered her before and after confinement, and later helped in making plans. A church referred her to the agency after the baby, Rita, was born.

Lurline said she would be "beholden to nobody," that she could wash and cook, and that she expected to work and keep her baby with

her. She had not been employed before the birth of the child but had lived with her parents.

She was quick tempered, sensitive, willful, independent, self-reliant, and resourceful. She had completed sixth-grade work in the public school. From the first she was determined to keep her child, toward whom she showed affection and a sense of maternal responsibility. At this time she was mentally normal, according to the impression of a number of people who had continuous contact with her (later she manifested emotional instability for a time).

The alleged father of the child was an apparently decent, weak boy of 17, not employed, who bore a good reputation in the country town where he and the mother lived. He lived in a good home with his stepmother.

The case was taken into court but was dismissed because of the testimony of character witnesses against the girl.

On account of Lurline's youth institutional care for a year was considered, but this plan was finally abandoned on account of her desire to maintain herself and the baby, Rita. She took a position with the baby in a physician's family, the members of which took a great deal of interest in her. While here she had an emotional disturbance; she finally was able to tell the doctor and the agency worker of details of early family life which had preyed on her mind. For several years from the time she was 11 her father had forced her to have sex relations with him. This went on with the knowledge of her mother, who made no effort to meet the situation because of the family's subjection to the father, due to his violent temper.

Later Lurline left the physician's home for a position with some patients of his, simple working people in comfortable circumstances. She and her baby were received as members of the family. Here she met and married the brother of her employer, a man 15 years older than herself. He knew her history and was attracted first by her affection and care for her child under difficulties.

For a time the young couple and Rita lived on with the husband's relatives; but later they moved to a flat of their own, and still later, to the country.

After she had been married two years Lurline left Rita with her husband and returned to her home town, saying that she was going to see the father of her child. Rumors reached the agency that she was associating immorally with a number of men, and through the help of a State agency she was returned to the city. Her home was re-established, but several months later she again deserted it. For five months both she and her husband continued in touch with the agency but lived apart with their respective relatives. At length a reconciliation was effected, and they again established a home in the city, which has been maintained ever since without a break.

Two children have been born of the marriage, both sturdy little boys. Another child is expected in a month. A true family spirit has developed after the many trials, and there seems to be a real understanding and devotion between husband and wife, in addition to their common interest in the children and devotion to them. Except for the brief time during the period of emotional instability after marriage. Lurline has shown real devotion to Rita. Much affection has existed between them, and now that the child is older,



considerable companionship. When the mother deserted, leaving Rita with the husband, he boarded her with friends for a time. No regular boarding homes or institutions were used.

Some of the relatives accepted the child from the first, and after Lurline's marriage, all did so. Rita is attending the public school. Her health is good, although it is not robust. Judged by her school progress and by the impression she has made on agency workers, she is mentally normal, and no special mental tests have been given her.

Rita is living in the home of her mother and stepfather, in a comfortable flat in the suburbs. The home is attractively furnished, and both take pride in it. The child was only 11 months old at the time of the marriage, and the husband legally adopted her when she was 5 years old. She believes her stepfather to be her father. He has always been very devoted to her, and there is real affection and understanding between them.

The child will have the protection of a good type of workingman's home. She probably will be given some trade training or other educational opportunity beyond the elementary school.

Except for the brief period of emotional instability shortly after her marriage, the mother has never considered a separation from Rita.

The father of Rita has had no contact with either mother or child since the court dismissed the case against him, eight years ago.

The agency has been in contact with the case for eight years, continuously.

#### **Lack of adjustment in step-parental homes.**

Even though their mothers had married some of the children never became an integral part of family life in the step-parental home. In a few instances this was due to active dislike for the child or lack of interest in him on the part of the stepfather, in others to behavior difficulties of the child or to lack of frankness of the mother as to her relationship to the child.

Of the 128 cases in which the child had a stepfather a definitely unfavorable attitude on the part of the stepfather was shown in only 6, although in a number of histories the information was insufficient to indicate the child's place in the stepfather's affections.

That the wise assistance of an interested agency may be of great value in helping a child who is disturbed emotionally on account of his unsatisfactory family relationship is shown in the story of Bertram (p. 50). The stepfather of Corinne was one of the few men who exhibited active dislike for his wife's child of illegitimate birth.

*Corinne.*—Angela applied to a child-welfare agency for advice in planning for her baby, Corinne, as her father wanted her to have nothing to do with the baby's bringing up. Her parents were foreign born. Her father was a stern, unkind man, who denied his children all pleasures at home and outside, as much as he could. Her mother was kind, and Angela and the other children loved her. Angela's father expected her to pay board for the child in his home and live there herself. The young mother had refused to go home, but she had permitted her family to make the plans for the baby. Angela's mother had taken the baby into the home, and Angela had continued to work as nursemaid in a family.

Angela was a tall, slender girl of 18 with high color and every evidence of health. Her mentality seemed to be above the average; but she had finished only four grades of the elementary school, having left school when she was only 11 years old.

The baby's father was a waiter. He signed an agreement to pay \$8 a week for 12 years toward the baby's support.

Before the child, Corinne, was 2 years old, Angela gave birth to another child. She would not name the man whom she believed to be responsible for the child, saying that there was a possibility of mistake on her part. Before the second child's birth Angela had contracted syphilis and had spent several months in a hospital. After this child's birth she entered domestic service, keeping the second baby with her, while Corinne still remained in the home of her grandparents. After a year the second baby died. All this time Angela had been keeping in touch with Corinne, visiting her at the grandparents' home without the grandfather's knowing it.

After her second child died Angela obtained a position as nursemaid for three little children and remained there two years. She was still under medical treatment, and the physician considered her case as at a stage where there was no danger of infecting others. While away for the summer with this family Angela met a man whom she married a year later. She told him about Corinne but not about her second child.

At the beginning of her married life Angela wanted to have Corinne with her and, with her husband's consent, she brought her into the home; but the child was so difficult to manage that she was returned to her grandmother. Again and again the husband and wife tried to keep the child, but each time the plan was given up and the child was returned to her grandmother. The grandmother died about 15 months ago; and the home was broken up, as the grandfather had died several years before. So Corinne now lives with her mother and calls her "aunt." Angela does not know whether or not Corinne knows the truth about their relationship, as the child had formerly called her "mother."

Corinne now goes to school regularly. She was two years in one grade, but the mother believes that this was due not to any lack in the child but to carelessness on the part of her grandparents in not seeing that she attended school regularly. Her temper does not seem to be bad now, and she gives no trouble in the home.

Angela now has three children of her marriage and lives in a suburb of a large city, where she was recently visited by the former agency worker. Ever since the marriage she and her husband have been buying their house and a good-sized lot. In two years they will have completed the payments. She told the worker, with some pride, that she belonged to the literary club of the town, also to the woman's club and also to a national fraternal organization. Her husband objects to all these outside activities, but she will not accede to his wishes and remain entirely at home. He is head porter in a large hotel, where he has been long employed. He is industrious and a good husband and is a good father to his own children, but not to Corinne. He resents her presence and grudges her everything that she must have. He will not speak to her, and she is so afraid of him that the mother never even sends him a message by her.

So far the mother has been fair and treats the girl as she treats her other children. The situation is difficult, as the mother says she has no real affection for this child as she has for the others. The little girl is impulsive and affectionate, and Angela can not respond as she should. The constant friction between her husband and herself about the child is making trouble in the home, and she does not know what to do.

Up to the time of the worker's visit the mother had no plans, but was just letting things drift. She realized that it was very bad for the child to be brought up in this atmosphere, yet she did not know what to do. She consented to the agency worker's suggestion that her youngest brother be seen by the worker and the situation talked over, in the hope that some of the family will be willing to take the child. If this plan is not feasible it may be possible to put her in a good school where she may be trained to earn her living.

Corinne's father contributed fairly regularly to her support for the 12 years agreed upon.

The agency has had contact for 12 years. The last few years it has been only a friendly relation through a former worker, until a crisis has called for action.

*Bertram.*—When Bertram was 3 years old his mother, Frances, 24 years old, asked a child-caring agency to find a boarding home for him, as she was about to be married, and she intended to continue her work as bookkeeper.

Frances was a refined girl, whereas her mother appeared to be coarse, with indications of mental deficiency. The family were of a rather ordinary, vulgar type, except Frances's father and grandmother, and Frances herself, who had a particularly sweet, fine strain in her, characterized by loyalty, devotion, self-sacrifice, perseverance, and lack of suspicion or resentment. She had graduated from high school and had fitted herself for clerical work.

The father of the child was of good family and bore a good reputation. He had a high-school education, and he held a good business position. He was single and lived with his mother. Because he considered Frances's family beneath his he had refused to marry her. By private agreement he paid her \$300 at the time of the child's birth.

Frances and the child were living with her family, who were kind and sympathetic to her and devoted to the child. She planned that she and her husband should live with her relatives.

Bertram was not placed in a foster home but lived for seven years with his mother and stepfather in the home of her relatives. A year after the marriage a child was born to Frances and her husband. Frances continued to work as bookkeeper. Throughout her married life she has practically supported her relatives, with a little help from her husband and his relatives, who are of a very superior type. There has always been a cordial relationship between these relatives and the mother and child.

Knowledge of the mother's history seemed to have little effect on the community's attitude toward her. She had no intimate friends, but she was liked and respected.

Bertram's stepfather, a man of really superior mentality and tastes, was high-strung and extremely nervous, and in poor health. He got into bad company and for a time was unlucky in business. Frances

was indulgent to Bertram and weak in discipline, and when at the age of about 8 years the boy developed behavior difficulties, considerable friction developed between the stepfather, whose attitude toward the child had been good on the whole, and the mother and boy. Bertram, a highly sensitive child, above normal mentally, became disobedient and dishonest, was a truant from school, as a result spending three years in one grade, had severe fits of crying and despondency with occasional outbreaks of stealing, and caused so much friction and distress that there was danger of the home's being broken up.

For these reasons, when the boy was 10 years of age the agency recommended that he be placed at board in a foster home. It was thought that by this plan Bertram would find it easier to overcome behavior difficulties and adjust himself to life, and the stepfather might be encouraged to procure steady work, eventually making possible the reestablishment of the home and the giving up of outside employment by the mother. It was also recommended that Frances and her husband establish a home apart from her relatives, who had a bad influence on the husband. It was a sacrifice for Frances to pay part of the boy's board and provide clothing, and a hard struggle for the mother and boy to part, but this was accomplished.

At the time the decision as to placement was being made, Bertram was studied by a psychiatrist. It was then discovered that most of the boy's behavior difficulties were due to severe mental conflict. He did not understand about his illegitimate birth; but when he was about 8 years old his status became known in the community, and he overheard queer things about himself and his mother, and was called names by his playmates. At one time his grandmother, in a fit of anger, called him "bastard." These experiences made him feel that he was different from other boys, and he worried constantly.

On the advice of the psychiatrist he was told the truth about himself and his father. His reaction at first was one of great anger toward his father. This soon changed to increased affection and remarkable devotion for his mother. He became adjusted well in the boarding home, where he remained two years, and later he was placed on a farm, where for two years he has been earning his own board and attending school. At 14 he is in junior high school. Occasional week ends and holidays are spent at home. He is still regarded by his relatives as belonging to the family as truly as any other member, and his great-grandfather adores him. He is fast developing into a fine, manly, trustworthy boy, with the greatest love for home and mother. He is very fond of his little half-brother, who is also living in a foster home.

Home conditions have greatly improved, the health and morale of the stepfather are much better, and real companionship and mutual liking are developing between Bertram and his stepfather. It is hoped that in another year the family can be reunited and the mother give up work outside the home. The parents now live in another community, where their history is not known.

Frances has never for a moment wavered in her determination to keep her child. The determining factor may have been her sense of duty and loyalty (so strongly seen since in relation to her husband), as well as her natural affection toward her child, toward whom her attitude has been that of any good married mother. Doubtless the

affectionate attitude of her relatives and their somewhat lax morals made it easier for Frances to keep the boy, but apparently she never seriously thought of doing otherwise. She has, however, confessed recently to the agency worker that she has "been through fiery agony and suffered till she could suffer no more, but that is all past and the hurt is gone."

Bertram's father has had nothing more to do with the mother or the child. He is now a successful business man, is married, and has three children.

The agency has had continuous contact with the case for 11 years.

#### Step-parental homes broken up.

In some cases the mother's marriage was not successful, and it failed to establish a happy family life, yet it had been of some service through providing a definite status for the mother and her child in the community. In other cases the stepfather died.

In the following stories of Maud and Winifred the mother and stepfather did not continue to live together, but the child benefited by the marriage to the extent of being recognized as belonging to a normal family group. Although Estelle's stepfather died when she was 12 years of age the mother was enabled to maintain a home until her death by a grant from a State mothers' pension fund. The mother of Robert (p. 57) was of too low-grade mentality to maintain her own home. The wise guidance of the agency and of interested foster parents have been the dominating factors in the boy's life.

*Maud.*—Maud's mother, Ethel, a girl of 17, had syphilis and gonorrhoea, and therefore could obtain maternity care only at a municipal hospital. She had entered during pregnancy and soon after admission had been referred to a children's agency. For a year she had been a nursemaid in a family in moderate circumstances, where her wages were about the average for this work, and she had saved no money. Her plan, as stated by herself to the worker, was to put the baby away and enter a house of prostitution. Ethel said this quite frankly, adding that she understood that that was all a girl in her circumstances could do.

Her mother had died when she was 7 years old, leaving several children, each of whom was placed by their father with a different family. For years Ethel had known nothing of her relatives. She had been reared by a kind woman who had little education and who gave the child no opportunities, chiefly because her own limited experience included no vision for any child beyond the required number of years in school, then work. Ethel did not recall when she began work, but it was when she was very young, doing errands and chores for neighbors. The work as nursemaid that she had been doing when she became pregnant was the first for which she had received regular wages. No mental examination was given, as the girl was judged to be of normal mentality, somewhat above the average, considering her lack of opportunity.

A few years before the birth of the child Ethel's father had returned to the city. He had been married for some years, and he was in comfortable circumstances, but he had no thought of any obligation to his daughter. Ethel's brother, two years older than she, was boarding with his father.

When asked about the father of the child, Ethel gave a confused story of going out on a party with a girl friend and two men, of being given something to drink, and later awakening in a room in a cheap hotel. She disclaimed knowledge even of the man's surname. Effort to get some information through the girl friend and the hotel proved vain, and Ethel never gave any other story.

After the case was referred to the agency it was found that the baby had congenital syphilis and gonorrheal infection of the eyes. Hospital treatment was provided before any attempt was made to place the mother and baby. After several months of treatment they both went to a maternity home, whose superintendent, when visiting the hospital in the course of missionary work, had met the mother and become interested in her. This home and the agency cooperated in the plans for Ethel and the baby, and when placement could safely be made she was given a position at domestic work, keeping the baby with her.

Her father and stepmother did nothing for her. Her brother claimed that he was unable to assist her because his father controlled his earnings. Ethel's foster mother was kind. She allowed Ethel and the baby to visit her and rendered them a little assistance—as much as was possible in her circumstances.

Both the mother and the child, Maud, were kept under medical observation and treatment until discharged by the physician in charge of the clinic where they were treated. The child was discharged much sooner than the mother, who remained under observation for six years. Through this period Ethel worked in several homes, doing domestic work, and the medical problem was always frankly explained to the employer. It is significant that in no case did this prevent an employer from taking the mother and child. The homes selected were always those in which the mother did not have the status of a servant, but where she had somewhat, if not always entirely, the position of one of the family. Due consideration for the child was always insured.

In one home of this type where she and the child lived about two years Ethel came to know a young man, a mechanic, who wanted to marry her. As her employer and the worker of the agency were both in her confidence she introduced the man to them and was quite frank with him about their relations with her. For months he visited her, and her employer was impressed with his sincerity. He took Ethel to visit his family. They received her and Maud well, and he appeared to be devoted to the child as well as to her mother. When the child was 3 years old they were married, and they then made their home with the husband's family.

All had gone well for some months, when Ethel discovered that her husband was a bigamist. She left him, and soon afterwards he was arrested and convicted.

All through this time Ethel's family had remained unfriendly, and they now refused her any help. As it was necessary for her to resume supporting herself and Maud, she returned to domestic work. Within a year she married a man of a respected, thrifty family. He was genuinely kind to his wife and to Maud. Two children were born of this marriage. At no time did Ethel's husband discriminate in any way in favor of his own children. However, serious difficulty

confronted the wife in the fact that he was addicted to the use of drugs. He would go out daily to work, spend his earnings for drugs, and then say that he could not get work, while the wife was doing housework by the day to support the family. The spectacle of his wife, not a robust woman, doing the housework of the home and outside work in addition did not affect him. At times his married brothers gave some assistance; but they urged his wife to leave him, and they were unwilling to do much.

Ethel's family had gradually become friendly and now were in the habit of visiting her. Her brother left the father's home and came to board with her in order to help her, but their father gave no assistance. Several times relief was given by a family agency, to which the case had been transferred by the social agency that had previously dealt with it. At one time the husband was induced to enter a sanitarium where he was treated for drug addiction, the expense being paid by the city charities. For some time after this he did well, but he finally reverted to the use of the drugs. Finally Ethel became afraid to continue living with him. After the final break the husband disappeared entirely.

With relief from the family-welfare agency and the friendly care of the visitor from the social agency the family has for several years enjoyed normal home life. In spite of the vicissitudes through which she has passed, Maud has been happy, and, even at the worst times in her mother's difficulties, has been at least fairly well cared for. At the time of the birth of the last baby she was placed temporarily in a boarding home. Her revelations to the boarding mother regarding the advantages in this home over the inadequate equipment and means in her own home, which the child saw only in the light of the disadvantages to her mother, indicated the really deep bond between the mother and child. This experience did much to hasten an appreciation on the part of the agency of the need of the family for some definite change in plan.

Maud, though not a beautiful child, has always been attractive, with an appealing personality. She developed rapidly during the five years of tranquil home life after her mother's second marriage was broken up. Her progress in school has been normal. According to the plan of the family agency the mother earns some money for the family support by working four hours a day as waitress in the restaurant of a department store; the family-welfare agency contributes the remainder of the money required. A friendly visitor from the social agency that first dealt with the case has taken great interest in Maud. At one time the child alarmed her mother by her unwillingness to take care of her two little brothers after school and by what the mother termed "her wildness." As it was feared that her actions might be danger signals the child was seen by a psychiatrist, by arrangement of the friendly visitor, with gratifying results. His recommendation was that Maud be given greater opportunity for suitable recreation and for cultivation of her talent for drawing. The friendly visitor promptly set to work to procure the needed resources. Maud became a member of a swimming club and a skating club. A scholarship in an art school was procured for her, and she spends certain hours in the afternoons there, happily occupied.

Ethel, ever cooperative and intelligent in her efforts for the welfare of her children, has entered whole-heartedly into all these plans. She has always been a good housekeeper and a fine mother. She was originally a pretty girl, with refinement and delicacy of manner. Naturally her experiences have left some trace. It was gratifying to the agency worker who had first known her to note that recently she appeared well—even robust—and that her manner confirmed the satisfaction that she expressed in telling of the circumstances of her family.

Maud considers herself the child of the first husband. She only vaguely understands that some difficulty necessitated that her mother leave him. She has always borne the surname of her stepfather since her mother's marriage to him. The fact that her early recollections include seeing the first husband so much in her home with her mother prior to the marriage which ended in his conviction for bigamy no doubt served to fix this impression in the child's mind. The mother apparently does not think of the possibility that Maud will ask for further information. The child is generally regarded as legitimate and her position among other children is assured. Before Ethel's first marriage she did not attempt to conceal her true status. However, she had no associates in the neighborhoods in which she worked, except the families with whom she lived, so it is possible that she may be safe in her confidence that Maud will never be disturbed as to her paternity.

One would expect that this child would have to go to work early. Her exact place in school now has not been ascertained, but at 14 she is still in school. The interest of the friendly visitor and the child's talent for drawing will probably be the means of assisting her to get an adequate education. On the whole the prospects for Maud's future are favorable.

The agency had continuous contact for seven years (after which the case was referred to a family-welfare agency), and a friendly visitor has continued contact to the present.

*Winifred.*—A penniless foreign-born girl of 19, Cornelia, was referred with her 16-day-old child, Winifred, to the agency (a maternity home) by the hospital where the child had been born. She had left a widowed mother in Europe and had come to the United States less than a year before to join her only brother. She was of good mentality and could read and write. She was a fairly capable and reliable houseworker, though slow. Her plan was to remain in the maternity home until the child, Winifred, could be placed at board in a family.

Cornelia had known the father of her child two years. He worked in a grocery store in the town where she had lived with her mother. She said that he was of good character. After her arrival in this country, when she discovered that she was pregnant, she induced her brother to send a steamship ticket for the young man. She was corresponding with him and considered herself engaged to be married to him. A few months later the young man left his home to start for the United States, but on account of a contagious eye condition he was turned back before boarding the steamer. She then expected that he would join her later, but on account of the World War he was unable to do so.



Cornelia's brother was kind and did everything he could to help her. However, he was in poor circumstances; and besides he married about a week after her admission to the maternity home.

During her stay at the home Cornelia did well in school work and showed ability in learning English. She showed a sense of responsibility and she seemed promising. Upon her discharge, two years later, she was placed in a domestic position and her child, Winifred, was placed at board in a family. After 10 months the mother left the position and went to work in a restaurant. She rented two small rooms and took the child to live with her. One of her neighbors cared for the little girl during the day, receiving \$5 a week for her services. This arrangement lasted three months and then Cornelia and another mother from the maternity home took a small apartment together and both placed their children in a day nursery during their working-day.

By this time the mother had given up hope that her child's father would ever join her and she married another man, a clothing operator. He seemed fond of Cornelia and he accepted the child. Everything appeared to go well. After three years Cornelia learned that her husband had been married before and that his wife and three children had recently arrived in the United States. He left Cornelia and Winifred and returned to his former wife. He proved to the satisfaction of the court that he had believed honestly that his wife had died in Europe during the war and thus he escaped a sentence for bigamy.

Cornelia resumed her former plan of sharing an apartment with the aforementioned friend and still lives there. She is employed at making paper boxes. Her earnings are small, but she is economical and a fairly good manager. Living with her friend has helped considerably in lessening expenses. She naturally suffered greatly from the shock caused by the break-up of her marriage. However, the love and interest of her child have helped greatly to sustain her in life.

Winifred, now 9 years old, is physically well developed and rather tall for her age—a charming girl, well behaved and well mannered. She is intelligent and she has a sense of responsibility, assuming various little duties about the house. In school she is in a rapid-advancement class of grade 4A.

Cornelia continues to pass in the neighborhood as a married woman. Winifred believes that her father is the man that her mother married. She thinks her mother and father have been divorced.

The agency has had contact with the case for 10 years, with one intermission of 3 years following the mother's marriage.

*Estelle.*—The Jones family was referred to an agency for material relief. Estelle, 10 years of age, the oldest of the five children, was not the child of her mother's husband, but had been born out of wedlock two years before her mother's marriage. The family was in very poor circumstances and was being assisted by relatives and by a church.

The mother, Nancy, had been reared in an orphanage until she was 14 years of age, when she was taken out and cared for by her father. At the orphanage she received the ordinary training, but

her mentality was reported as very low. When she was 16 years old she gave birth to the child, Estelle. She would not tell who was the father. Nancy's father and sister helped her to care for the baby in their home.

Two years after the birth of Estelle, Nancy married a man not the father of the child. The stepfather earned a small salary and was able to give his family only the bare necessities of life. Notwithstanding all their difficulties, Nancy persisted in keeping her little girl with her. They lived in a poor neighborhood amid squalid, miserable surroundings. The mother was in poor health for a number of years, and the little girl assisted in caring for her four younger half-sisters. The stepfather was always good to Estelle and treated her as his own, and she was entirely unaware of the difference in parentage. The mother worked, when she was able, going out evenings to scrub office buildings.

With the assistance of the church and the agency, the home conditions gradually improved.

A year after the case was referred to the agency the stepfather died of influenza. Financial relief was obtained from a social agency, and a "mother's allowance" was granted by the county. This income, with a little supplementary help, enabled the mother and children to get along comfortably.

Estelle completed the eighth grade when but 13 years of age and was enrolled in a two-year commercial course. She had a superior mind, and her teachers were much impressed by her high principles. She graduated from the commercial course with the highest honors, and a good position was obtained for her. When her mother attended the graduation tears of joy filled her eyes; she was justly proud of the girl's success.

There was a deep-rooted love on the part of this child for her mother and sisters. At the death of the stepfather she assumed his place in the family. The mother was mentally and physically incompetent to manage the household. The daughter was of a distinctly opposite type from the mother—very refined in her manner and modest in her bearing, whereas the mother was loud and coarse. But the mother had an outstanding love for her children and was extremely proud of Estelle's ability.

The mother died shortly after the girl's graduation, and the children are now being cared for by their maternal aunt. Estelle has a good position as stenographer, and she gives all her earnings to her aunt for the support of herself and her sisters.

Although the mother's past history was known to a number of people in her neighborhood her status in the community and in her church was not lowered thereby, as she proved herself a good mother to her children and lived down the mistake of her girlhood. So far as is known Estelle is unaware of her illegitimate birth.

Estelle's father never assumed paternal responsibility.

The agency has had continuous contact for seven years.

*Robert.*—When Robert was 4 years old his relatives applied to an agency for help in placing him in a boarding home. The mother, Minnie, 32 years old at this time, had had two children of illegitimate birth before Robert was born, both of whom had been placed

in foster homes during infancy. With the third child the mother remained in a maternity home for two years. Then she married and took Robert to her husband's home. After two years the couple separated, and Minnie found herself dependent on her relatives for the support of herself, Robert, and another child born of the marriage.

Nothing was known of the father of Robert.

On mental examination Minnie was pronounced an imbecile. Efforts were made to place her in a suitable institution, but this was not done for several years. During the interval Minnie first worked as a domestic servant; later she lived with her husband or her relatives. Several times she disappeared after stealing rather large sums of money from employers. Finally she went to the maternity home, where she had found shelter during her first three pregnancies, and asked to be placed where she would be shielded from temptation. She was then placed in a home for feeble-minded persons.

During these years Robert and the boy of legitimate birth were boarded in foster homes under the supervision of the agency, first separately and then together, the husband contributing occasional small amounts to their board. After four and a half years together they were separated again for their mutual benefit. Robert was then placed in the care of a superior type of boarding mother, where he remained four years, until he reached his fifteenth year.

After leaving this foster home the boy lived for nine months in his grandmother's home, his mother being still in the school for the feeble-minded. The house was crowded, and the presence of a big, active boy was too much for the family nerves; but the whole household has always regarded him with affection. He was again placed in an agency foster home, because, in spite of the kindly attitude of his family, it was felt that he needed a more normal and stimulating home atmosphere. In this last home he found a wise and vitally interested foster father and mother, who became as sincerely attached to him as he to them. They have seen him through the crises of adolescence with understanding and affection and have given him a real home.

He graduated with honor from a good technical school, having earned enough while at school to help out substantially with his expenses. He is above the average in intelligence.

As a very small boy Robert had an attitude of contempt toward his mother, due in part to his having heard adverse comment on her character and intelligence from foster parents and from her own family. By the time he was 16 this attitude had become one of marked bitterness, and manifested itself in deliberate rudeness and unkindness. The agency worker talked the matter over with him with unsparing frankness and scathingly rebuked him for his cruelty. His attitude gradually changed, and he now treats his mother with a kindness and consideration for which she is pathetically grateful.

By the time Robert was 18 Minnie's mother had become a chronic invalid. One of her half-sisters had married, and the other was working. Minnie was then 42 and had improved so much in the home for the feeble-minded that it was felt that she might safely return to her family. So for four years she has been their hard-

working, efficient—but unpaid—housekeeper, earning enough money for her few needs by doing work outside for some of the neighbors. Visits and telephone calls from her son, membership in the adult Bible class in the church, and an occasional dinner and motion-picture show with the agency worker are the high lights of her daily round of unselfish service to her family.

At 19, Robert, with the agency's approval, set out to see the world. He worked his way to a large western city and obtained work with a public-utility concern. He took a night position so that he could study at the local university by day. He is now back in his native city and holds a good position in the branch office of the western company. He is a fine, clean, upstanding, gentlemanly lad.

He sees his stepfather occasionally and seems to have some regard for him. The stepfather has always declared that he would never tell the boy the circumstances of his birth. He did, however, tell him many details of his mother's past delinquencies, and it seems likely that Robert knows of his illegitimate birth, though he has never spoken of it.

The agency has had contact with the mother intermittently, since before Robert's birth to the present time.

*George.*—When the case was referred to the agency Mary's baby, George, was 2 weeks old. The mother needed the agency's help in getting the father to pay something toward the child's support. She was 19 and had been a domestic worker, earning \$8 a week. She had completed the eight elementary-school grades, and she talked well. Her mother was dead, and she had lived with her father and sister. She had two brothers, who lived away from home. When her father learned of her pregnancy he turned her out. On the day her child was born she had walked several miles in a heavy rain to the home of a former employer, a wealthy woman, who sheltered her and sent for a physician. He rushed her to a hospital, where the baby was born almost immediately. The mother and the baby were later placed by this same kind woman in a maternity home, where they remained for more than six months. Then they went to Mary's home, peace having been made with her father by her brothers and sister.

A year or two before, she and her sister, who was pretty (Mary was not), had joined a theatrical troupe as part of the "multitude." They went with the company to another city for a time and then returned to their home city. Having made some money, they established themselves in an apartment on a notorious avenue and proceeded to entertain. According to Mary's story they had many visitors. Though these circumstances made it doubtful whether the child's paternity could be fixed Mary insisted that she could prove her case.

Little was learned about the alleged father, beyond the fact that he was foreign born. He was well established in business and boarded in an excellent neighborhood, and appeared to have a considerably higher social status than Mary. He was seen only twice by the agency worker, both times with his attorney, in conference with Mary, her attorney, and the agency worker. He was good looking and well groomed, and he seemed well educated. Mary

seemed amazed at his formal manner. The man did not deny the charges.

He signed an agreement to pay \$10 a month for the child. After two or three payments he asked to close the case with a settlement of \$350. This amount was refused, and \$800 was suggested. A compromise was effected for \$500, and the money was paid in cash. After the receipt was given to the man, in the presence of both lawyers and Mary, he dropped entirely out of her life. Mary paid the attorney who represented her a fee of \$25.

Within the next year Mary married a widower with one child. The money may have been an asset in the marriage. She attempted to draw so heavily on it that the agency refused to advance any but the monthly allowance stipulated. The agency worker visited the new home and met the husband. He owned a small house, which might have been attractive but which was instead untidy, dirty, and ill ventilated. The husband was antagonistic to the agency. He could not or would not see the justice of protecting George's money. The agency finally agreed to turn over any unexpended balance after the child was legally adopted, and this was done within a year.

Mary died from tuberculosis when George was 7. Her sister, who had married a brother of Mary's husband, took the little boy. He is in their home at the present time.

The agency has had contact with the case, intermittently, for nine years.

#### **Adjustment of children before marriage of mothers.**

The following story of John is given by way of contrast with the preceding stories. The mother of this child showed unusual stability, remaining in one place of employment for 15 years. She came to this country only a few months before the child's birth and apparently had been known as a widow. She did not marry until her son was 15 years of age. The story illustrates the kind of case in which the child is well adjusted before the mother's marriage in the household where the mother was employed in domestic service.

*John.*—A 19-year-old mother of foreign birth, Gertrude was referred to the agency by a hospital when her baby was about 1 year old. She had been employed by the hospital after leaving the maternity ward, and she now was seeking household employment in a home where she could keep the child, John.

Gertrude had been two years in the United States, having left her native country when she was pregnant. She knew little of American ways but proved quick and adaptable. She never mentioned her relatives, and probably they were all in Europe. Her baby attracted the interest and attention of all who saw him because of his fine physical condition and his beauty. Gertrude was devoted to him, and she had no plan except to work for him and keep him. There was no information concerning her employment record previous to the child's birth.

Gertrude impressed everybody coming in contact with her as being intelligent and capable of managing her affairs. Her education in her own language was fair, and her health was good.

Very little was recorded of the child's father. Apparently he was superior in station to the mother. He was known to have written to

the mother from Europe when the child was about 5 years old. Her employer, who knew her well, had reason to think that the man sent a sum of money for the child.

The agency placed Gertrude at domestic service with John in a good type of suburban home, where both remained for 15 years. She was most satisfactory in her work, and she showed much strength of character. Her employer's family, three adults, took great interest in the boy's development and education. From the beginning he showed evidence of good mental and physical powers. His progress through the elementary school was satisfactory, and he graduated from high school when he was 17. Besides doing well in his studies he excelled in athletics and was the champion high jumper of the high schools of the county. He won a scholarship and is now a sophomore in one of the largest and best-known universities. The family who employed his mother are much interested in his career and are helping to pay his college expenses. John works every summer to help pay these expenses; his mother also contributes a share. The relations between mother and son through the years have been in every way harmonious.

When John was in the fourth year of the high-school course Gertrude was married to a man employed on the place where she lived so long—a man in fairly prosperous circumstances. Shortly after the marriage he bought a large farm, and the couple went to live there. No children have been born of the marriage. Last summer John stayed with them, going to work each day in a large town near by, where he obtained a temporary position in a laboratory. The future of Gertrude and her son seems secure. Certainly she never has regretted keeping the boy. It is not known whether he suspects anything irregular in his birth. If the truth becomes known it is probable that it will make no difference to him. His natural gifts command respect from all who know him, and he is receiving excellent training in the professional career that he has chosen.

#### CHILDREN WHOSE MOTHERS DID NOT MARRY

Ninety-eight mothers did not marry after the birth of their children (three of these mothers had been married, however, before the birth of the child considered in the study). The great majority of the children of these mothers (73 per cent) were still under 16 years of age at the time the last information was obtained, and consequently many of them were still in need of considerable periods of care and supervision. The periods of time, however, during which they had been in the custody of their mothers seemed sufficient to indicate whether their best interests would be served by a continuance of this plan. Fifty of the 98 mothers who did not marry were known generally as married women, representing themselves as widows or deserted wives. Seven were known in the community as unmarried mothers, and 12 concealed the fact of their motherhood. No information was obtained as to the status in the community of 29 mothers.

In some of the 12 cases in which the mother concealed the fact of her motherhood the child had been placed in the home of relatives, where his parentage was known only to the family, even the child himself not knowing his mother. In a few cases the mother boarded

the child in a family home or an institution where she visited him but kept all knowledge of the child from her neighbors and her associates at work. Most of these mothers saw their children from time to time—some of them frequently—and many of them were supporting the children unassisted, though only 44 of the 98 were keeping the children with them. Three mothers had died, 2 were in hospitals for the insane, and 49 others were living away from their children at the time of the last information.

Fewer changes from place to place were necessary for most of the children who were received into the homes of relatives when quite young than for children placed elsewhere.

In grouping the following histories the emphasis was placed not on the home in which the child was first cared for nor on the home in which he was living at last information, but on the home which appeared to have been most largely responsible for the child's adjustment in the community and his preparation for self-support.

#### CHILDREN IN HOMES OF GRANDPARENTS OR MOTHER'S FOSTER PARENTS

Although much uncertainty as to the outcome is involved in the return of an unmarried mother with her child to the home in which she was reared, sometimes a mother faces the ordeal either because no other course seems open to her or because she realizes that by going home she will give the child the opportunity for a normal home life. Thirty-four of the mothers who returned home in the beginning with their babies married later; 10 mothers did not marry but continued living with their relatives until their death or to the time of the last information. Four mothers did not return home immediately after the birth of the child. In two of these cases the baby was received by the mother's parents before she returned home. Only 3 of these 10 mothers who did not marry but remained in their parental homes were generally known in their communities as having a child of illegitimate birth. One had been married before and had no difficulty in passing her child as legitimate; and 2 did not acknowledge their maternity, claiming some other relative as the mother. The ostensible status of 4 mothers was not clear.

Those mothers who returned after the children were beyond infancy found no difficulty in passing as widows.

The following stories of Genevieve and Hugh show the efforts made by the mothers and their parents to protect the children from knowledge of their unusual situation even when the mothers face the problems squarely.

*Genevieve.*—Betty, Genevieve's mother, was six months pregnant when she was brought to the agency by her foster mother, Mrs. L. with whom she had been living in another State.

Mrs. L. and her husband had lived in a scattered New England village. They owned a tiny farm, which yielded a scanty hay and potato crop. The proceeds from this, together with Mr. L.'s Army pension, supported them. When Mrs. L. was 53 and her husband much older they adopted a baby 14 days old, Betty, whose mother had died at the girl's birth, leaving nine growing children. Their father was poor and was struggling with an unproductive farm, so that he welcomed the offer to adopt the baby.

Betty was brought up with no knowledge of the fact that she had been adopted, and she became the center of the home life. She was sweet and obedient, and devoted to the elderly couple. When Mr. L. died, Betty and Mrs. L. became almost inseparable companions. Betty was a well-behaved child in school, and she regularly attended the little village church and Sunday school. As she grew older she taught a class and played the organ at the church services. She was kind to everyone, visiting neighbors who were sick or in trouble. She had attended a rural school, where she finished the elementary grades, but failed in two subjects when taking high-school examinations. This was a great disappointment to her, and later when several new subjects were added to the grammar-school curriculum, she returned for another year. Occasionally she did some clerical work at a village store and earned a little money to tide her mother and herself over a hard time. They lived frugally always.

Mr. B., a family friend who lived on a prosperous farm a few miles away, helped the two women to garner their crops and advised them in their business affairs. They often turned to him and to his wife, who, having no children of her own, was especially fond of Betty. Often Mrs. B. stopped for the girl on her way to church services or took her home afterwards. Mrs. B. had been a teacher and could help Betty in many ways, and a warm friendship grew up between them.

Betty went seldom to social affairs and knew few young people. The fact that one young man called upon her several times was a matter for comment. When she was 20 years old she went to her mother in great distress and told her that she was pregnant. It was like the explosion of a bomb. Mrs. L. became wild and hysterical. When she came to herself she made immediate plans for taking Betty to the city, where she thought they could hide the disgrace, dispose of the baby, and return to their old life.

The girl was quiet, self-contained, serious, and amiable; brave when speaking of herself but crying bitterly when speaking of her foster mother. She showed much simplicity combined with unexpected determination. Mrs. L. wanted to leave Betty in the care of the agency until after the birth of the child and then to take Betty home, leaving the baby to the care of the State. Betty was fond of her baby and wished to keep her but would have given her up to satisfy her mother, whose grief over the situation was her first concern.

When Mrs. L. and Betty applied to the agency for advice Betty said that their only neighbor, Mr. C., a man over 60 and a family friend, had assaulted her when she was alone in the schoolhouse doing some cleaning. She gave the story in detail and was clear in her statement. Both mother and daughter begged that no effort be made to obtain support from him lest the whole story should become public. The visitor for the agency told them that no promise could be made, as it would be necessary to establish paternity.

Betty was placed in a maternity home, where she was generally liked by the matron and the other girls.

A man worker from the agency called upon Mr. C. and told him about the case. He was astounded and furious, denying the whole story and calling in his housekeeper to corroborate his statements.



This woman was an inveterate gossip and the following day spread the news broadcast. Still Betty stolidly repeated her original story.

The birth of the baby was difficult, and the child began life with a broken leg. Betty was devoted to her, giving her the tenderest care. Possibly because of her softened feeling she finally told the matron of the home the true story of the child's paternity, admitting that Mr. B. had several times had sex relations with her. She said that she had tried to protect him because of gratitude for all he had done for them and because of her affection for his wife.

The agency's visitor met Mr. B. by appointment. He was accompanied by his wife, and he had consulted his attorney. He denied the story and refused to do anything for the mother or the baby, saying that as Betty had made one false accusation she would have no case in court.

The visitor saw Mrs. L. in her own home and found her in a state of deep depression. Her isolation had been complete because of the attitude of the community. No one came to the house, except that the postman twice a week left a letter from Betty and a delivery boy from the store occasionally left a package. On Christmas day Mr. C., in spite of the injustice that had been done him, had dropped in to ask whether he could do anything for her.

All plans for her to join Betty in the city were refused. She sat rocking back and forth, saying "Let her come back; if you can't send her without the baby, then send it too." The agency visitor gave her what comfort she could and then called upon the minister. He was narrow in his attitude and much influenced by public opinion, and it was with difficulty that the visitor gave him a new point of view. When she left he had agreed to call upon Mrs. L.

When the baby, Genevieve, was 3 months old she and Betty were taken home to the little farmhouse by Mrs. L., who in desperation had gone to the city for them. Betty passively agreed to every plan made by her mother.

Ten years have passed, and the three are still living in the same spot. Gradually Betty resumed her old place among the village people. She returned to her church and to her organ, found work in a store, and went her way quietly and happily.

Frequently she wrote to the visitor telling of her little daughter's progress and of their contented home life.

A caller in the home wrote of Genevieve: "This is a beautiful child, with light hair and rosy cheeks and appears perfectly normal. She is in the fourth grade and likes her school work. She calls Mrs. L. mother and thinks of Betty as her sister. Mrs. L. said that she never regretted taking the baby home."

Mrs. L. has had a stroke of paralysis and is confined to her bed. Betty takes care of her at night and earns enough to employ a woman to do the day nursing. No daughter could give more love and service.

No one can tell what Betty thinks, nor whether Genevieve wonders about her father, nor why the community changed and accepted them both. It may be that the visitor actually did give the minister a new scale of values and that his influence spread through the village; or the magnanimous attitude of Mr. C. may have set an example to the townspeople.

The agency has had contact with the case for 10 years. Though as an active case it was closed after one year, informal contact has continued to the present time.

*Hugh.*—When referred to the agency Sylvia Brown, a lovely 21-year-old girl, and her 2-year-old son, Hugh, were living with Sylvia's family, consisting of her parents and a number of grown brothers and sisters. The Brown family were plain working people, highly respected, who had lived for many years in the same house. Sylvia had been a favorite among her associates, and she had been prominent in all the activities of the parish where the family lived and in which she and her brothers and sisters had gone to school. Like most of the other girls of her neighborhood Sylvia had gone to work in a factory after she graduated from the elementary school. She was expert at her work and made good wages. She was of a fine physical type, and her face had both strength and beauty. She seemed normal, and no mental examination was made. (It seems now as though mental examination would have been desirable, as her father had spent two years in a State hospital for the insane and one of her sisters was an epileptic.)

When Sylvia became pregnant it was expected by her family and that of the young man responsible that they would marry. The man failed her, and she determined to keep her child and provide for him. Early in her pregnancy her mother had taken her to a maternity home in an effort to protect the family name. It may be that the home's insistence on breast feeding influenced her, but it is likely that this girl under any circumstances would have kept her child purely from maternal affection. The maternity home had kept the mother and the baby for more than a year, waiting until the Brown family could have them come home. The delay was due to the mental condition of the father of the family. After his removal to a hospital Sylvia and Hugh went home, and the family received them affectionately, and never referred to the circumstances of Hugh's birth.

The father was a young man who lived with his parents in the neighborhood where the Browns lived. He had been paying Sylvia attention; and, though they were not engaged, their friends had thought that they would marry. He had had an elementary-school education and had worked at mechanical jobs. He was only about 20 years old and apparently had not yet settled down definitely to any occupation. He was of a different religion from the girl, and this was an obstacle to their marriage. It seems clear that he lacked the character and stability that characterized the girl.

During Sylvia's stay in the maternity home an effort was made by the staff of the home to bring about marriage, or, at least, a settlement for the child; but it failed, and Hugh was born without his father's having assumed any responsibility. It was believed by Sylvia and the worker at the maternity home that this failure was due to the influence of the young man's parents. He made no denial of paternity; in fact, he admitted his confidence in the girl's character and his firm belief that she had not been associated intimately with any man except himself. When he continued to withhold assistance Sylvia was induced to institute court action, which resulted in the man's conviction. He was ordered to pay \$30 a year for seven years toward Hugh's support—the maximum amount that could be

ordered under the law. The sum was paid regularly for the full time.

Sylvia resumed her factory work and has continued it ever since. The father of the family returned from the hospital when Hugh was 4 years old. Whatever he thinks regarding Hugh he has never spoken of it to any of the family. The child has always called his grandparents mother and father, and his mother by her first name. He has asked no questions; no information has been given to him; apparently he regards himself as one of the children of the family.

Hugh attends the same parochial school and Sunday school that his mother attended, and he goes to church with the family. He shares the activities of the children in his neighborhood. He is a robust boy, and he gives the impression of excellent mentality; no mental examination has been made.

Sylvia is regular in her attendance at church, but she has no other break in the routine of her home life and her work. She has always felt keenly her position as an unmarried mother and has permitted herself no social life except what she has in her own home and with her child. Her physical attractiveness has increased; she is neat in her attire and has good taste. She reads good books, and the agency worker has found her an agreeable companion for an occasional afternoon or evening.

In spite of her retirement Sylvia has had some contacts with those who were formerly her friends. It is significant that she has been accorded only the most cordial treatment in all her relations—in the neighborhood, at work, and in her church group. Her natural reserve presumably has been a protection. Her neighborhood is one in which no great changes have taken place for years. The same families have lived there for a long time. Necessarily, though, there have been some newcomers. The same is true also of the place where Sylvia has been employed all these years. Whether the newcomers are aware of her status she does not know. She has never made any attempt to conceal it.

Sylvia feels that Hugh can not go on indefinitely without asking the truth about his parentage. That he has mingled freely with the children of his community in school, at play, and in church activities, up to the age of 12 years without any embarrassing situation having arisen, seems to her most remarkable. She feels that the time must come soon when it will be necessary for her to tell him the truth. Though the prospect of such an ordeal fills her with apprehension, it is characteristic of her that she has no thought except to meet the obligation when the time comes. She expresses no fear as to the consequences for herself—only for the effect on the child. Will his life be spoiled? Her mother, the only member of the family with whom she has talked about the matter, believes that Hugh will go on indefinitely as he is now and that Sylvia is unnecessarily concerned.

Sylvia's stability, with the protection of her family group, should help Hugh to make whatever adjustments may be necessary. That he will have every advantage it is possible for his mother and her family to give him seems certain. The child is handsome, well trained, and capable. His natural endowment in all probability will help to safeguard him if a crisis should arise in his life.

The agency had contact with the case five years, with further contact by a former worker for four more years.

*Frederick.*—While at boarding school Evelyn had become pregnant. The man in the case was said to be an instructor at the school.

Evelyn was the youngest of three children and had been a troublesome girl. After her child was born she had shown strength of character—returning to her mother's home with the baby, in spite of much gossip among the people of the small town where she lived. Evelyn's mother maintained the home on a small income, her father having been for years in a hospital for the insane. Before he became insane the father had been a much-respected resident of the town. Evelyn's older brother and sister, both of whom later became deranged mentally, were part of the household.

When Frederick, the child, was 2 years old, friends of the family advised Evelyn to apply to the social agency for help in taking him away from the town, fearing that the gossip would injure the boy's future. She loved the boy and was willing to do anything she could for his sake, so she went to the agency.

With the help of the agency Evelyn obtained work in a summer home for children, where she could keep Frederick with her. Evelyn's work was satisfactory, but the boy was too lively to submit to discipline, and soon they returned home. They remained there until Evelyn's death, 11 years later. The boy thereafter continued in his grandmother's care until her death, which took place after the boy was grown. His grandmother sent him to boarding school. A neighbor of the family, a man who had known the grandfather well, took an interest in the boy, who was intelligent, robust, and attractive. When Frederick was 14 this man told him of his illegitimate birth, and he continued to advise him even after he grew to manhood. When his grandmother died he moved to another town, definitely severing all connections with the town and his relatives.

Frederick is now 25, is married, and has a child. He is in business and owns his own home. He has not told his wife his story.

The agency closed the case after six months, but one of the workers has maintained friendly contact to the present.

#### CHILDREN IN HOMES ESTABLISHED BY THE MOTHERS

A few mothers established homes for themselves, taking rooms and doing various types of work to support themselves and their children. These women usually assumed the status of a widow. They were on the whole self-reliant and able to plan for themselves. The following story of Josephine shows the successful development of a girl brought up in such a home. It is probable that the temperament of the mother and the constant change in living conditions to which Dorothy (p. 69) was subjected in her early years both contributed to the instability of which she was giving evidence at the time of the last information. Most mothers who work outside their homes find it difficult to give their children the care and companionship that they need, especially through the years of adolescence, and this need is one of the problems of unmarried mothers who establish homes for themselves.

*Josephine.*—A foreign-born woman of 27 without relatives in this country, Harriet was referred to the agency by the hospital where her child, Josephine, had been born two years before. She had been working at the hospital ever since her discharge from the

maternity ward. She had been in domestic service before Josephine was born, and her plan was to find a domestic position where she could keep the child with her.

Harriet was self-reliant and forceful. In the opinion of all who knew her she had natural ability, good judgment, and courage in overcoming difficulties. Her education was fair, and her natural refinement and taste excellent. Her health was fairly good. She felt from the first both affection and responsibility for her child.

There is nothing on record regarding the father of the child. It has been assumed from one or two statements made by Harriet that he was her employer in one of the places she was in domestic service.

The agency found domestic employment for Harriet in a good type of suburban home, where she could keep Josephine with her. She adapted herself well to the position. Josephine showed early promise of good mental ability. She was nervous and highly strung; and her mother felt that, because frequent changes of surroundings are almost inevitable at housework, she should give up domestic work and settle near a city school, where the child's progress would not be broken. Weighed against this undoubtedly were the more helpful living conditions in the suburbs, where domestic workers are most in demand.

When the little girl was 11 years old Harriet decided that the time had come to change her manner of living. She had thriftily accumulated some savings; and coming to the agency, she talked over her plan of investing this capital in a small stationery and candy shop near a large public school. Behind the small shop were several rooms. This change meant strict economy and much anxiety, but she thought she could manage. And she did. Josephine went to the public school, and her mother turned storekeeper, supplementing her profits by doing machine sewing for women of the neighborhood.

Josephine finished the elementary school and four years later finished high school. The little shop supported the mother and daughter. There were times when it seemed that the business could not go on, and there was a period when Josephine became rather depressed about the pinched home conditions, and there was a little bitterness on the part of both. However, the mother's good management kept things going, and in the end the affection of the mother and daughter seemed to have been strengthened by the trials they shared together.

When Josephine finished high school she at once took a clerical position, and her earnings eased the strain that her mother had been under. It was thought that she was too promising a girl to stop for lack of training, and on money lent by a friend she had made through the agency Josephine took a business course in a night school and worked during the day. The school principal said that she had rarely had a pupil who did so brilliantly as Josephine. After graduation she obtained a good position.

When the World War came Josephine entered the Government service, remaining until the armistice. Then her former employers took her back, but after a short time she changed to a position with better prospects. She is now earning an unusual salary for a young woman. Her mother's health has failed, and she does no work now.

Josephine maintains a pleasant home for both in the suburbs. Both mother and daughter are highly esteemed in their circle. They attend church and teach in the Sunday school. Josephine has many friends, both men and women. The agency is not informed as to whether she knows the circumstances of her birth. There has never been a suspicion of anything irregular in the mother's conduct during the years of her acquaintance with the agency.

The agency has been in contact with the case for 25 years. For the last 17 years this contact has been continued only through friendly interest.

*Dorothy.*—On her own initiative Vera came to the agency, seeking employment in a family where she might keep her child, Dorothy, 14 months old, with her, as she had done in her previous situation, which had been found for her by another social agency. She was entirely dependent on her own efforts for support. Her family, consisting of her parents and two sisters, were friendly toward her and welcomed her and the child to their home during intervals when Vera was out of work. She did not remain for long periods because she quarreled with them.

Vera's character was not entirely dependable. Her father summed it up as "wild and headstrong, not strictly honest, and untruthful." She spoke with regret of her interrupted education; she had gone to the elementary school; but the birth of a little sister, who was very delicate and needed constant attention, made it necessary for Vera to leave school and remain at home. Her father conducted a small restaurant to which her mother gave most of her time. Vera's health was fairly good, and her mentality was normal. She showed more than ordinary shrewdness in managing her affairs; and her various employers found her quick, alert, and capable. Her work record before she came to the agency is no longer on file. She was 23 years old when the child was born.

There is no record of the father of the child.

From first to last Vera has shown herself adaptable to circumstances. She is an excellent cook and can always get employment at housework. Many old employers have asked to reemploy her; and even though they complained that she liked to "run things," they were glad to have her back. When she tired of housework she turned easily to the finer sorts of factory work; Her deft and skillful fingers found employment at any time. She has done telephone operating and practical nursing. She has never found it difficult to maintain herself and her daughter.

When she was not doing housework, keeping Dorothy with her, the mother and child lived in rooms where they had housekeeping privileges. Several summers the agency arranged for the mother and child to have a vacation together in an out-of-town fresh-air home. When a baby, Dorothy was delicate, and she required hospital care more than once. As she grew older the need for medical oversight continued. Her education was frequently interrupted by changes of residence, by her own illness, and by the changes in her mother's form of self-support. At 14 years she was in the sixth grade at school.

Since Dorothy was 13 the mother and daughter have been living in an excellent environment, in an unusually good type of model

apartment, consisting of two steam-heated rooms with bath. The rent is moderate, and Vera finds no difficulty in paying it. She earns a good salary managing a lunch room in a large industrial plant, and although the work is hard, the hours are not long. She passes as a widow whose husband died many years ago. Her position among casual acquaintances is unquestioned. There have been hints that her conduct was not been what it should be. These hints, never investigated, have come gratuitously from different sources—her father, a landlady with whom she once stayed for some time, and a boarder who lived with her for a time in her apartment. When she did housework the agency several times had complaints about her late hours and all-night absences.

Dorothy is an attractive girl and is quicker and more intelligent than her progress in school indicated. She lost all interest in her school work on account of the frequent interruptions. A mental test given to her at 16 years of age showed she had an intelligence quotient of 95; she was described as emotionally unstable. One Christmas she was made very happy by the gift of a violin which was her "heart's wish." It is probable that when she was at a critical age she needed more care than it was possible for her busy mother to give her and that she should not have been left to herself so much after school hours. Some of the time when her mother was working as a practical nurse the girl was left at home alone at night.

Dorothy has run away seven times. She has been before the children's court and is known to two agencies that try to help girls. The girl, who is now 16, says that her mother is too strict with her and does not allow her to go out as other girls do. She belongs to a church in the neighborhood and is allowed to attend a club meeting one evening a week. She has complained of not being dressed as well as other girls. At the time she made this complaint she was wearing a becoming khaki-colored wool dress that her mother had made and had sat up until 3 o'clock one morning to finish. She had on good woolen stockings and sensible brown shoes. The mother said that the girl wanted to wear silk stockings and high-heeled slippers and to go out every night instead of one night a week.

The girl's future does not look very bright. Her mother says openly that she regrets now that she tried to rear Dorothy. She thinks that she would have been kinder to the child if she had had her placed for adoption in some good family. When Dorothy was younger and her mother was doing household work, it was impossible to discipline the child because her crying annoyed the employers. The mother says that she has always tried to do her best for Dorothy and points out that through all her difficulties and escapades she has stood by the child.

The agency has had contact for 16 years, with two brief intermissions.

*Meta.*—Meta, Bernice's baby, was 4 months old when Bernice was referred by a women's organization to the agency, a maternity home. The baby was ill, and Bernice wanted to find a place where she and the child could stay together. Bernice was a factory worker of foreign birth, 21 years old. She had no savings. Her mother was dead. Her aged father was living but was still in Europe. Two married sisters and a married brother were living in the United States, but

none of them was willing to help the girl. One of the sisters had a small wholesale business and was fairly well off, but neither she nor the other members of the family were on good terms with Bernice. They considered her too independent, and they did not approve of her ways; she on her part did not care for theirs.

Bernice had begun working at an early age. She had had very little schooling but had good natural ability. She had little refinement of manner, but she was straightforward and had a good deal of initiative. She was extremely fond of her child and was anxious to keep her.

The father of the child was a barber. Bernice told the agency worker that she had been very much in love with this man for nearly five years, but that she did not urge him to marry her, as he was earning very little—she earned more than he did. While Bernice was pregnant the man married another girl. Bernice refused to press a charge against him, and paternal responsibility was never established.

Six months after Bernice and the baby, Meta, were admitted to the home, the agency placed Meta in a foster home, and Bernice took a domestic position. After a short time there she took a position in the mountains, where she could get better pay, but when the summer ended she gave up domestic work and entered a factory. She then rented a two-room apartment and took the child to live with her, and she has continued these arrangements ever since. Before Meta was old enough to go to school Bernice used to leave her at a day nursery or with neighbors during factory hours.

Although the work is seasonal Bernice has always been able to save enough during the busy season to last her through the periods of unemployment, but she has no savings. She is a pretty good housekeeper and always keeps her rooms neat. She and the child are fairly well dressed. She poses as a widow and uses the name of the child's father.

Meta is extremely bright. She is in the first half of the sixth grade at school, although she is only 10 years old. She reads a great deal and has a gift for recitation. She is healthy and attractive and is rather tall for her age. She does not know of her illegitimate birth. She believes that her father is dead. Bernice is well able to take care of her and to continue her education. She is very proud of Meta's ability.

The agency had contact with the case for 10 years continuously, giving friendly interest and advice; Bernice has never needed material assistance.

*Polly and Sam.*—Eleanor's case was referred to the social agency by an infant-welfare nurse who found that the baby, Sam, a few months old, was in bad physical condition on account of separation from his mother. Eleanor, an 18-year-old colored girl, was doing household work to pay the board of this baby and of her other child, a girl a year and a half old, also of illegitimate birth. It was hoped that the agency would be able to help get the father of the two children to contribute to their support, so that Eleanor could take employment that would enable her to give some care to the children. At this time she was living at her employer's house and could see the children only once a week. She had no relatives.



Eleanor's childhood had been spent in an institution for dependent children. She wrote an excellent letter, and she must have received at least elementary schooling at the institution. At the age of 15 she had been placed in the home of a colored man and wife who stood well in their community and who had given excellent references. While living with this couple Eleanor became pregnant by the husband, and the first baby, Polly, was born in the home. As soon as she was well Eleanor left the couple and took two rooms in the home of a reliable colored woman whom she could trust to take care of the baby. She then went to work in a factory. The father had contributed to the support of the child, as the mother could not earn enough without his help, and this dependence gave him some influence over her, but there was between them also considerable real affection. She had continued to associate with him and after about a year a second child, Sam, was born.

The father of the children had been well educated, and he was employed as a butler, making \$35 a week besides extra money. His wife, to whom he had been married five years, also was employed. They owned a house in a neighborhood where the houses had been occupied formerly by white people of means. When he wrote to the agency he used excellent stationery; and he never failed to send an addressed, stamped envelope for a reply. He was 24 when the first child was born.

He made a feeble attempt to deny that he was the father of the second child, but Eleanor had proof so positive that when confronted with it he admitted the truth. He signed an agreement to pay \$20 a month. If he had been single it is probable that he and Eleanor would have married.

The agency worker persuaded Eleanor and the man to break off their association. The wife, who frequently brought the payments for the children to the office of the agency, also exerted her influence to keep the man away from Eleanor.

Eleanor gave up domestic work and obtained a position in a restaurant, so that she could be with the children at night as well as some portion of the day.

Four years ago Eleanor took the two children to a city at some distance, where she had found work. In a recent letter from her to the agency worker she said that she is now employed in a hotel and that she lives near it, so that she can see the children during the day. She inclosed in the letter a picture of the children. Polly is now a tall and slender child of 8 years. Sam is head and shoulders taller than his sister, though about a year younger. The girl had been healthy always, and the boy has improved in health. So far as is known, the children do not know their father. Eleanor wrote of her gratitude to the agency and expressed the hope that she would never lose her friend, the agency worker.

Eleanor's efforts in caring for the children have been commendable. She has worked hard that they might have proper food and clothing. With her affection for their father it is not surprising that she loved and kept the children.

The agency has had continuous contact with the case for nine years.

## CHILDREN IN BOARDING HOMES

Boarding homes are coming into use more and more for children who must be provided for away from relatives. The agencies that had given serious attention to procuring suitable boarding homes for children of unmarried mothers found this a very satisfactory way of providing for children, especially those who presented behavior difficulties or other serious problems. Some children were placed in boarding homes with their mothers, others without them. In both types of placement the relation between the child and the foster family frequently resulted in satisfactory contacts for the child in the community and gave promise of similar good results in the future.

In the life of Margaret, whose story follows, the influence of the boarding mother was the main factor. In the case of Anne (p. 75) it would seem to be companionship with her mother that had the greatest influence on the little girl. The story of Anne also gives some indication of the helpful guidance and assistance that an agency worker maintained throughout the life of the child.

The mother who places her child in a boarding home and lives in the home where she is employed or elsewhere may be able to live her own life without acknowledging relationship to the child. The story of Mary (p. 78) illustrates this situation.

*Margaret.*—Alice, the oldest daughter in a large family living in a small industrial community, was only 13 when her mother was sent to a hospital for the insane, where she remained permanently. Alice's father was a capable workman, but he drank and was often abusive to his children. As soon as the girl was 14, after a few months in high school, she went to work in a local factory. She earned good wages, but when she was 16 her father, tired of incompetent housekeepers, kept her at home to run the house. Honest, warm-hearted, craving friendship, but crude in manner and grotesque in dress, she had no desirable girl friends. Her two nearest neighbors were women of ill repute. Associating with them, she began hanging around the train yards and going to dance halls. She had sex experience with more than one man. She was only 17 when her child, Margaret, was born. A county agency had referred the case to the agency that contributed the history, because Alice's family, though willing to receive her back into the home, did not want the baby.

The baby's father lived with his thrifty parents in a neighboring town. He was known as a fancy dancer and at the time of the baby's birth seemed to have no other occupation. Later he became a street-car conductor. He was not strong and was predisposed to tuberculosis. He had disappeared before the birth of the child, but with the cooperation of public officials he was found and brought to court. He was adjudged the father of the child and was ordered to pay \$3 per week toward her support.

Alice refused to give up her child but was incapable of making any plan for herself and gladly consented to let the agency try to find a place for them. With the idea that the mother could be taught domestic work and placed in a household with her baby, the agency boarded them both with a keen, forceful, kindly woman, Mrs. M. It soon appeared that Alice, though willing and good-tempered, was unequal to the double task of caring for the baby and working.

Feeling that she needed the protection and influence of good family life the agency worker decided to let her try a housework place alone (even though this involved the baby's being boarded separately for a time), hoping that with experience and further training Alice would later be able to have the baby with her. Mrs. M. continued to board the baby, and the mother visited the boarding home frequently. After Alice had made two unsuccessful attempts at housework during a period of eight months, the agency persuaded Mrs. M. to take her back as a permanent boarder, so that she could work during the day and live with her child.

Work was found for her in a near-by factory, the agency supplementing her wages so that she could pay the expenses of herself and the child. The fact that she had a child became known to her foreman. He promoted her to a department paying higher wages but made improper advances to her. She repulsed him; he then demoted her and told her story to others. As a result the situation became so unpleasant that she was obliged to leave. She next got work in a large factory in another part of the city and has worked there ever since. She soon earned enough to meet most of her own expenses and the baby's. During the World War, for a time, she earned more than \$30 a week. At present her wages are from \$16 to \$30 a week, according to the pressure of work. For two years she has been practically self-supporting, the agency helping out occasionally in slack times.

Mrs. M. has doubled her rate of board, keeping pace with the increased cost of living and with Alice's increased earnings. In spite of this, Alice could easily be altogether self-supporting if she could ever be taught foresight and self-restraint in her expenditures. Perhaps the fact that the agency is behind her tends to make her slow to acquire these virtues. But it must be remembered she has learned much. For instance, at first she would take no care of her own clothes and would appropriate Mrs. M.'s garments, whereas she now makes most of her own and her little daughter's clothing.

Some years ago Alice was given a mental examination and rated as "subnormal." She is almost entirely lacking in ability to plan; this accounts for the fact that she can not do housework efficiently, though she is successful in performing a routine task at the factory. She also seems to have difficulty in grasping abstract ideas. Her thriftlessness arises largely from her inability to picture herself as facing future problems of sickness, unemployment, or old age.

Margaret is now 8 years old. She has been cared for by Mrs. M. practically ever since she and her mother were accepted by the agency. She is a shy, affectionate, clinging youngster. She has always called Mrs. M. "mother" and addresses her own mother by her first name. From the first Alice has taken care of her when she was not at work; she always dressed her in the morning and put her to bed at night.

Two or three years ago Mrs. M. told the little girl that she was not her mother. The child reflected; and then said, "Who is my mother, if you are not?"

"Who would you like to have for your mother?" questioned Mrs. M.

Another pause, then very slowly and thoughtfully: "I'd like Alice to be my mother."

"Well," said Mrs. M., "She is your own dear mother, but you must keep it as a secret between you and her, and never, never say a word about it to anyone else."

Since then the bond between mother and child has been closer than ever. Margaret has not yet questioned the absence of a father and is presumably unaware that any stigma might attach to her or her mother by reason of this absence. She can not be said therefore to know of her illegitimate birth.

Margaret has a good mind, is very observant, does satisfactory work in school, and loves to read. She appears to be well liked by other children. The little daughter of a very respectable neighbor has been for a long time her chosen chum and playmate. She is invited to children's parties given in the neighborhood.

She has been from the first a delicate child but under medical supervision is outgrowing a tubercular tendency as well as some kidney and nutritional difficulties.

Alice's status as an unmarried mother is quite generally known in her community. She associates almost entirely with another girl in like circumstances, who, with her child, has been boarding with Mrs. M. for three years. From the fact that neither girl has any intimate friends at the factory where they both work it seems as if their status is known there also. They go to the movies together and usually go to one of the out-of-town dance halls on Saturday nights. This gives them a chance to meet men who do not know their background. The other girl has a good many fleeting love affairs, but Alice does not. They attend church regularly but do not seem to come in touch with any of the church groups.

Alice is unswerving in her devotion to Margaret. She has a vast contempt for any mother who consents to give up her child. She is very proud of the little girl and ambitious for her. Last year she persuaded the visitor from the social agency to let her buy a second-hand piano so that the child could have music lessons. Mrs. M. advanced the money, but so far Alice has refunded only \$10.

This mother is now 26 years old, with no marriage prospect in view. There seems to be no reason why she and her little girl may not remain with Mrs. M. or in some similar home indefinitely. The agency will continue supervision and will see that Margaret goes through high school and is equipped to support herself.

Payments by the father of Margaret have been most irregular, partly because of the man's ill health and partly because of the negligence of the probation officer. The father has never communicated directly with either the mother or the child, but three or four years ago he induced the probation officer to suggest to the agency that the mother be asked to give up Margaret for adoption, as this would end his obligation.

The agency has had continuous contact with the case for almost nine years.

*Anne.*—When Anne was 2 years old her mother, Irma, applied to the agency for help in finding a position where she could keep the child with her. Before applying to the agency Irma had been employed in a child-caring institution, where she had worked for almost two years at a low salary, keeping the child with her. Because the superintendent wished Anne to go to the institution's summer home

while the mother remained at her work, the mother decided to make a change and consulted a nurse in the hospital where Anne was born. This nurse referred her to the agency that contributed the case to the study.

Irma told the agency worker that she was 18 years old when she became pregnant, that she was the daughter of a family of means and refinement, that her father had died some years before, and that she and her mother had been supported by her two brothers. She said that she had completed the course in a private school with a view to entering college, and that she and the father of her child had grown up together, their families being friends. She seemed to be of more than average intelligence. She said that she had never held any position before the child's birth.

By arrangement of the man responsible for her pregnancy, Irma had left her home city to keep from her family the knowledge of it. She entered a general hospital, where a private room was provided by the man. At this time she intended to give up the baby. When the baby was born, however, Irma wished to see her, and she immediately decided that she would nurse the child while in the hospital. After three weeks she was unwilling to give the baby up.

Irma told the agency worker that she had written her mother after Anne's birth, telling about the child, and that her letter had not been acknowledged. She was unwilling that any further attempt be made to interest her relatives.

The father of Anne was a college student of 20 when the child was born. His family was a well-known one in his community—cultured, though of moderate means. He had not been employed except during summer vacations. He was unmarried, and he made his home with his mother and stepfather, his father being dead. Until Anne was nearly 2 years old he came at intervals to the institution to see her and her mother. He had given financial assistance in small amounts, but there had been no question of any formal arrangement for the child's support. With the completion of his college course, four months before the mother and child became known to the agency, the father's visits had ceased, and the mother had not heard from him since then.

Anne and her mother were boarded by the agency until employment was procured for the mother. The position found for her was in a business house where the salary was adequate to support herself and the child. She was unable to hold it because of inability to meet the public. She had little initiative; and her long residence in the institution, practically in seclusion, had emphasized her naturally retiring manner. Her second position was as a factory operator, her own choice. After she had been for a time at this work, where she made fair wages, the agency helped her to obtain work in a department store where salesmanship was taught. She was successful there and during eight years held positions in two stores, reaching a maximum salary of \$25 a week. The mother and child always lived together.

After several months of acquaintance with the agency worker the mother gave the name and address of her family. A personal letter addressed to her mother by the worker, without telling her the actual circumstances and with no mention of the child, was not

answered and was not returned. Another attempt to locate the family at this address failed.

The father was found by the agency to be teaching in a high-grade private school. He agreed in a letter to contribute \$3 a week for Anne's support, but he would not bind himself as to the length of time this help would be provided. (He could not have been compelled to do anything, because of statutory limitations as to the time within which court action can be brought.) He has voluntarily increased this amount twice and at the time the history was written was paying \$25 per month. Verbally he has admitted paternity and has stated that he expected to continue the payments until the child's education is completed, if possible—at least until she has finished high school. His payments are made through the agency.

Though the father had correspondence with the office he was not personally known to the agency worker until the child was more than 6 years old. At this time he told the worker a story of his association with Irma which differed from the one that had been given by her. He said that they had made a chance acquaintance while they were both employed at a summer resort. Irma was a special maid in a very wealthy family. She had told him nothing about her people. He was sure that she was a good girl and that her association with him had been her first one of this kind.

The father came to see Anne and her mother in their boarding homes several times. When the child was 3 years old the father offered to marry Irma as a means of reparation for the injury he had done her and the child. His reason for not taking this action earlier was his financial inability to support them. When his offer came Irma knew that he loved another girl, whom he desired to marry, and she refused the offer. (He married this girl four years later.) The last time he came to see the mother and child was when Anne was 4 years old. On this occasion he either told the child that he was her father or in some way gave her to understand his relationship to her. Some months later Anne mentioned her father to her mother, who had always taught the child that her father was dead.

The mother continued her plan of working in the store and living with Anne until the child was 12. The mother then decided that they should move to another city in order to guard against Anne's meeting any one who might know her history. They were seen a few months later by the friendly visitor from the agency, who has retained contact with them. Anne was living away from her mother, who wished the child to have the physical benefit of a suburban home. This change enabled the mother to do better financially, too, as she could live at her place of employment, a hospital, where she had a clerical position.

When seen by the agency worker, Anne was obviously disturbed. Speaking of her father, the child became excited and repeated several stories that different persons had told her about him. Finally, she demanded to know the truth. The worker felt that she should not do or say anything that would undermine the child's trust in her mother, as Irma had made great sacrifices for the child and had trained her carefully, and the relation between them had always been one of perfect confidence, affection, and harmony. The worker,

therefore, merely tried to quiet the child and referred her to her mother, who, the child admitted, had never failed her.

However, Anne did not express her doubts and fears to her mother, who when told about the incident, seemed not to appreciate its seriousness. Her faith in her influence with Anne was strong. She believed that the child, who is highly imaginative, had been lonely because of living away from her for the first time and that she had magnified the importance of that last visit from her father, when she had gained the knowledge of his true relation to her.

Anne is a beautiful girl. She is athletic, strong, and intelligent. Now, at 14, she is in high school. Her fondness for reading has made necessary careful guidance in her choice of books. This direction has been supplied by the friendly visitor from the agency and by the pastor of her church. She has shown talent in music and has progressed under a competent teacher.

The mother has always assumed the status of a widow. When she moved to the city where she now lives she very unwisely began to use the name of Anne's father, though she had previously used her own. This change probably had contributed to Anne's disturbance. When last seen, a year ago, the child was much improved, but she showed something of the strain evident during the preceding summer. They were still living in the same way, Anne in a suburban home and her mother at the hospital where she worked.

Though the mother had intended to live with Anne again she has not done so up to now, as she has not been able to get a position in this city with so good a salary as she had received in the other city. Besides, she no longer has friends of the type she had made through years of residence in one place with the assistance of the agency. Though a similar relation with an agency could be made for her in the city where she now resides, the mother is unwilling that her history be known to any of her new acquaintances.

The outlook for Anne is not entirely favorable at this time. If her mother will arrange soon for the child to live with her again, the prospect will be better. That Anne will continue to have good care and opportunity for education is assured, for the agency will see to this if necessary. The problem now appears to be a mental one. Though Anne has not talked of her father, so far as her mother knows, since that day two years ago when she questioned the friendly visitor, it is the opinion of this friend that her mind is not at ease and that it is only a question of time when her mother will be forced to answer the child's question to her satisfaction.

The agency has had continuous contact with the case for 12 years.

*Mary.*—Thelma was a schoolgirl of 15, with a baby, Mary, 2 weeks old, who was referred to the agency by a hospital, on her discharge from the maternity ward. She was the daughter of a man who kept a small secondhand furniture shop. Her mother was in ill health and had been in the hospital several times. A brother of 18, who helped in the store, and two sisters, aged 17 and 12, completed the family. Thelma's mother was too ill to care for the children, and the general conditions of the home were very undesirable.

On admission to the hospital Thelma had said that a boy in the neighborhood was responsible for her child. Several months later she revealed the fact that her brother, 18 years old, was the father.

The young mother was ambitious and energetic, and of excellent ability. She was in the seventh year of the elementary school, having failed of promotion twice on account of irregular attendance due to her mother's ill health. She was trustful, imaginative, and temperamental.

Thelma's brother was examined mentally and found to be retarded. Upon the advice of the psychiatrist he was placed under the supervision of a "Big Brother." It was advised that he continue to stay at home to help his father in the store and that the girl be placed away from home. It was felt that she would benefit greatly by a different environment. Upon the discharge of the mother and child from the maternity home, after 14 months' stay there, the child, Mary, was placed in a boarding home; and the mother entered a household as nursemaid, expecting to attend evening school. Her employer found it impossible to carry out this plan, so Thelma was placed in another position, where she remained for more than a year, attending evening high school. Later, she worked for several months in a day nursery. When Mary was 3 the mother was given an opportunity to work in the laboratory of a large electrical plant; she has remained there five years. Her wages were \$12 a week at the beginning, and she has gradually been advanced to \$32 a week. She has saved \$1,000, which she is keeping for the education of Mary, to whom she is devoted.

Thelma has been living away from home and has had continuous contact with the child, who has been in a boarding home.

The mother's progress in her work and her general mental development have been remarkable. From a girl with little education and training she has developed into a fine young woman, intelligent and well trained. Physically also she has developed, and she has a great deal of charm. She is of a studious type and reads a good deal. In one of her letters, written while she was still at evening high school, she said: "I find chemistry and biology very, very interesting, and we are doing a great deal of experimental work. \* \* \* School has closed for the season, but I have not lost the opportunity of making friends with a number of interesting girls in the chemistry class, with whom I attend lectures."

She has completed 15 semester hours of high-school work and has also taken a course in shorthand.

The child, Mary, is in the third grade of the elementary school. She had to repeat the first grade, as she found difficulty in adjusting herself to the school environment. However, her teachers have reported that she has since shown marked improvement and that she is generally intelligent. She is rather tall for her age.

Thelma's parents have left the city and are living on a little farm. They have expressed a desire to take Mary home, but so far the agency has considered this plan inadvisable. The brother has married. The general tone of the home has improved, with the brother away and the removal of the family to the country. Thelma sees her brother occasionally but considers the whole episode so much behind her that she can hardly believe that it happened at all. He never sees the child, though he continues to contribute a small sum toward her support.

Thelma's true status is not known in the community. She visits Mary in the boarding home and is generally known as her sister



However, the child knows that Thelma is her mother. Because of Thelma's youthful appearance the child got into the habit of calling her by her given name. Thelma's friends take it as a matter of course that she should have assumed the responsibility of caring for her little sister because of her mother's continued ill health. It is obvious that as the child grows older the situation will become more complicated. She does not know of her illegitimate birth but is under the impression that her father is dead.

The agency has had continuous contact with the case for nine years.

*Arline.*—Norma's child, Arline, was 6 years old when the social-service department of a hospital referred the case to the agency (a child-placing organization). The mother was receiving treatment for gonorrhoea, and as she and the child were living in one room it was thought advisable to separate them temporarily. Some time before, the child had become infected but had been treated and discharged by the doctor.

After the birth of the child Norma had moved from the city where she had been living. She had found it easy to do this as she had no family ties, and, working as a maid in families, she knew she could find a position readily in the new city. At first she had boarded the child in various families, but for the past two years had kept her in the household where she worked. She passed as a widow.

Norma had been born in Europe and had been in the United States seven years, having come here at the age of 21. Her child was born a year after she came to this country. Her relatives were all in the old country, except some aunts, who lived in a near-by State, and none of them knew of the existence of the child.

Norma had had little schooling in her native country, and in the seven years she had been in this country she had not learned much English.

The father of the child was a man whom Norma had met at a public dance. She had gone to the dance escorted, but her escort had refused to stay to the end of the dance, whereupon Norma picked up the man who became the father of her child. At that time he was an attendant at a State hospital. She never had any thought of marrying him, as in her own words he was "no good." He was shiftless and a drunkard and never held a job long, depending on his family to find him work when he wanted it. He had been for a short time in the Army, but he had tired of it and had persuaded his family to get him discharged. He never knew of the existence of the child. Norma put the blame for her trouble on the man who had left her alone at the dance. (She did not tell the agency worker of these circumstances till a number of years later.)

The agency suggested placing Arline in a foster home. Norma disliked the idea at first, as she did not wish to be separated from her daughter, but she consented to the placement as a temporary plan and agreed to pay \$2 a week toward the child's support. Arline was then placed in a household where the family consisted of a Mr. and Mrs. Miller and their son, four years younger than Arline. For 12 years Arline has remained in this home and has been happy there. The Millers have brought up Arline as if she were their daughter, and she and their son have been like brother and sister.

Mrs. Miller is a woman of unusually strong character, with a good understanding of girls. A number of young women make their home with the Millers, and a few girls needing temporary care are also accepted. There is much social life in the home—dancing and parties—and a strong church connection. One of the family parties was a celebration of Arline's eighteenth birthday. Mr. Miller is a music teacher, and the son leads his school orchestra, so that the household has a musical atmosphere.

Arline has plodded along through school, with much home encouragement. She is not very bright, although she gives the impression of brightness. At 19 she is only a junior in high school. Her health has been excellent, in spite of her early infection. She is sweet-tempered, modest, and tractable. Her manner is refined and her appearance attractive. When she was younger she was an active girl scout, holding responsible positions. She is popular with girls but has little interest in boys. She looks about three years younger than she is, and Mrs. Miller is glad of this, as it makes her school retardation less noticeable. Arline is firmly established in her foster home, and her future seems assured.

Norma has kept in touch with Arline all these years, contributing regularly to her board. For the past two years she has provided most of her clothing. Except for two years when she worked in another State she has visited her regularly every two weeks. She takes pride in Arline and has introduced her to the people with whom she works.

Arline does not know that she is of illegitimate birth. She is not imaginative nor critical, and she accepts her circumstances without asking why she lives in the foster home instead of with her mother, or any other questions. Last summer Norma made a visit to her people in Europe, and as she is known to them as "Miss," and to her associates here as "Mrs." the foster mother handled her affairs, addressing Arline's letters for her. It seems as though this deception would be impossible with most girls of 18.

Norma has continued in low-paid work; for years she has been a waitress. Caution or lack of ambition made her refuse a war-time position at \$42 a week on the ground that she would be thrown out of work when the war was over. At one time she changed jobs rather frequently but for some time now has remained in one place. There is some question as to the morality of the life she led during the two years that she was working in another State. She now has occasional men acquaintances but does not care to have close friends—men or women. Except for Arline she is quite alone. Her responsibility for her daughter has been a steadying influence. Mrs. Miller has done real social work for Norma, guiding her and advising her as though she were one of her older girls. At times Norma has talked of taking Arline, but Mrs. Miller has always been able to dissuade her.

The agency has had continuous contact with the case for 12 years.

#### CHILDREN IN HOMES OF MOTHERS' EMPLOYERS (DOMESTIC SERVICE)

Although living with the mother in a domestic position does not always afford the best opportunities for the child, there were many instances of mother and child living in an employer's home in which

both seemed happily placed. Placement at domestic service was the first plan for a large number of the mothers. For many it was a temporary situation, the mothers later obtaining other forms of work. Eight mothers remained continuously in domestic service up to the time of the last information, keeping their children with them; and a few others remained in domestic-service homes for several years, until they were able to establish their own homes. The interest and assistance of the mothers' employers were responsible for the satisfactory adjustment of some of these mothers and children. This is most happily shown in the following stories of Kenneth and Babette.

*Kenneth.*—Myrtle, Kenneth's mother, was referred to the agency by a maternity home in another city to which she had gone during pregnancy.

When referred Myrtle was 18 years old; and the baby, Kenneth, was a few months old. She was without funds; and her two sisters, one married and one single, who were living in the city to which she had gone for maternity care, were either unable or unwilling to assist her. They were not unkind to her, but they wished to force the child's father to provide for him and the mother.

This girl's parents had died when she was a small child; and she and her sisters had been cared for by neighbors, each child being informally accepted by a different family, with no person or organization responsible for them.

Though living with different families, the three sisters were in the same neighborhood, and they grew up in fairly close association. When their foster families moved away from this place the sisters continued in communication with one another, though they lived in different cities.

Myrtle had been sent to the country school in the vicinity, where she received little more than a rudimentary education. She had never been employed except to assist generally with the work in her foster home, where she had been treated as a member of the family. No regular wages were paid her.

The father of the child was the foster father in whose home Myrtle had lived for the 10 years since her parents' death. He was married and living with his wife; there were no children of the marriage. After working on his farm for some years he moved to the city and procured well-paid employment. He was of average intelligence in the judgment of the agency worker. Myrtle said that her first association with him had been by force.

Myrtle had no plan except that she intended to keep her child and to compel his father to support him. The factor that influenced her to keep her boy was her love for him. Her decision to do this appears to have been entirely spontaneous, though the fact that the agency which assisted her during her pregnancy and after the child's birth had a policy of insisting on breast feeding may have had some effect.

When approached by the agency worker the man denied absolutely the charge of paternity. When confronted by the mother he changed his attitude and expressed willingness to enter into an agreement for a settlement. After offering a small sum he advanced the amount to \$500. The girl preferred taking this amount to running the risk of having to go to court.

As Myrtle was nursing the baby and as she was not trained to do any work except domestic work, she was placed with a family. This placement was unsuccessful, because the employer did not make suitable arrangements for the baby; and after a few months Myrtle left and took the baby to the maternity home where both had been cared for after their arrival in the city. She spent some time there under medical care. She later went to work for another family, the Robinsons, people of culture, who lived on a farm.

She and Kenneth have been in this home for seven years. Myrtle has always liked to live in the country. She and Kenneth have had much the status of members of the family, and his playmates have been the children of the family. Kenneth is a strong, active boy. His progress in the public school has been normal.

Myrtle's wages have not been very high, but she values the advantages that she and Kenneth have in this home. Together she and Mrs. Robinson read the Sunday newspaper advertisements, and together they visit the city to shop wisely and economically. The greatest care has been given to the health of both mother and child, and personal hygiene has been an important part of Kenneth's training.

Although Myrtle has always been in correspondence with her sisters, the relation between her and them is not one of intimacy or deep affection. The only time they have shown much interest in her or Kenneth was when she came into a legacy of approximately \$400 from her grandmother. The grandmother had died when the sisters were small, but the estate had been involved, and this settlement was to be made when the youngest of the children had reached a certain age. At this time the sisters insisted that Kenneth and his mother come to live with them, but Myrtle refused to leave the Robinsons' home.

During the World War the mother wished to invest all her money in Liberty bonds. It was explained to her that she could not invest Kenneth's money, as it constituted a trust fund to be drawn on for his care. She then invested \$300 of her legacy in Liberty bonds. Some of these have matured; the others have been sold, and the entire \$300 invested in a first mortgage. The initiative for this second investment came from the mother herself, no doubt aided by her employer, and the agency assisted her in the transaction. Most of Kenneth's money has been spent.

Kenneth and his mother are definitely a part of the home life of the Robinson family and of their community. Myrtle has always used her own surname and has used the title of "Mrs." since she came to her present home. She wears a wedding ring and assumes the status of a widow. Only her employers know the truth.

Kenneth believes that his father died when he was a baby. He has been singularly incurious. The mother, being of a simple nature, expects no trouble in the future. The social protection of residence with the Robinsons means much to them both. As usually happens the community has followed the attitude of the family that accepted them; and Kenneth and his mother are received without question in the church and the Sunday school and in other community activities. As the mother has quiet tastes and is satisfied with the wholesome family life on the farm, asking little diversion, her problems are

simplified. To give Kenneth every possible advantage is her one and only plan. She looks forward to the time when he will be a valued assistant on this farm and to the time when he may own his own farm. The child's joy in all the elements of farm life inclines one to believe that the mother's hope will be fulfilled. Both are happy and their relation with the Robinsons and with the agency offers a safe prospect for care and guidance if it is needed at any time in the future.

Kenneth's father paid the sum agreed upon, in installments to the agency, and neither he nor his wife has had any further contact with Kenneth or the mother.

The agency has had continuous contact with the case for seven years.

*Babette*.—A private maternity home to which Edwina, Babette's mother, had applied for confinement care had referred her case to a public agency because she had gonorrhoea. Edwina had come from Canada two years before, at the age of 25. At home she had been employed as a nursemaid and she had come to the United States for better wages. She had done housework and also had worked for a year in a restaurant in a large railroad station. She was a good worker and apparently was well thought of by those who knew her.

Edwina's parents and two married sisters were living on a farm in Canada. A third married sister, who had a child, lived in the United States near the Canadian border. The agency found this sister intelligent and cooperative. She said that Edwina had never been troublesome but that she had admitted having had sex relations at home once with a former fiancé. She had gone to church regularly and she had attended a district school until she was 13. She spoke and wrote well.

The father of the child was a locomotive engineer two years younger than Edwina. He was born and reared near the mother's home and his family and Edwina's were known to each other. He had come to the United States before Edwina and had lived with an aunt in a suburb where Edwina visited. He was single when the child was conceived, but soon afterwards he became engaged to marry another girl and told Edwina of the engagement. When the baby was 2 months old he married, his wife knowing of the child. Brought to court, he was adjudged the father of the child and ordered to pay \$10 a month.

After Babette was born Edwina was anxious to work to support herself and the child; she wanted no help. When Babette was 2 months old the agency placed Edwina at domestic service in a household where she kept the baby with her. They stayed nearly two years in this first place, an ordinary country home. Treatment for gonorrhoea was continued until Edwina was well. She then went with her child to her parents' home, where they remained three months. Returning to her married sister in this country, Edwina obtained an excellent position as housekeeper in the suburbs with a Mr. and Mrs. Smith. She is still there, keeping Babette with her. Every two years they visit her home for a month. At home all know the paternity of the child. During her father's last illness Edwina went home to assist her mother.

Babette, now 12 years old, is very attractive—tall and slender, with lovely color and eyes—much loved by all her relatives. She is dressed simply and prettily; her mother makes all her clothes. She is in the sixth grade at school, where she does well; and she is given music and dancing lessons through the generosity of the Smiths, who are fond of her and consider her a member of the family.

Edwina has no friends in the neighborhood where she works; but she visits her married sister's home regularly, and she is always welcome. She has never worn a wedding ring, but the Smiths have always spoken of her as a widow. She has always been a quiet, unassuming person, with a great deal of determination when necessary. The child's status has never been known in school, and she has been considerably protected by the Smiths' social position. She believes that her father went away before her birth and never returned. The present situation is ideal for Babette, who will be given every opportunity for education by her mother and by the Smiths. Edwina is very wise in her care of the child, never permitting her to be spoiled by too much attention or too many privileges. She wants her daughter to have a happy life in school, and takes her frequently to the married sister's home so that Babette can enjoy the companionship of cousins. These relatives always go with Babette and her mother to visit the old home in Canada.

Edwina has never had any attention from men since the birth of the child. Her whole life is centered on her daughter, and she seems happy.

The father of Babette is still paying \$10 a month toward her support, although the payments are much in arrears.

The agency has had continuous contact with the case for 12 years.

#### CHILDREN IN INSTITUTIONS

Thirteen of the children included in this study had lived in institutions continuously up to the time of the study or until they were able to go to work, 10 of these children having been under the care of one agency. In all these cases the mothers were employed in the institutions. All these children were transferred to another institution when they were of school age, with the exception of one child who remained continuously with his mother in the institution where he was first placed.

In addition to this group a number of other children were in institutions without their mothers at the time that the study was made. A few children were in institutions for mental defectives, and several were receiving temporary care in institutions for such reasons as the mother's death or her inability to support or care for the child.

Walter was one of the group of children whose mothers were unable to provide for continuous care in a family home. He was cared for in an institution for a number of years. The great affection of Walter's mother for him and her desire to give him as much personal care as possible have helped to avoid some of the usual disadvantages of institutional life. One point illustrated by this story, which follows, is the development of the mother herself, which was apparently the result of her retaining custody of the child.

Lack of physical vitality and a limited mentality were the reasons for placing Lottie (p. 88) in a child-caring institution. The long-continued ill health of this mother has made it necessary for Lottie to be under the care of agencies during most of her life.

*Walter.*—A municipal hospital that had been giving prenatal care to Jane, a domestic worker of 40, referred her to the agency. She was pregnant for the fourth time. She was without funds, and she had no relatives except her father, who was very old. Because of her father's age it was impossible for him to help her, and she was unwilling that he should know about her coming child. (He died soon after the baby was born.) Jane's plan was to dispose of the baby as soon as possible, and she expressed no choice as to whether he should be placed in a family or in an institution. Her three other children had been separated from her; two had been placed in an institution and one in a family home, and she had had no contact with any of them after placement. She had been assisted in making these placements by the hospitals in which she had been delivered.

No information is available on the status and character of Jane's family. Her letters indicate that she had meager education, probably not beyond the fourth or fifth grade. In personal appearance she was unattractive, though her clothing was neat. A speech defect and a peculiar halting gait, due to slight infirmity in one leg, gave an unfavorable impression. She had a record of satisfactory work in domestic service, always in homes of the plainer type, at low wages.

The father of the child was a married man, somewhat older than Jane, who lived with his wife in the neighborhood where Jane was in domestic service. It was not known whether he had any children by his marriage. He seemed to be a rather high-grade, intelligent mechanical worker; he earned fair wages. He did not attempt to deny paternity. He was anxious to conceal the affair from his wife, and he readily agreed to contribute to the child's support. As he was married it was deemed best for him to make a settlement, paid as quickly as possible, rather than to make continuing payments, as the latter plan would have encouraged his further association with the mother and the child. The amount agreed on was approximately \$300. The money was placed in a trust fund, under supervision of the agency, for the child's care.

The utmost persuasion was required to induce Jane to nurse her baby. The municipal hospital cooperated with the agency in insisting on breast feeding. As Jane had no money she was dependent on the hospital and the agency and was therefore influenced by them. If she had not been in a hospital where breast feeding was insisted on, this child, Walter, like her three others, would have been placed as a foundling; in fact, she made attempts to do so. After several months of care in the hospital she was no longer determined to give up Walter, though she was not particularly devoted to him. On discharge from the hospital the mother and baby were placed in a maternity home. After several months there Jane was placed in a domestic position in the country, taking Walter with her. This long delay before placing was deemed necessary in order to insure the baby's receiving proper care. By the time the placement was made the mother's affection for him gave favorable indications of a con-

tinuance of good care. It was not long before her letters to the agency showed genuine love for the child. The agency continued to supervise the arrangement, and the worker felt sure that Walter was receiving good care. Much interest was taken in the child by the family with whom he and his mother lived.

In the absence of the original record (it was destroyed in a fire) it is not possible to tell definitely of Jane's employment record. It is known that she continued to do domestic work, having Walter with her, until he was between 4 and 5 years old. Whenever she could not keep him with her the agency placed Walter in a boarding home. While he was in one of these boarding homes his actions caused the agency to arrange for mental examination. The psychiatrist pronounced the child of normal mentality and recommended measures for improving his conduct. These were carried out effectively. The mother was not examined mentally, but the psychiatrist had several interviews with her and his opinion was that she was of normal mentality.

The mother had long since become so devoted to Walter that she wrote several letters to the agency expressing gratitude for the worker's efforts that had resulted in her keeping him. Although for some time it had been evident that the boy could not be given suitable training by the mother because of her limitations, her devotion to him kept the agency from making any plan for separating them, even for brief periods. Walter's godmother wanted to place him in a boy's school where he would have advantages, but Jane would not consent because it was not near enough for her to visit him frequently. Several other plans were submitted, only to be refused by her.

Walter believed that his father was dead, and his mother had always represented herself as a widow, using her own name. Because the mother had had few contacts except with the families by whom she was employed the status that she had assumed was accepted.

When the child was about 5 years old the mother saw that she was unable to cope with certain problems in his training, and she consulted the agency about several plans that she was considering. She wished to place him in a superior child-caring institution. The difficulty in the way of this placement was that a child of illegitimate birth would not be accepted. She deceived the institution authorities as to the boy's status, and she succeeded in placing the child in the institution. He was boarded for one-fourth the usual rate, the mother supplying him with clothing. While living there he attended a public school and also went to church and Sunday school outside of the institution. Vacations away from the institution through the entire summer were provided for, and visits outside at other suitable times during the year.

After Walter had been accepted in the institution the mother procured a position with a family who left the city every summer. While the family was away she worked at a summer camp for children, keeping Walter with her. These arrangements continued for a number of years.

Walter remained in the child-caring institution until he was 13 years of age, when he completed the elementary-school grades. With the assistance of the agency he was then placed in a boarding school



for boys, an endowed institution with high standards of morale and scholarship. The superintendent was told of the boy's illegitimate birth, but the information was not communicated by him to the trustees, because it would have prevented his admission.

At the last information in the agency record Walter had been in this school almost a year. Recently it has been learned that he is still there. His progress in school has been normal, and his general development has been entirely satisfactory to all interested in him.

Jane has continued to do domestic work. The responsibility that she has carried for her son has been effective in developing her both from the standpoint of character and that of efficiency. When she first became known to the agency no one who had contact with her would have believed that she could ever progress to the point of planning for Walter as she has done and of earning the wages that she has earned. Gradually her wages have increased until they reached the average compensation for domestic service in the city in which she has been living.

Walter is believed to be of legitimate birth, and he believes so himself. All the money paid by his father was expended during the early years of his life. No material relief was given in this case except the concession of the first institution in caring for the child at a rate that his mother could pay. In the school that he entered later all the boys were on free scholarships on an equal footing.

The relation between the mother and the child has been continuously one of affection. It was feared that the mother's peculiar appearance and defective speech might make some difference with Walter, but there has been no evidence of this. It seems safe to assume that the boy's future is assured. There is a possibility of his learning the truth about his birth, but this seems remote.

The agency has had continuous contact with the case for 14 years.

*Lottie*.—Maritza, a 20-year-old domestic worker of foreign birth, with a 3 weeks' old baby, Lottie, applied for admission to a maternity home so that she might stay with her baby and nurse her. The girl looked overworked, and it seemed as though she had had no real childhood. She had been a domestic worker since she was 10 years old; she had left home at that age because she could not get along with her father.

The girl's family was unfriendly to her. An older sister was a domestic worker, and eight younger children were at home. The father of the family was a cloak presser, who barely made a living for his large family.

Maritza knew little English and could not read nor write.

The father of the child was a clothing operative whom Maritza had known for more than a year. He had promised to marry her, but he later disappeared.

Maritza and the baby remained in the maternity home until the nursing period was over. During her stay in the home she showed herself a very capable houseworker, dependable and kind-hearted. However, she did not get along well with her associates, as she was of an extremely nervous and worrisome temperament. Her parents continued to be unfriendly and never visited her at the home.

Upon her discharge from the home Maritza was placed in a domestic position, and the child, Lottie, was placed in a boarding home, the

mother paying her board. Before long the mother developed tuberculosis and soon was unable to continue to support the child, who was then committed to a public nursery and children's hospital. Later this institution placed Lottie in a boarding home.

For seven years Maritza continued to be in very poor physical condition, and at various times was a patient in hospitals, sanitariums, and convalescent homes. Several surgical operations were performed on her. When she was able Maritza worked in a special factory for tuberculous patients, conducted by a clinic. The agency helped her at various times by providing food, clothing, and other necessaries. Gradually her health improved. Maritza's family became somewhat reconciled with her, and she lived with them for short periods. However, they have never accepted Lottie. Maritza has always visited Lottie when she was able and has been very fond of her. None of the relatives outside the immediate family know of the child's existence.

Maritza is now living with her older sister, who is married. Repeated examinations have shown that she is free from tuberculosis. She is working in the special factory and is doing practical nursing at odd hours.

Two years ago Lottie was transferred to a child-caring institution. She is physically frail and mentally retarded, and at the age of 11 she is only in the third grade. She does not know that she is of illegitimate birth.

The agency has had contact with the case for 11 years.

### ADDITIONAL FACTS REGARDING CHILDREN AND PARENTS

This section summarizes certain data in the 253 cases studied. The time for which the facts are given is indicated under the various headings.

#### THE CHILDREN

##### NUMBER AND SEX

The number of children of illegitimate birth 8 years of age and over whose mothers had kept their custody and about whom the 27 cooperating organizations could give sufficient definite information to be of value in this study was 253: 102 boys, 150 girls, and 1 whose sex was not reported. Two hundred and forty-one mothers were represented by these 253 children.

##### AGE AT LAST INFORMATION

The ages of the 253 children at the time of the last information as given in the histories ranged from 8 to 31 years. Seventy-five per cent of them were from 8 to 15 years of age and therefore of school age.

The ages of the children at the time of the last information are shown in the following list:

	Number of children		Number of children
8 years, under 10.....	71	16 years, under 18.....	20
10 years, under 12.....	66	18 years or over.....	42
12 years, under 14.....	36		
14 years, under 16.....	18	Total.....	253

## TYPE OF HOME

At the time of last information 17 children were living in homes established by their parents, who had intermarried, 84 were living in step-parental homes, and 13 in homes established by the mothers. Twelve were living at their mothers' place of employment. Forty-two children, some of them with their mothers, were living in the homes of relatives. Twenty children were living independently: 9 of these married and living in their own homes, 4 living in the places where they were employed, and 7 rooming or boarding. Seven children were in foster homes, 32 in boarding homes, 23 in institutions, and 3 in boarding schools. Nearly two-thirds (159) of the total number of children were living with their mothers at this time.

## HEALTH, EDUCATION, AND MENTALITY

The outline for the histories called for information on the health, education, and mentality of the children. The majority of the histories contained some data on all three points.

**Health.**

In 155 of the 253 cases some statement was made as to the health of the child either at the time the history was written or in his earlier life. One hundred and thirty-two of these one hundred and fifty-five children were reported as having had generally good or fair health throughout their lives. Twenty of those included in this classification were not robust, but on the whole they had fairly good health.

The 23 children who were characterized as having poor health or some special physical defect included those who were frail and required special care. A few were nervous or anemic or had various disorders of the eye, ear, or throat. The children who were in poor health included 10 with venereal disease (with 5 of these the disease was congenital), one with tuberculosis, one with chorea, and one with infantile paralysis. The children in this group required more or less prolonged care, some of them hospital care.

**Education.**

In about three-fourths of the histories (187) some information was given on the child's educational opportunity and school progress. One hundred and fifty-two children had attended only elementary school, and for most of these the progress in school was noted; 118 of these children had made at least normal progress in school (some had made rapid progress), and 19 had been retarded from one to three years. In 15 histories the child's age was not given, so that his progress could not be estimated correctly. The retarded pupils had been hampered by ill health or mental defect, or, as was shown in one or two cases, by bad home conditions.

As a large proportion of the children were still attending school at the time of the last information it was not possible to report how much educational opportunity many of them would have. An encouraging number of references to special opportunity were noted. It seemed safe to assume that almost all the children still in elementary school would complete the eight grades and that a fair proportion would go to high school and perhaps have further opportunity.

A number had entered high school, most of whom had completed the course. Some of those who had completed the eight elementary grades had had the advantage of further training in trade schools or business schools, and several of those who had completed the high-school course had entered technical schools or nurses' training schools. Three had entered college, of whom one had completed the college course.

Instances were noted of children requiring special care who were given the advantage of the best service available. One history told of a child with defective eyes who had been placed in a special sight-saving class, by which arrangement he was making rapid progress. Some cases of apparent mental incapacity and of behavior difficulty likewise were carefully looked after. Several boarding mothers gave special attention to the school work of children in their care. One child entering school at 7 was placed in the third grade; this advancement was due to the preparation given by the boarding mother, who was a trained kindergarten teacher.

#### Mentality.

Some data in regard to mental ability were given for 175 children. In 147 of these cases the report was based on the opinion of the worker in contact with the case. The 28 children who were referred to psychiatrists were not merely those who were thought to be defective; a number who presented behavior difficulties or who were not making ordinary progress in their school work were so referred.

One hundred and sixty of the 175 children were reported to be normal mentally, and 15 to be below normal. Eighteen of those classed as normal and 10 of those classed as below normal had had special examination. Most of the children described as below normal had had the benefit of superior diagnostic service, and some of them had undergone a period of observation or study before diagnosis and recommendations were made. Two children were so obviously below normal as to be placed at once in an institution for mental defectives, and two others were so placed later. The others were given special care and supervision suited to their needs, in accordance with recommendations of the examining psychiatrists.

A few of the children, though not definitely defective, were said to be "dull normal." Two were found to be of superior mentality; both of these had been referred to psychopathic clinics as the result of behavior difficulties, and arrangements had been made for them in accordance with recommendations of the clinics. Several other bright children developed behavior difficulties and were treated at child-guidance clinics.

One girl who had been under observation as a retarded child showed an encouraging reaction to proper care and supervision. The final examination when she was 19 gave this report: "Intelligence quotient, 80. Well poised, well adjusted, with initiative and ambition; insight above the average; better ability than her intelligence quotient represents."

A less encouraging case was that of a girl who at 12 was backward in her school work. On examination she was judged to have a mental age of 9. Care away from her mother was recommended. The mother, who had always held domestic positions, keeping this child

with her, was examined about this time. The report was: "Mental deterioration; intelligence quotient, 60; mental age, 9.8 years." Because of the mother's unwillingness to be separated from the child the recommendation of the psychiatrist was not carried out. At 16 the girl was living with her mother in a domestic position and attending school. She was dissatisfied and was ashamed of her mother's position.

Some of these histories indicated that excellent case work had been done in the endeavor to make suitable adjustments for certain problem children. It is probable that some of these children would have been deprived of opportunities for development had not their mothers and other persons in charge of them been able to turn for advice to workers who knew the facts in regard to their birth. This eliminated the fear of discovery ever present with some of these mothers and the embarrassment that might have been encountered in approaching others for advice.

#### OCCUPATION AT LAST INFORMATION

Seven of the 44 girls who were 16 and over were still in school at the time of last information, and 2 had just finished high school and were looking for employment. Three girls were in nurses' training classes in good hospitals, and one rather backward girl intended to train to be a practical nurse or a child's nurse. Seven girls were married and had established their own homes. Two girls were in institutions, and one was about to enter an institution. Ten girls were employed; those for whom the occupation was reported were in clerical or business positions or working in factories. Their weekly earnings ranged from \$12 for a girl who was a candy dipper to \$50 for a woman 30 years old who was a secretary. Eleven girls who were living in the homes of their parents or grandparents or foster parents had no positions outside of the home.

A report as to occupation was obtained for 9 of the 18 boys who were 16 years of age or over. Only 2 of these boys were attending school. One boy was in an institution; 1 was in business for himself; 1 had a technical position with a public-utility concern; 1 was employed in a bank, 1 in a store, 1 on a farm, and 1 was doing upholstering and interior decorating.

#### THE MOTHERS

##### RACE AND NATIVITY

All but 9 of the 241 mothers of the children considered in the study were white. Eight were Negroes, and one was Chinese. Of the 215 white mothers whose country of birth was known, 64 per cent (137) were born in the United States and 36 per cent elsewhere.

##### OTHER CHILDREN

Fifteen of the 241 mothers had living children of illegitimate birth other than those included in the study. The 23 children in this group, most of whom were born later than the 253 children considered in this study, were not included, as some of them were not in the care of relatives and others were under 8 years of age.

As the study was limited to children born out of wedlock legitimate children born to the mothers were not included formally in the study, though they were considered in some cases as a factor in the lives of the mothers and their children of illegitimate birth. Some of these legitimate children were born before the children included in the study and others later, a number of the mothers having married since they came to the attention of the agency reporting the case.

#### AGE AT BIRTH OF CHILD

For the purpose of the study the mother's age when the child was born was considered. In the cases where more than one child of illegitimate birth of the same mother was included in the study the age considered was that of the mother at the time of the birth of the youngest child.

The age of the mother at the time of the child's birth was reported in 208 of the histories. Of the mothers whose ages were known 5 per cent were under 16 years of age when the child was born (one mother was under 14 years, four were 14, and five were 15); 41 per cent were from 16 to 21; 31 per cent were from 21 to 25; and 23 per cent ranged from 25 to 41. In 33 cases the age of the mother was omitted.

#### MARITAL STATUS AT BIRTH OF CHILD

Nearly all the mothers (96 per cent) were unmarried at the birth of the child. Only 9 mothers had been married; 3 of these were widows, 1 was divorced, 1 had contracted a bigamous marriage, and the remaining 4 were separated from their husbands but not divorced. In one history the marital status of the mother was not stated.

#### OCCUPATION AT BEGINNING OF PREGNANCY

The occupation of the mother at the time her pregnancy began or before that time was stated in 168 of the histories. Twenty-nine of these mothers, five of whom were attending school, had no occupation and had been making their homes with their parents or other relatives. The majority of the women for whom an occupation was reported were doing some kind of unskilled work. Many of these mothers were engaged in general housework or in factory work—39 and 22 per cent, respectively, of those whose occupations were reported. Six per cent of the mothers were clerical workers, including a few stenographers. Seven per cent were waitresses in restaurants, 5 per cent were professional women, chiefly teachers and nurses. One woman had her own business. The remaining 21 per cent were employed as nursemaids, personal maids, attendants, day workers, saleswomen, dressmakers, and milliners.

#### HEALTH

Some information in regard to the mother's health was given in about three-fifths (148) of the 241 histories. It was indicated that 111 of these 148 mothers were in good or fairly good health. The histories stated that 6 mothers were physically handicapped (4 crippled, 1 mute, and 1 blind), and that 31 were in ill health, and in most of these the nature of the ill health was given. These 31

included 15 with venereal disease, 3 with tuberculosis, 5 with nervous complaints, and 8 who were merely described as in "poor health."

The information given can scarcely be taken as an indication of the general physical condition of the 241 mothers at the time when they were in the care of the organizations, because some years ago, at the time for which much of the information was given, it was not customary for institutions and social agencies to keep health records. The social case history is relatively new, and even now some agencies and institutions relegate practically all data on the physical condition of their clients to medical histories. By some agencies these are not filed in the same office with the social histories. The data reported, however, serve to indicate the need for general attention to the health of the unmarried mothers in addition to the special maternity care given them. The close connection between satisfactory convalescence for obstetrical patients and their general health is apparent.

#### MENTALITY

Application of the principles of psychology and psychiatry to the study of antisocial conduct is of such recent origin that one may not expect it in the cases of all the unmarried mothers cared for by any of the social agencies from which these histories were obtained, especially as some of the cases first came to the attention of the agencies many years ago. As it was desirable to get some idea of the general mentality of the mother of each child a statement was requested from each cooperating agency as to the mothers' mentality if a mental examination had been made, and, if a mental examination had not been made, a statement of the opinion of the worker in contact with the case.

It was possible to form some idea from the history as to the mental condition of the mother in 178 cases. As only 30 mothers had been given a mental examination, the reports for 148 mothers were based on the opinions of the workers. The records showed that workers in touch with these 148 mothers considered 120 of them to be of normal mentality, 7 "dull normal," 15 below normal (it was stated that the mother's lack of schooling was responsible for the apparently low mental capacity of 2 of these mothers), 2 were obviously feeble-minded, 1 "seemed psychopathic," 1 was considered neurotic, and 2 became deranged mentally after the birth of the child. Of the 30 mothers examined by a psychiatrist, only 4 were pronounced normal; 21 were found to be mentally defective, 2 psychopathic, 2 erratic, and 1 insane, the insane mother having been examined when her child was 5 years old. The psychiatrist recommended institutional care for three of the mentally defective mothers and for the others care in the community under careful supervision.

#### EDUCATION

Information on the mothers' schooling was supplied in 152 of the histories. On the whole their educational opportunities had been limited. Six per cent were reported to be illiterate; 58 per cent had gone to an elementary school, but had not completed the eight grades; 28 per cent had completed the eight grades or had received an equivalent education; 8 per cent had entered high school, slightly more than

half of these having completed the full high-school course; and only 2 mothers had further education or special training after the completion of their high-school work. These data are shown in the following list:

	Number of mothers
Total-----	241
Total reported-----	152
More than high-school course-----	2
High-school course completed-----	7
High-school course begun but not completed-----	4
Elementary-school course completed-----	42
Elementary-school course begun but not completed-----	41
Seventh grade completed-----	9
Sixth grade completed-----	8
Fifth grade completed-----	7
Fourth grade completed-----	5
Elementary-school grade not reported-----	12
Grade not reported-----	47
" No education " or " illiterate "-----	9
Not reported-----	89

Several histories showed that the girl had left school to go to work as soon as she was old enough to be granted an employment certificate. Other girls left school only after they became pregnant, and a few had been taken from school because they could not make progress with their school work, presumably on account of mental defect. A small number had physical defects that made attendance at school impossible for them.

#### HOME AND LIVING CONDITIONS

When mothers became pregnant.

Information regarding the homes in which the mothers were living when they became pregnant was given in 163 of the 241 histories. Nearly two-thirds of the mothers for whom information was given were in the homes of one or both parents (72), of other relatives (27), or of foster parents with whom they had lived since childhood (5). About one-fourth (41) were living at their places of employment. The remainder (18) were in other types of homes, including boarding houses, rooming houses, or their own homes (10 had established homes with the fathers of their children).

Although some of the homes in which the mothers were part of the family group were marked by poverty, squalor, inefficiency, and a lack of the qualities essential to wholesome family life, the conditions surrounding most of the mothers did not appear to have been unusually adverse except for the fact that the great majority of the mothers had had meager educational and vocational opportunities. Many of the mothers apparently had had good homes where they had the affection of parents and other relatives. Those homes were often marked by a wholesome, fine spirit, and the close family ties that existed were shown in a number of cases in which the mother and her child were received into the family. This reaction to the mother's misconduct was not general, however, as is shown in the section of this report summarizing the attitude of the mother's relatives to the child. Some instances were noted of very young girls who had left their homes to go to work, uninformed and inadequately instructed



to meet life's problems. The information in most cases was not sufficient to indicate whether home conditions were responsible for the associations that brought these girls and women to the status of illegitimate motherhood. Some of the girls who were mentally defective had not had the protection and care made necessary by their incapacity, and some had not received the attention that they should have had from their parents.

The parents of 44 of the 241 mothers were not in the United States; in more than half these cases a brother, sister, or some other relative was living in this country. Of the 59 mothers not living with their parents or other relatives, 12 had no relatives in the United States, all being in other countries, and 13 had one or more relatives living in the United States, their parents remaining in the country of their nativity. Three mothers had no knowledge of any relatives; they had been placed in institutions in infancy or early childhood.

In only a small number of histories was it stated or indicated that the mother had been leading a life of immorality except for the association with the man who was the father of her child.

#### At time of last information.

At the time of the last information 119 mothers were married, 92 were single, 8 were widowed, 9 were separated, 3 were divorced, and 10 had died. Reference has been made to the fact that about one-third of the children were not with their mothers at the time of last information. For this reason the whereabouts of some of the mothers is not the same as the whereabouts of the children. One hundred and forty mothers were living in homes of their own (including 20 who had never married), 41 were living in their places of employment at domestic service—in families or in institutions such as child-caring homes, hospitals, maternity homes, and residence clubs for girls—29 in the homes of parents or other relatives, 4 in boarding homes; 2 were in hospitals for the insane; 10 had died; the type of residence of 15 was not reported.

### THE FATHERS

The 253 children had 248 fathers, as 7 of the 241 mothers had 2 children by different fathers. In nearly two-fifths of the histories information was completely lacking in regard to the fathers. In a number of histories the data given were very meager, being limited to the statement of one or two facts such as age, race, occupation, marital status, or relationship to the mother.

#### RACE AND NATIVITY

Of the 118 men whose race and nativity were reported 94 per cent were white and 6 per cent were negroes. About three-fifths of the white men and all the negroes were born in the United States.

#### AGE AT BIRTH OF CHILD

Age at the time of the child's birth was reported for 95 fathers of the 248. A larger proportion of the fathers than of the mothers were in the higher age groups. Fifty-eight were 25 years of age or older. Twenty-six of this group were from 25 to 29, 20 from 30 to 38, and

12 were 40 years of age and over. The oldest man was 70. Twenty-nine of the men were from 20 to 25, and 8 men were under 20 years of age. The youngest was 17.

#### MARITAL STATUS AT BIRTH OF CHILD

Ninety-two of the 124 fathers whose marital status was reported were single at the time the child was born; 24 were married and living with their wives during the time of the association with the mother of the child; 5 were married but were separated from their wives; 2 were widowers, and 1 was divorced.

#### OCCUPATION AT BIRTH OF CHILD

The histories showed the occupations of 98 of the men. Forty-nine were reported as being engaged in occupations which might be classed as skilled work. These included mechanics and mechanical workers, workers in the skilled trades, salesmen, and factory foremen or operators. Thirteen of the men were highly trained domestic workers and personal attendants, such as barbers, valets, and butlers. The men engaged in unskilled work numbered 17; they included unskilled laborers, farm hands, and teamsters. Twelve of the men were reported as business men, most of whom had their own business enterprises. Among these were a few farmers who owned their farms, and some of them were reported as prosperous. Three were professional men; and 4 were attending high school, college, or some special type of school.

#### HEALTH AND MENTALITY

Data in regard to the health and mentality of the fathers were very meager. In 30 of the 40 histories in which information as to physical condition was given it was stated that the man was in good health. Of the fathers reported as having some physical defect or being in ill health, one was blind, two were lame, five had a venereal disease, one had tuberculosis, and one a heart involvement.

The small group of histories that contained information as to the mental condition of the fathers—only 24 in all—included 1 case in which, after an examination, the father had been pronounced mentally defective. In the remainder of the cases in which this information was given it was stated that in the opinion of the worker the man was normal mentally.

#### EDUCATION

Information as to the education of the fathers was given in only 22 histories. Of these, 5 had completed the eight elementary grades; 4 had not completed these grades; 2 had completed high school; and 2 had received education beyond high-school work (1 of these was a college graduate and the other a college student). Of the 9 remaining, 6 were reported as "educated" or "well educated," and 3 (foreign born) were reported as "literate."

#### HOME AND LIVING CONDITIONS AT BIRTH OF CHILD

Information was given as to the home and living conditions of only 66 of the fathers. Twenty-six were living with one or both parents, and 1 was living with his uncle. The others lived in boarding houses

or rooming houses or in homes of their own; 24 were married and living with their wives. In 17 cases the father of the child was living in the same house as the mother when she became pregnant. In 11 of these the father was boarding in the mother's home, or the mother was employed in the home of the father, or the mother and the father were living together in a home that they had established. In 4 of these 11 cases the man involved was a relative of the girl; in 2 cases he was her father, in 1 her brother, and in 1 her uncle. One father was the brother-in-law of the mother, and another was the mother's foster father.

## SUMMARY AND CONCLUSIONS

The place in the community of the children included in this study may be regarded as similar in many respects to that of children of legitimate birth. At the time of the last information a considerable proportion of these children were members of family groups, sharing normal home life. In almost all cases those who had reached maturity had been successful in their various relationships. Most of the children had been under the personal care of their mothers, either in a home established by the mother—usually through marriage, in the home of relatives, or, in a smaller number of cases, in the mother's place of employment or in a boarding home. A few children, although remaining in the custody of the mothers, had been cared for away from them in boarding homes or institutions.

Although it is recognized that there are cases in which a child of illegitimate birth may not be provided for adequately by his own people the presumption is in favor of placing him with them whenever possible. No child should be committed to the care of anyone not a relative until it is absolutely certain that such a course is necessary and that the child's interests demand it. In a few cases included in this study the child was placed at an early age with a person not a relative; and later the circumstances changed, so that his relatives received him into their home. These late replacements warn against hasty action in placing any child permanently, such as is taken in many cases merely because the child is of illegitimate birth.

In a large proportion of the cases the number of changes in environment and care was not great; and it was shown that such changes as were necessary were usually made with the advice and assistance of the organization that assisted the mother in her first adjustment. This meant an important saving for the children, for too great care can not be exercised in safeguarding a child from the unhappy effects of successive removals from one environment to another. The danger in severing family ties is especially serious.

A family does not have the characteristic found in some forms of vegetable life which enables the broken segments of a plant to take root immediately in new soil. A child is not transplanted from one mode of life to another without suffering keenly in the process of adapting himself to the new environment, enduring fears and uncertainties and questionings that are unanswered. He may accept the separation from his own family and companions placidly, and it may be essential for his own development that he should be removed into other surroundings. But in general, the permanent or long-time separation of a child from his own kindred is likely to affect seriously the child's mental and emotional life.<sup>1</sup>

The need of the mothers for guidance and the need of children for various kinds of service were demonstrated amply in the findings reported in the histories. The manner in which such assistance was

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<sup>1</sup> Child Dependency in the District of Columbia, p. 6. U. S. Children's Bureau Publication No. 140. Washington, 1924.

received leaves no question as to its advisability. In fact, it was quite clearly shown that the mothers frequently sought the help of those who already knew the facts as to the parentage of their children, which they would have been unwilling to reveal to others. Unfortunately, many of the maternity homes were not equipped to provide aftercare for the mothers, although some were affiliated with agencies giving such care.

There is great need for the development of case-work methods by institutions and agencies caring for unmarried mothers and their children.<sup>3</sup> Although in many of the cases included in the study the case work was admirable, there were some histories in which it was evident from the limited data obtained that case work was neglected. This was particularly noticeable in the lack of information about the fathers and the lack of efforts to establish paternal responsibility. The results obtained by those organizations that endeavored to locate the men and to fix responsibility for the support of their children should stimulate others to do the same. The absence of information concerning the fathers in so many cases would seem to indicate that even among persons whose primary object is to assist the unmarried mother and her child, there is unwittingly something of an effort to protect the man. Another indication of inadequate case work was the failure of some organizations to find out about the actual relations of the mothers and the children with the people in their communities or even sometimes with their own families. About one-third of the histories did not give information on the ostensible status of the child and the mother in the community.

The work of social-service organizations dealing with unmarried mothers has been marked in recent years by a decided change in certain aspects of the policies of deception practiced for the protection of the mothers and children. As has been shown for the 27 agencies and institutions considered in this study there is a tendency toward establishing the mother and child on a basis of truth in the close and intimate relationships of their lives.

Although an increasing number of organizations now insist that near relatives and others intimately associated with the mother and her child know their true status, only a small proportion of the organizations cooperating in this study appeared to appreciate the necessity for giving the child true information about himself. Some of the case histories reported by the organizations show the fears and emotional disturbances to which the children were subjected as a result of not knowing the truth, which are typical of experiences known to many social workers who continue contact with children of illegitimate birth through their school life and in later years. Not only were boys and girls represented even to themselves as children of grandparents or other relatives, while their own mothers were supposed to be their cousins or sisters, but a few were represented as adopted children even when they were living with their own fathers and mothers.

On account of the smallness of their number the cases in which it was shown that the status of the mother and child was known in the community without any marked handicap resulting may not serve as

<sup>3</sup> The local illegitimacy conferences affiliated with the Inter-City Conference on Illegitimacy (see p. 4) are doing much in certain cities to stimulate such development.

a basis for concluding that this plan may be adopted by every unmarried mother or even by the majority. Still, its results, as shown in these few instances, lend encouragement to the plan. At least these mothers were free from the fear of discovery that pervaded the lives of many who assumed a false status. The histories showed that the mothers and children whose status was known had a position in the community strengthened by the moral backing of relatives or other persons in whose homes they shared family life. Such moral support is absolutely essential for the success of this plan.

Application for assistance was made to maternity homes in many cases because of the mother's need for help in obtaining prenatal and confinement care or her desire to conceal the fact of her pregnancy from relatives and friends. The need for material relief and for assistance in obtaining employment or in finding a boarding home for the child while the mother was at work were the most important reasons given for the application of the mothers to agencies other than maternity homes. Although in some cases the mother received assistance from the father or from relatives of the father or her own relatives, the histories indicate that it was necessary for a large majority of them to have some gainful employment in order to provide for the children. A number of them married, and their husbands provided for the children in their own homes. In most cases, however, these marriages did not occur until after the mother had provided for the child through her own efforts for a considerable period of time.

The findings of the study suggest that the following measures are desirable in assisting unmarried mothers to keep their children with them:

(1) Affiliation of maternity homes with children's agencies in order that provision may be made for supervision of children when they are discharged from a maternity home.

(2) Provision by social agencies for temporary care in boarding homes or institutions for unmarried mothers and their children who are not readily adjusted in the home of relatives, in their places of employment, or in other family homes.

(3) Greater willingness on the part of both public and private agencies to aid unmarried mothers in caring for their children.

(4) More intensive attempts by social agencies to establish paternity in order that part, at least, of the support of children of illegitimate birth may be obtained from their fathers.

The purpose of this report was not to prescribe the method or methods of care suitable for the child born out of wedlock but to interpret the results of the experience of a number of workers in the plan of keeping the children with their mothers. These results have proven to be gratifying in that the children, with few exceptions, were shown to have been successfully absorbed into the life of their communities. The results also indicate the need for careful study at each step in working out acceptable solutions to the individual case problems, both to help the child concerned and to further the correlation of data which will serve as means toward improved technique in case work and a broadening vision for the education of the community toward its final obligation of justice to the child.

## APPENDIX

### OUTLINE SUPPLIED BY CHILDREN'S BUREAU TO ORGANIZATIONS REPORTING CASE HISTORIES FOR THE STUDY OF CHILDREN OF ILLEGITIMATE BIRTH WHOSE MOTHERS HAVE KEPT THEIR CUSTODY

#### INSTRUCTIONS

##### Purpose of the study.

To obtain information from case histories which will show the effects on the child and on the mother of the plan of keeping them together. The term "keeping them together" is rather broadly defined to include any cases where the custody and contact of the child have been retained by the mother, though the child has not lived continuously with her. It is essential that the child know his own people and that they have taken responsibility for him.

##### Plan of study.

The aim is to collect as large a number as possible of case histories, which will be written into histories by workers knowing the cases or having access to the original records. An outline is here included, which workers writing the histories are asked to follow in order that the material assembled may present the uniformity necessary for incorporating it into a general report. A certain number of the histories will be published in the form in which they are sent into the bureau. No identifying information is to be included in the histories. No history will be published except in accordance with the wishes of the agency furnishing the material. Data from all the histories collected will be compiled.

##### Length of histories.

Workers are asked to limit their histories to as brief a space as is consistent with a clear presentation. A maximum of five pages, typewritten, double spaced, is suggested.

##### Age of child.

It is preferable that the child be at least 10 years old, but cases of children from 8 years old who are well established in school will be accepted. The older the child, even if he be an adult, the better; the greater the number of years through which the plan has been tried, the more valuable will be the knowledge of the results as an indication of its success or failure.

##### Selection of cases.

The cases selected for the study should not be chosen on the basis of successful work only. The most desirable plan would be for an agency to select all cases, now in contact, where the child has reached the age of 8 years.

**Note.**

Each history should be numbered or marked by some code, in order that it may be identified in any correspondence which may be necessary between the writer and the Children's Bureau after the histories are forwarded to the bureau. The side headings of the following outline should be used as side headings in the case summary, and the scope indicated for each should be followed in the write-up. Observe carefully the items calling for specific data.

It is desired that the case histories should be written up in a readable, connected, interesting form, but it is essential that all the significant facts that are known should be included.

**HISTORY**

Name of agency, institution, or other organization. City. Year of child's birth. Sex of child. Race or nationality of mother and father. Ages of mother and father at birth of child. Number of years agency or institution has had contact. State whether contact has been continuous or intermittent. State the different periods of care, giving length of time and reason for closing and reopening case. Who referred case to another agency or institution? Reason for referring.

**Mother's status and general circumstances when case was referred.**

Was she a married woman illegitimately pregnant (single, widow, divorcee)? How old was she? Had the child been born? What was her economic situation? What was the attitude of her family, and what was her relation to them? What was the mother's plan at that time?

**Mother's background.**

Her character, education, health. Her attitude toward keeping her child. The determining factor in influencing her to keep her baby. Mentality (state whether determined by mental examination or judgment of worker). Work history and occupation before birth of child.

**Father's background.**

Character, education, health, mentality, occupation, and wages. Was he single, married man living with his family, divorced, separated, or deserting?

**Chronological history of case to the present time.**

Plan of the agency or institution for the mother and the baby when they were discharged from care. The relation between mother and child through the years. Various plans for them—mother's employment and factors governing it; living conditions—use of boarding homes and institutions; acceptance of child by relatives. Child's education; health; mentality (state whether determined by mental examination or a matter of opinion of worker). Paternal responsibility—if assumed, by what means—marriage, agreement to support child; compelled by court to support child. Contact of father with child and with mother.



**Present status of mother and child.**

When and under what conditions each is living at present. If the mother has married, is her husband the child's father, or another man? How old was the child when the mother married? State the effect on the child of the marriage. Attitude of stepfather toward the child and the child's relation to him. Does the child know of his illegitimate birth? If so, when and how was he told of it? How did he react to the knowledge and what has been its subsequent effect on him? If the mother is still single, what is her ostensible status in her community? If her true status and that of her child are known, what is the attitude of the community toward each—particularly as expressed in the school, church, and Sunday school, on the playground—in those relationships which constitute the child's world. Future plans for the child. Mother's attitude toward having kept her child.



U. S. DEPARTMENT OF LABOR

JAMES J. DAVIS, Secretary

CHILDREN'S BUREAU

GRACE ABBOTT, Chief

# THE CHILD, THE FAMILY, AND THE COURT

A STUDY OF THE ADMINISTRATION OF JUSTICE  
IN THE FIELD OF DOMESTIC RELATIONS

PART I. GENERAL FINDINGS AND RECOMMENDATIONS

BY

BERNARD FLEXNER, REUBEN OPPENHEIMER,  
and KATHARINE F. LENROOT

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## LETTER OF TRANSMITTAL

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UNITED STATES DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
*Washington, D. C., January 2, 1929.*

SIR: There is transmitted herewith Part I of a report on The Child, the Family, and the Court; a study of the administration of justice in the field of domestic relations. This part of the report, which presents the general findings and the recommendations of a study based on legal research and field observations, was written by Bernard Flexner and Reuben Oppenheimer, lawyers who have devoted much study to the problems of juvenile and family courts, and Katharine F. Lenroot, of the Children's Bureau. The list of references on a number of subjects with which family courts are concerned was prepared by Marion Denman Frankfurter and Evangeline Kendall.

Although great diversity is found in the organization and administration of juvenile courts, there is fairly general agreement among specialists regarding the broad principles which should govern their jurisdiction and procedure. No such condition prevails with reference to so-called family courts or courts of domestic relations, although the need for development of constructive service to families coming to the attention of the courts because of domestic difficulties is more widely recognized each year. Since proposals for legislation are often without an adequate basis of information concerning the operation of existing court systems and the legal framework and social setting in which the new courts must find their place, it is hoped that this report and Part II, which will describe the jurisdiction and organization of the individual courts included in the study, will be found useful.

Throughout the study the domestic relations court committee of the National Probation Association, the National Association of Legal Aid Organizations, and the National Desertion Bureau have been consulted. The report has been read in manuscript by the following judges or former judges of juvenile or family courts: Hon. L. B. Day (Omaha), Hon. Charles W. Hoffman (Cincinnati), Hon. Paul W. Guilford and Hon. Edward F. Waite (Minneapolis), Hon. Samuel O. Murphy (Birmingham), Hon. James Hoge Ricks (Richmond); and by the following probation officers: Mary E. McChristie, referee and supervisor, delinquent girls' department, court of domestic relations, Cincinnati; Fred R. Johnson, recorder's court, Detroit; and Patrick J. Shelly, magistrates' courts, New York City. Profs. Ernst Freund and Felix Frankfurter, of the law schools of the University of Chicago and Harvard University; Dr. Sheldon Glueck, department of social ethics, Harvard University; Charles L. Chute, general secretary, National Probation Association; John S. Bradway, secretary, the National Association of Legal Aid Organizations; Charles Zunser, secretary, National Desertion Bureau; Judge W. Bruce Cobb, secretary, courts committee, Brooklyn Bureau of Charities; and Frank E. Wade, attorney and former member of the New York State Probation Commission, Buffalo, have also read the manuscript.

The bureau is deeply indebted to these authorities for their careful consideration of the report and their valuable criticisms. The suggestions made were considered by a small group called together by the National Probation Association, April 25, 1928, and certain of them have been incorporated in the report. The principal conclusions were presented at the annual conference of the National Probation Association held in Memphis, April 30 to May 2, 1928, and were indorsed in resolutions adopted by the association.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,  
*Secretary of Labor.*

# THE CHILD, THE FAMILY, AND THE COURT

## INTRODUCTION

### CHANGING CONCEPTIONS OF THE FUNCTION OF LAW AND THE ADMINISTRATION OF JUSTICE

A deep and general interest has developed during recent years in the operation of law where it impinges upon the problems of family life. Court systems and processes have been studied and seriously criticized in relation to the treatment of such questions as the delinquency and dependency of children, offenses against children, desertion and nonsupport, divorce, annulment of marriage, the establishment of paternity, and adoption and custody. In the consideration of problems such as these all society is vitally interested. What is the function of law in their treatment? How is it endeavoring to perform its function? What steps shall be taken to remedy such deficiencies as exist?

A number of elements unite to make these questions of peculiar importance in the United States at the present time: (1) Legal theory is entering a new stage of development, the era of "sociological," or "social," jurisprudence, in which it will consider more than ever before the realization of human interests. (2) There is a growing pressure from the cities for organization of justice and improvement of legal procedure to meet the exigencies of urban development. (3) The jurisdictions of the courts overlap, and different judges pass upon different angles of what is really one problem of family life. (4) A new judicial technique is developing, in which the courts rely in large part upon such nonlegal sciences as medicine and psychology. (5) The last quarter century has witnessed the establishment of a number of special and in many respects novel tribunals, including particularly juvenile courts and courts of domestic relations.

### SOCIAL JURISPRUDENCE

Before the beginning of the present century legal thinkers began to realize that too much of a gap existed between the methods of jurisprudence and those of other social sciences. There was a reaction from the schools of legal thought represented by Maine and Austin,<sup>1</sup> which regarded law from either the standpoint of history or that of logical analysis. Law, it was felt, must be oriented to life. The point of view of both bench and bar was too narrow, as was pointed out by Mr. Justice Holmes when he was a member of the Supreme Court of Massachusetts:

I think that the judges themselves have failed adequately to recognize their duty of weighing considerations of social advantage. The duty is inevitable, and the result of the often proclaimed judicial aversion to deal with such

<sup>1</sup> See *Ancient Law: Its Connection with Early History of Society and Its Relation to Modern Ideas*, by Henry James Sumner Maine (1822-1888) (Henry Holt & Co., New York, 1907), and *Lectures on Jurisprudence*, by John Austin (1790-1859) (Sonsy & Sage, Newark, N. J.).



considerations is simply to leave the very ground and foundation of judgments inarticulate and often unconscious, as I have said. When socialism first began to be talked about the comfortable classes of the community were a good deal frightened. . . I suspect that this fear has influenced judicial action both here and in England, yet it is certain that it is not a conscious factor in the decisions to which I refer. I think that something similar has led people who no longer hope to control the legislatures to look to the courts as expounders of the constitutions and that in some courts new principles have been discovered outside the bodies of those instruments, which may be generalized into acceptance of the economic doctrines which prevailed about 50 years ago and a wholesale prohibition of what a tribunal of lawyers does not think about right. I can not but believe that if the training of lawyers led them habitually to consider more definitely and explicitly the social advantage on which the rule they lay down must be justified, they sometimes would hesitate where now they are confident and see that really they were taking sides upon debatable and often burning questions.<sup>1</sup>

The efficiency of the law is being more and more considered not according to the theoretical accuracy of its philosophy but in the light of its results.

Our philosophy will tell us the proper function of law in telling us the ends that law should endeavor to attain; but closely related to such a study is the inquiry whether law, as it has developed in this subject or in that, does in truth fulfill its function—is functioning well or ill. The latter inquiry is perhaps a branch of social science calling for a survey of social facts rather than a branch of philosophy itself, yet the two subjects converge, and one will seldom be fruitful unless supplemented by the other. "Consequences can not alter statutes but may help to fix their meaning." We test the rule by its results.<sup>2</sup>

The purpose of "sociological jurisprudence" is succinctly stated by its foremost expounder, Dean Pound, of the Harvard Law School: "The main problem to which sociological jurists are addressing themselves to-day is to enable and to compel lawmaking, and also interpretation and application of legal rules, to take more account, and more intelligent account, of the social facts upon which law must proceed and to which it is to be applied."<sup>3</sup>

#### CITIES AND THE LAW

This new point of view has made it apparent that, while the substantive doctrines of the common law and the court systems of the United States are the product of the late eighteenth and early nineteenth centuries, the rise of cities and the decided urban trend present new and acute problems with which the judges of a century ago were not confronted. It is indeed true that "our largest city now contains in 326 square miles a larger and infinitely more varied population than the whole 13 States when the Federal judicial organization, which has so generally served as a model, was adopted."<sup>4</sup> A recent report states:

When the latest census figures were published we learned that for the first time in our history the population of the United States had become predominantly urban. By 1920 more than half of our people had become dwellers in cities, and this development proceeds apace with no sign of abating. From 1790 to 1800, while the structural framework of our present legal system was being securely laid, there were only six cities or towns that could boast of more

<sup>1</sup>Holmes, Oliver Wendell: *The Path of the Law*. Harvard Law Review, vol. 10, No. 3 (Mar. 25, 1897), pp. 467-468.

<sup>2</sup>Cardozo, Benjamin Nathan: *The Growth of the Law*, p. 112. Yale University Press, New Haven, 1924.

<sup>3</sup>Pound, Roscoe: *Scope and Purpose of Sociological Jurisprudence*. Harvard Law Review, vol. 25, No. 6 (April, 1912), pp. 512-513.

<sup>4</sup>Pound, Roscoe: *The Administration of Justice in the Modern City*. Harvard Law Review, vol. 26, No. 4 (February, 1913), p. 303.

than 8,000 inhabitants, and their aggregate population was only 4 per cent of the total population of the country. The most recent census statistics reveal that American civilization, taken as a whole, has definitely passed from the simpler conditions of agricultural and frontier life to the complex, intricate, and more ruthless conditions of an industrialized society.<sup>4</sup>

It has been pointed out in this same report that in 1918 there were about 37,500,000 people in the United States with incomes from any source whatever, of whom more than 20,250,000 had incomes of less than \$1,200 a year; and the authors question whether many of these 20,250,000 are able to avail themselves of those equal rights before the law which are the proudest boast of American liberty. Three factors are specified that "impede the even course of justice when its protection is sought by a wage earner or by any person of small means"—delay, the expense involved in the payment of court costs and fees, and the necessity of employing lawyers.<sup>7</sup> William Howard Taft, Chief Justice of the United States Supreme Court, has said:

I think that we shall have to come, and ought to come, to the creation in every criminal court of the office of public defender, and that he should be paid out of the treasury of the county or the State. I think, too, that there should be a department in every large city, and probably in the State, which shall be sufficiently equipped to offer legal advice and legal service in suits and defenses in all civil cases, but especially in small-claims courts, in courts of domestic relations, and in other forums of the plain people.<sup>8</sup>

The general realization of the significance of this urban development in relation to the problems of the law is shown by still another highly important recent study: In January, 1921, the Cleveland Foundation committee authorized a survey of criminal justice in that city. The report of the survey, which was in charge of Dean Roscoe Pound and Mr. Felix Frankfurter, professor of administrative law, both of the Harvard Law School, shows the deficiencies of the administration of criminal law in a typical large American city.<sup>9</sup> In his summary Dean Pound points out the following problems for solution: Reshaping of the substantive criminal law, organization of the administration of justice, unification of courts, organization of the prosecuting system, organization of administrative agencies, adequate provision for petty prosecutions, preventive methods, justice in family relations, and the unshackling of administration.

#### OVERLAPPING JURISDICTION

It has been charged repeatedly in recent years that the courts, particularly in the larger cities, are doing piecemeal justice in the domain of domestic relations. The arraignment has been phrased by Dean Pound as follows:

Two signal cases of waste of judicial power, the multiplicity of independent tribunals, and the vicious practice of rapid rotation which prevails in the great majority of jurisdictions, whereby no one judge acquires a thorough experience of any one class of business, may only be noticed. As an example of the possibilities of the first it has been observed that in Chicago to-day, at one and the same time, the juvenile court, passing on the delinquent children; a court of equity, entertaining a suit for divorce, alimony, and the custody of children;

<sup>4</sup>Growth of Legal Aid Work in the United States, by Reginald Heber Smith, of the Boston bar, and John S. Bradway, of the Philadelphia bar, with preface by William Howard Taft, Chief Justice, United States Supreme Court, p. 1. U. S. Bureau of Labor Statistics Bulletin No. 398. Washington, 1926.

<sup>7</sup>Ibid., pp. 7, 16-17.

<sup>8</sup>Ibid., p. iv.

<sup>9</sup>Criminal Justice in Cleveland; Reports of the Cleveland Foundation Survey of the Administration of Criminal Justice in Cleveland, Ohio. Directed and edited by Roscoe Pound and Felix Frankfurter. Cleveland Foundation, Cleveland, Ohio, 1922.

a court of law, entertaining an action for necessities furnished an abandoned wife by a grocer; and the criminal court or domestic-relations court, in a prosecution for desertion of wife and child—may all be dealing piecemeal at the same time with different phases of the same difficulties of the same family.<sup>10</sup>

#### A NEW JUDICIAL TECHNIQUE

The technique worked out by the common law for the attainment of justice in court is based upon the presentation of the evidence and argument by opposing attorneys before a judge who decides each case according to established principles on the legally admissible evidence of the witnesses. To-day in a juvenile court or a court of domestic relations much of the evidence is taken outside the court by court officials, and it is based in great part on medicine, psychiatry, and the impressions of trained observers. There may be no lawyers—the judge represents both parties and the law. In a juvenile-court proceeding the prosecuting officer as a general rule has no place, and in the domestic-relations court he often acts as a friend of the accused. Social environment is given consideration. The probation officer occupies a position of great importance, furnishing “an impartial investigating service.”<sup>11</sup> These are not the methods of the old common law; they are the instruments forged by a jurisprudence which realizes that law, like medicine, is social engineering.

#### NEW COURTS

With the development of a new legal technique has come the establishment of new tribunals. Courts of small claims and municipal courts have swept away certain of the formalities of common-law pleading. Workmen's compensation commissions not only are based upon a legislative departure from common-law principles of master and servant but are working out a procedure as flexible as their conception is sound. Public-service commissions have accustomed the public to decisions affecting the fundamentals of modern existence based upon broad economic policies rather than legal precedents. Juvenile courts represent a growth in legal theory rather than a departure from it; but their methods in dealing with children are for the most part unknown to common-law procedure or to chancery procedure.<sup>12</sup> Courts of domestic relations already exist in a number of cities and deal in various degrees with problems of family life that come to the attention of judicial agencies.

The existence of these courts, particularly of the juvenile and domestic-relations courts, has heightened public interest in the problems with which they deal. Dicey has pointed out that—

Laws foster or create law-making opinion. This assertion may sound, to one who has learned that laws are the outcome of public opinion, like a paradox; when properly understood it is nothing but an undeniable though sometimes neglected truth \* \* \*. Every law or rule of conduct must, whether its author perceives the fact or not, lay down or rest upon some general principle, and must, therefore, if it succeeds in attaining its end, commend this principle to public attention or imitation, and thus affect legislative opinion.<sup>13</sup>

<sup>10</sup> Pound, Roscoe: *The Administration of Justice in the Modern City*. *Harvard Law Review*, vol. 26, No. 4 (February, 1913), p. 313.

<sup>11</sup> Elliot, Thomas D.: *The Juvenile Court and the Educational System*. *Journal of Criminal Law and Criminology*, vol. 14, No. 1 (May, 1923), pp. 25-45.

<sup>12</sup> See *The Legal Aspect of the Juvenile Court*, by Bernard Flexner and Reuben Oppenheimer, p. 21 (U. S. Children's Bureau Publication No. 59, Washington, 1922).

<sup>13</sup> Dicey, Albert Venn: *Lectures on the Relation between Law and Public Opinion in England during the Nineteenth Century* (second edition), p. 41. Macmillan Co., New York, 1914.

A study of the operation of the law upon the problems of human relationship must, it is obvious, be pragmatic, entered into without preconceived theories and based upon factual observation. The problems of family life run through the substantive law, as they run through all society. If a study of their treatment by the law meets the same difficulty that is encountered in the writing of history, which Maitland compared to tearing a seamless web,<sup>14</sup> it is also true that tearing the web of law is likely to produce a cross section of the interrelations between the workings of justice and the life of the community. Finally, in a study of the efficiency of judicial agencies it is necessary to keep in mind the demarcations of the field in which the law can hope to operate efficiently.

### PURPOSE AND METHOD OF STUDY

As the field of the Children's Bureau is naturally limited to questions affecting the welfare of children, and as the primary concern of the public in family relationships is the care and protection of children, this study has been planned to cover those cases—and only those cases—in which the status or welfare of children is necessarily and primarily affected,<sup>15</sup> including the following:

1. Children's cases covered by juvenile-court laws, including cases of delinquent, dependent, and neglected children.
2. Offenses against children, including contributing to delinquency and dependency and specified crimes against children.
3. Cases of desertion and nonsupport of children.
4. Cases of divorce and separate maintenance when children are involved.
5. Proceedings for the establishment of paternity and the enforcement of support of children born out of wedlock.
6. Children's cases usually within the jurisdiction of the probate courts, including adoption, guardianship of the person, and commitment of mentally defective and insane children.

This classification corresponds closely to that proposed by a committee of the National Probation Association in 1917 as the jurisdiction that should be vested in family courts, except that the committee report recommended the inclusion of cases of divorce and of desertion and nonsupport where wives only were involved. (See p. 15.) In most of the States jurisdiction over these classes of cases is greatly divided at the present time, and in many of them the same class of case may be handled by a number of different courts.

The aim of this study is to show: (1) The place of specialized family courts in the juridical structure; (2) the development of specialized courts dealing with juvenile and family problems; (3) the

<sup>14</sup> "Such is the unity of all history that anyone who endeavors to tell a piece of it must feel that his first sentence tears a seamless web." Pollock, Frederick, and Frederick William Maitland: *The History of English Law Before the Time of Edward I* (second edition), vol. 1, p. 1. Little, Brown & Co., Boston, 1898.

<sup>15</sup> Excluding child-labor cases, in which the action is usually against the employer.

present judicial organization for dealing with these problems; (4) the proportion of cases of delinquency and dependency which also involve cases of other types (for example, problems of nonsupport or desertion); (5) the organization and methods of work of courts especially established to deal with the cases included in the study and the extent to which they are equipped to give constructive social service; and in the light of these facts to determine the general outlines of a program for more effective judicial organization in this field.

In order to obtain information concerning statutory provisions relating to jurisdiction and procedure a compilation was made of pertinent sections of the laws of each State and Territory under the headings suggested by the list of types of cases, with additional general material concerning jurisdictional provisions, probation and parole, and compensation to prisoners. For subjects covered by existing compilations or summaries only brief summaries of the most essential points were prepared. The laws were then summarized State by State, according to the same outline as that used in the compilation. This material furnished basic information for the studies of court systems in selected communities and was also used in the preparation of a chart, which will be published separately,<sup>16</sup> showing for each State the courts having jurisdiction over cases covered by the study.

In order to ascertain the extent to which the same family was being dealt with in cases of different types statistical studies were made by the Children's Bureau in Cincinnati and in Philadelphia, that in the latter city being made in cooperation with the statistical department of the Philadelphia municipal court. These cities were selected because the organization and record systems of the courts dealing with the majority of family and children's cases made such information relatively easy to obtain and because in Philadelphia valuable assistance was offered by the statistical department of the court.

The descriptive material regarding courts with special organization for dealing with family cases was obtained by visits to nearly all these courts.<sup>17</sup> The first visits were made in the fall of 1923 and the last in June, 1927. Data concerning the courts first studied were supplemented through later visits or through correspondence and through study of their latest annual reports. Because of the limitations of the inquiry it was possible to make only comparatively brief visits to the courts. Thorough study of the case work done was not attempted, but information was obtained for each court concerning jurisdiction, personnel (including method of appointment, salaries, qualifications, assignment of work, volume of work of individual

<sup>16</sup> Courts Having Jurisdiction in Children's Cases and Cases of Domestic Relations. U. S. Children's Bureau Chart No. 17. (In preparation.)

<sup>17</sup> Information was obtained concerning 26 courts in the following cities and counties: (1) Four family courts with juvenile and broad adult jurisdiction: Hamilton County (Cincinnati), Mahoning County (Youngstown), Montgomery County (Dayton), Summit County (Akron), Ohio. (2) Five family courts with juvenile and limited adult jurisdiction: Jefferson County (Birmingham), Ala.; Multnomah County (Portland), Oreg.; Norfolk, Va.; Richmond, Va.; St. Louis, Mo. (3) Five domestic-relations courts without juvenile jurisdiction: Boston, Mass.; Buffalo, N. Y.; Chicago, Ill.; New York City; Newark, N. J. (4) Eight juvenile courts with broad jurisdiction: District of Columbia; Denver, Colo.; Dutchess County, N. Y.; Essex County (Newark), N. J.; Hudson County (Jersey City), N. J.; Maricopa County (Indianapolis), Ind.; New York City; Rockland County, N. Y. (5) Four municipal and district courts that have juvenile and domestic-relations jurisdiction and special organization for domestic-relations work: Douglas County (Omaha), Nebr.; Polk County (Des Moines), Iowa; Philadelphia, Pa.; Springfield, Mass.

## INTRODUCTION

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officers), methods of receiving complaints and of adjusting cases without court hearing, methods of investigation, hearings, court orders, probation, and other follow-up work.

The report of the study is divided into two parts. Part I presents a general view of the legal aspects of the subject, of the efforts made to provide methods of organization and treatment adapted to modern conditions, and of the degree of success attained, together with suggestions as to the general principles that should govern the establishment of new courts or the reorganization of existing courts. Part II will describe in some detail the organization and administration of the courts included in the study.<sup>16</sup>

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<sup>16</sup> The Child, the Family, and the Court. Part II.—Organization and Administration of Courts Dealing with Family Problems. U. S. Children's Bureau Publication No. 193. (In preparation.)

## THE SUBSTANTIVE LAW OF DOMESTIC RELATIONS

Blackstone, writing in the middle of the eighteenth century, declared that there are three great relations in private life: Master and servant, husband and wife, and parent and child. To these he added the legally created relation of guardian and ward. The industrial revolution has changed in large part the relation of master and servant to one of employer and employee and thus removed this contact from the field of domestic relations; otherwise Blackstone's classification is still generally followed.

It is impossible even to outline in a few pages all the doctrines that constitute the law of domestic relations.<sup>1</sup> Courts are only the medium through which law is put in force. Changes in procedure, however radical and far-reaching, are changes only in the way legal principles are administered. It is advisable before considering courts and procedure dealing with the law of domestic relations to consider briefly some of the doctrines of the law itself.

### HUSBAND AND WIFE

The creation of the marital relation requires, first, a valid contract between the parties; this implies that they are able to understand and that they do understand what they are doing. Second, they must be persons whom the law permits to enter the marital status; they must be physically competent and of proper age, and there must be no bar of consanguinity or race. Third, they must enter the status in the manner provided by law; in almost all the States there must be a religious ceremony or a civil ceremony and the giving of public notice or the issuance of a license, as may be required by the particular jurisdiction.

In the United States the various requirements and disqualifications are generally fixed by statute and vary in the different States, so that cases for the annulment of marriage often involve questions of conflict of State laws. As to questions of contractual capacity the law of the State where the ceremony was performed is generally held to govern; but if the laws of the State in which one or both of the parties were domiciled at the time of the marriage prohibit it on some ground of public policy, the marriage is generally held invalid even though it was valid in the State in which the ceremony took place.

The rights conferred by the marital relation at common law have been considerably altered by statutes. It is no longer true, as it was in Blackstone's day, that "the very being or legal existence of

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<sup>1</sup> For good textbook discussions see *A Treatise on the Law of Marriage, Divorce, Separation, and Domestic Relations*, by James Schouler, Sixth Edition by Arthur W. Blakemore (Matthew Bender & Co., Albany, N. Y., 1921), *Handbook on the Law of Persons and Domestic Relations*, by Walter O. Tiffany, Third Edition by Roger W. Cooley (West Publishing Co., St. Paul, Minn., 1921); *Cases on the Law of Persons and Domestic Relations*, by William Edward McCurdy, vol. 1 (Callaghan & Co., Chicago, 1926); and *Cases on Domestic Relations*, by Joseph Warren Madden (West Publishing Co., St. Paul, Minn., 1926).

the woman is suspended during the marriage." At common law and under many of the statutes the husband is under the legal duty to support and maintain his wife according to his station in life and to his means. He is not relieved from this liability because the wife has separate means. In most States the statutes give a wife who has been deserted by her husband or who is living apart from him because of his fault the right to bring a civil action for maintenance. In many States, likewise, for a husband to leave his wife without means of support is made a criminal offense.

With certain exceptions, sometimes recognized when the wife leaves the husband because of his fault, the domicile of the wife merges with that of the husband and changes with his.

The rights of husband and wife in each other's property during life and the rights of one at the other's death, the validity and effect of prenuptial and postnuptial settlements, the rights of husband and wife to contract, as affected by marriage, though fixed by the common law, have all been greatly modified by statute. In general, disabilities of married women have been removed; they can contract freely in their own interest, and can own, acquire, use, and enjoy property of their own. A number of States have the institution of "community property" derived from Spanish law, in which, especially with respect to property acquired after marriage, husband and wife are treated as a property-owning entity.

Divorce is of two kinds: Divorce a mensa et thoro, which suspends the effect of marriage so far as cohabitation is concerned, and divorce a vinculo, which dissolves the marriage. Whether or not divorce is to be allowed, and if it is, upon what grounds, are determined by the laws of each State.

#### PARENT AND CHILD

A child is legitimate at common law when he was born or begotten during the lawful marriage of his parents. Statutes in this country generally make a child legitimate also when his parents marry subsequently to his birth. As a general rule the legitimacy or illegitimacy of a child is determined by the law of his parents' domicile at the time of birth.

Adoption was unknown to the common law but is generally recognized in the United States by statute. In general the consent of the parents of the child or of the surviving parent must be had to an adoption, unless they have abandoned the child or have forfeited the right to custody. Judicial proceedings are generally necessary for adoption. With few exceptions adoption places the parties in the legal relation of parent and child.

The rights of children to inherit from their parents vary according to the statutes of each State. There is usually a distinction between the rights of legitimate and of illegitimate children.

Whereas at common law it was occasionally held that a parent is under no legal obligation to support his children, the obligation to support minor children is now generally imposed upon the parent, either by the common law or by statute. In most States failure of the parent to support his minor children is made a criminal offense. By the weight of authority the obligation of the parents to support their children is not affected by divorce.



A father was under no legal obligation to support his illegitimate children at common law, but to-day he is generally chargeable with their maintenance by statute. In most States the mother has a statute remedy to enforce support from the father; this remedy is generally known as "bastardy proceedings," though the tendency is to substitute the term "illegitimacy proceedings" or "proceedings for the establishment of paternity."

A parent is under the legal duty to protect his children and generally has the right to their services and earnings. But the common law recognizes no legal obligation of the father to educate them.

The custody of children belonged under common law to the father, and upon his death it belonged to the mother. To-day statutes usually give the juvenile courts jurisdiction to remove children from their parents' custody when the unfitness of the children's surroundings is clearly apparent. Such statutes represent growth in common-law doctrines rather than a departure from them,<sup>3</sup> and their constitutionality has been almost uniformly upheld. Juvenile-court statutes also give the courts power to remove delinquent children from the custody of their parents.

In case of divorce the custody of the children is determined according to the circumstances of each case and may be changed from time to time by decree.

The domicile of a legitimate child is that of his father, at least before he is emancipated; the domicile of an illegitimate child is usually that of his mother.<sup>4</sup> Upon divorce the parent to whom the child is awarded has the power to fix the child's domicile. Under the doctrine that the sovereign through his proper court is the protector of every person within his jurisdiction who needs protection, it has been held that a court may take away a foreign child from his parent or proper domiciliary guardian.

Offenses against children are strictly part of the criminal law, not of the law of domestic relations. Such offenses include not only actual attacks and mistreatment but, under statutes, causation of or contributing to a child's delinquency or dependency. Statutory actions of this kind generally lie not only against parents, guardians, or persons having custody but against strangers as well. Infants have certain contractual rights and disabilities, which are sometimes treated as part of the law of domestic relations but which are outside the scope of this study.

To prevent future dependency and to recognize the State's interest in children many statutes provide for pecuniary aid to mothers who can not support their children and whose husbands are dead, have abandoned them, or are not in a position to aid in their children's support. Such aid, frequently called "mothers' pensions," is in some States under the jurisdiction of a court; in others under that of an administrative board.

#### GUARDIAN AND WARD

The law often intrusts the person or the estate of an infant to a person other than the parent. Children have always been regarded

<sup>3</sup> See, for example, the case of *Shelley v. Westbrook* (Jac. 206), in which Shelley was deprived of the custody of his children because he declared himself an atheist.

<sup>4</sup> In Minnesota, however, complaint in proceedings to establish paternity may be filed in the county of the mother's residence, that of the alleged father's residence, or that in which the child is found if he is likely to become a public charge upon the county. (Gen. Stat. 1925, sec. 5261.)

as the wards of chancery, and there are early instances in which equity acted to protect unfortunate minors even when no property right was involved, although the early chancery jurisdiction was generally exercised when some property interest was at stake. A guardian is often named for children by will or deed. A court within whose jurisdiction the minor lives or has property may appoint a guardian for such minor. Unlike a parent, a guardian is not entitled to his ward's services and earnings. He is a trustee, and usually he must account from time to time for his ward's estate to the court which appoints him.

Juvenile-court statutes generally provide for the commitment of dependent or neglected children to persons, institutions, or societies that will give them proper care. When a child is committed to the guardianship of an individual or an institution the proceeding is not equivalent to an adoption but is only a police measure of the State, affecting the incidents but not the existence of the legal status between parent and child. Such a guardian has no rights over the property of the child but has certain rights over his person.<sup>4</sup>

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<sup>4</sup>Courts are given statutory authority to appoint guardians for persons of unsound mind and for inebriates as well as for children.

## SPECIALIZED COURTS DEALING WITH FAMILY PROBLEMS

### THE JUVENILE COURT

As early as 1890 children's courts were introduced in South Australia by ministerial order, and they were subsequently legalized under a State act in 1895. Legislation looking to the same end was passed in the Province of Ontario, but practically nothing was done under it. Before this date Massachusetts, New York, and several other American States had statutes providing for the separate hearing of children's cases. Adult probation had been in use in Massachusetts for many years, but in 1899 laws were passed in Illinois and in Colorado under which the first real juvenile courts in the United States were established in Chicago and Denver.<sup>1</sup>

Since that time all the States except two—Maine and Wyoming—have adopted legislation providing special court organization for dealing with juvenile cases. Every city in the country with a population of 100,000 or more has a court especially organized for children's work.<sup>2</sup>

What are the basic conceptions that distinguish juvenile courts from other courts?

Children are to be dealt with separately from adults. Their cases are to be heard at a different time and preferably in a different place. The children are to be detained in separate buildings. If institutional guidance is necessary they are to be committed to institutions for children. Through its probation officers the court can keep in constant touch with the children who have appeared before it. Taking children from their parents is, when possible, to be avoided; on the other hand, parental obligations are to be enforced. The procedure of the court must be as informal as possible. Its purpose is not to punish but to save. It is to deal with children not as criminals but as persons in whose guidance and welfare the State is peculiarly interested. Save in the cases of adults, its jurisdiction is equitable, not criminal, in nature.<sup>3</sup>

It is probably the most remarkable fact in the history of American jurisprudence that these conceptions were adopted almost universally in less than 25 years. The initial battle was hard, but the victory, so far as nominal acceptance of the fundamental ideas of the juvenile court is concerned, has been almost complete. Legal writers, legislatures, lawyers, and laymen have come to recognize that the law must differentiate in its treatment of adults and of children.

How far these conceptions have been put into successful practice is another matter. For the present it is enough to state that they have been proved workable. It is interesting to note, however, that

<sup>1</sup> Fleener, Bernard, and Roger N. Baldwin: *Juvenile Courts and Probation*. Century Co., New York, 1914.

<sup>2</sup> Lenroot, Katharine F., and Emma O. Lundberg: *Juvenile Courts at Work; A Study of the Organization and Methods of Ten Courts*. U. S. Children's Bureau Publication No. 141. Washington, 1925.

<sup>3</sup> See *The Legal Aspect of the Juvenile Court*, pp. 3-6.

their growth has been in the way of a circle. In the beginning few doubted that the law should treat adults and infants in most respects the same. Then it was seen that the law must provide special treatment for children. To-day the vanguard of thought is recognizing that many of the principles of socialized treatment—such as study of the characteristics of the individual and the environment in which he lives and constructive supervision during probation—are applicable and should be extended gradually to the whole field of criminal justice and in part to certain questions of domestic relations now dealt with under civil procedure. Thus, in these respects at least, adults and infants are again treated alike.

## THE FAMILY COURT OR COURT OF DOMESTIC RELATIONS

### HISTORY

Partly as a result of the extension of the ideas underlying juvenile courts and partly as a result of the development of probation in criminal cases a number of new tribunals have been created. They are referred to generally as "courts of domestic relations" or "family courts." This movement has progressed along two different lines which have tended to converge in the family courts of the broadest jurisdiction.

The earliest development was the extension of the jurisdiction of juvenile courts. The first juvenile courts were given jurisdiction over children's cases only. Very early the necessity that the court have power to deal with certain types of closely related adult cases became apparent. Colorado enacted in 1903 special legislation making contributing to delinquency or dependency an offense within the jurisdiction of the juvenile court. Nearly all juvenile courts now have jurisdiction over certain types of adult cases, though the nature of this jurisdiction varies greatly from State to State. The juvenile-court standards drafted by a committee appointed by the United States Children's Bureau and adopted by a conference held under the auspices of the Children's Bureau and of the National Probation Association in 1923 recommended that cases of contributing to delinquency or dependency, nonsupport or desertion of minor children, and determination of paternity and the support of children born out of wedlock, as well as adoption cases and cases of children in need of protection or custodial care by reason of mental defect or disorder, should be brought within the jurisdiction of the juvenile court.<sup>4</sup>

In 1910 a domestic-relations division was established in the city court at Buffalo, under the provision in the law creating the city court<sup>5</sup> which authorized the chief judge of this court to determine the parts into which the court should be divided. This domestic-relations division had jurisdiction over all criminal business relating to domestic or family affairs, including bastardy cases.<sup>6</sup> Cases of wayward minors between the ages of 16 and 20 years, inclusive, also were

<sup>4</sup> Juvenile Court Standards; report of the committee appointed by the Children's Bureau, August, 1921, to formulate juvenile-court standards, adopted by a conference held under the auspices of the Children's Bureau and the National Probation Association, Washington, D. C., May 18, 1923. U. S. Children's Bureau Publication No. 121. Washington, 1923.

<sup>5</sup> N. Y., act of May 29, 1909, ch. 570, Laws of 1909, pp. 1554-1559.

<sup>6</sup> Jurisdiction in bastardy cases was transferred to the Erie County court by act of Apr. 15, 1926, ch. 388, Laws of 1926, p. 703, which amended ch. 14 of the Consolidated Laws as added by act of Apr. 1, 1924, ch. 253, sec. 1, Laws of 1924, p. 508.

assigned to this division. A law of 1924 specifically authorized the establishment of a domestic-relations court as part of the city court, and equity jurisdiction as well as criminal jurisdiction was conferred upon this court as authorized by the constitution of New York State.<sup>7</sup> In several cities the example of Buffalo in setting apart by law or rule of court a division of a municipal court to deal with domestic-relations cases, chiefly nonsupport and desertion, has been followed. In discussing this type of court Mr. Frank E. Wade, of Buffalo, for many years a member of the New York State Probation Commission, has said:

During the past 10 or 15 years three distinct court systems or procedures, all related under various names and dealing exclusively with the family, have been enacted into law in many parts of the United States. The earliest was the so-called domestic-relations court. This in the main has been an inferior criminal court, having exclusive jurisdiction of nonsupport and assault cases between husbands and wives. Taking family trouble out of the slime of the old police court was at the time considered a great step forward. Many of these courts are functioning in all parts of the United States and doing a splendid work, especially through the probation departments, in enforcing support orders.<sup>8</sup>

The Chicago court of domestic relations, a branch of the municipal court, is of the same general type as the Buffalo court. In 1921 Judge Harry A. Fisher, then a judge of the municipal court, outlined the advantages of these courts as follows:

The advantages of having such a court are in the main the possibility of establishing a social-service department in connection with it, which is required to make investigation of cases and when possible to avoid bringing these matters before the court either by effecting reconciliations or by obtaining voluntary contributions for the support of the families, and to look after a proper collection of the money ordered for the support of wife or child. A separate court for these matters also develops expertness on the part of the judge who is assigned to preside over it. It separates these cases from the other cases that are usually brought before the criminal branches of the court, and, above all, makes it possible to treat these cases from a social point of view. The proceedings are less formal, and the court is not limited to the trial of bare issues of fact. It is in a position to call to its aid the numerous private social agencies which exist in the city and which are able to help solve many domestic problems. In fact, our court has become much more a great social agency than a court. The judicial power is resorted to only where coercion is necessary.<sup>9</sup>

In 1914 the first family court in the United States to exercise jurisdiction over both domestic-relations and juvenile cases was created in Hamilton County (Cincinnati), Ohio, as a division of the court of common pleas. For the first time divorce cases were brought under the jurisdiction of a court especially organized to deal with cases affecting child welfare and family life. Similar courts have been established in six other Ohio counties and in certain other communities, and the Cincinnati court has been regarded generally as the pioneer in the movement for family courts as distinguished from domestic-relation courts with adult jurisdiction only.

The aim of the family court, in the language of Judge Charles W. Hoffman, of the domestic-relations court of Cincinnati, Ohio, a leader in the movement for their establishment, is provision "for the consideration of all matters relating to the family in one court of exclusive

<sup>7</sup> N. Y., act of Apr. 25, 1924, ch. 424, Laws of 1924, p. 777, adding Art. III A (sec. 80) to Laws of 1908, ch. 870, in accordance with Art. VI, sec. 18, of the constitution as amended by concurrent resolution of the senate (Apr. 8, 1921) and assembly (Apr. 16, 1921), Laws of 1921, pp. 2534-2535. Art. VI of the constitution was itself amended in 1926 (Laws of 1926, pp. 1583-1590).

<sup>8</sup> Discussion in Proceedings of the National Probation Association, 1924, p. 191.

<sup>9</sup> Quoted in Courts of Domestic Relations, by Edward F. Waite (Minnesota Law Review, vol. 8, No. 1, February, 1921), pp. 164-165.

jurisdiction, in which the same methods of procedure shall prevail as in the juvenile court and in which it will be possible to consider social evidence as distinguished from legal evidence. In fact, providing for a family court is no more than increasing the jurisdiction of the juvenile court and designating it by the more comprehensive term of family court."<sup>10</sup>

In 1917 a committee of the National Probation Association recommended the establishment of family courts with jurisdiction in the following classes of cases:

(a) Cases of desertion and nonsupport; (b) paternity cases, known also as bastardy cases; (c) all matters arising under acts pertaining to the juvenile court, known in some States as the children's court, and all courts, however designated in the several States, having within their jurisdiction the care and treatment of delinquent and dependent children and the prosecution of adults responsible for such delinquency and dependency; (d) all matters pertaining to adoption and guardianship of the person of children; (e) all divorce and alimony matters.<sup>11</sup>

Commenting on this report, Judge Edward F. Waite has said:

In this grouping there appear to be three underlying ideas: The interest of the State in the conservation of childhood, the intimate interrelation of all justiciable questions involving family life, and the need for administrative aid in the wise solution of such questions.<sup>12</sup>

#### EXTENT OF THE FAMILY-COURT MOVEMENT<sup>13</sup>

The terms "family court" and "court of domestic relations" (often used interchangeably) indicate different types of organization, including at least the following:

1. *A family court of juvenile and broad adult jurisdiction, including children's cases, cases of divorce, desertion and nonsupport, and contributing to delinquency and dependency.*

The divisions of domestic relations in the courts of common pleas of Franklin, Hamilton, Lucas, Mahoning, Montgomery, Stark, and Summit Counties, Ohio, the domestic-relations court of Cabell County, W. Va., and the division of domestic relations of the first circuit court of Hawaii are examples of this type. The courts of Franklin and Stark Counties, authorized by 1927 legislation, had not been organized at the time of the study.

2. *A family court of juvenile and limited adult jurisdiction, including some of but not all the types of cases listed in paragraph 1.*

The juvenile and domestic-relations courts in Virginia (under a state-wide system) and in Jefferson and Montgomery Counties, Ala., also the domestic-relations courts of Monongalia County, W. Va., and Multnomah County, Oreg., have jurisdiction over cases of desertion and nonsupport, but these courts do not have jurisdiction over divorce. The domestic-relations court of St. Louis, Mo., on the other hand, has jurisdiction over divorce but not over desertion and nonsupport.

<sup>10</sup>Hoffman, Charles W.: Social Aspects of the Family Court. *Journal of Criminal Law and Criminology*, vol. 10, No. 3 (November, 1919), pp. 409-422.

<sup>11</sup>Proceedings of the National Probation Association, 1917, p. 83.

<sup>12</sup>Waite, Edward F.: Courts of Domestic Relations. *Minnesota Law Review*, vol. 5, No. 3 (February, 1921), p. 167.

<sup>13</sup>For a list of the family courts and courts of domestic relations in the United States of which the Children's Bureau has information, and for references to the statutes authorizing those which operate under direct legal authority, see Appendix A, p. 56.

3. *A juvenile court of broad jurisdiction, not including jurisdiction over divorce.*

The outstanding example of courts of this type is that in Denver, Colo. Its jurisdiction includes children's cases, mothers' allowances, adoption, contributing to delinquency and dependency, offenses against children, nonsupport and desertion, illegitimacy (action technically under the charge of contributing to dependency), and children whose custody is in controversy in divorce cases under a general provision relating to cases in which custody of a child is involved. The juvenile courts of Marion County, Ind., of Essex and Hudson Counties, N. J., and of the District of Columbia also have broad adult jurisdiction. The New York State children's court act attempted to vest such jurisdiction in children's courts, but judicial decisions appear to have limited their jurisdiction in adult cases.<sup>14</sup> These are only a few of the juvenile courts that have broad jurisdiction. In 17 States and the District of Columbia the juvenile court has jurisdiction over cases of desertion and nonsupport; in 4 States and the District of Columbia it has jurisdiction over proceedings for the establishment of paternity; in 22 States and the District of Columbia it has jurisdiction over contributing to delinquency and dependency.

4. *A domestic-relations court without juvenile jurisdiction and with adult jurisdiction over cases of desertion and nonsupport and sometimes illegitimacy and certain offenses against children (divorce not being included).*

The domestic-relations courts of Buffalo, Chicago, and Boston and the family courts of New York City and Newark are of this type. The Newark family court also has jurisdiction in morals cases; and cases of wayward minors are assigned to the Buffalo court, which has both equity and criminal jurisdiction.

5. *A municipal or district court with juvenile and domestic-relations jurisdiction and special organization, by law or rule of court, for domestic-relations work.*

Among the courts of this type are the Philadelphia municipal court and the district court of Springfield, Mass., with separate juvenile and domestic-relations divisions, and the district courts of Douglas County, Nebr., and Polk County, Iowa (see p. 65), with juvenile and domestic-relations divisions. The two latter courts, but not those of Philadelphia or Springfield, have divorce jurisdiction. Courts of this type may be established by rule of court without special legislation. One in Tacoma, Wash., was in process of organization at the time of the study.

In this report the term "family court" will be used in general to indicate a court with combined juvenile and domestic-relations jurisdiction and the term "domestic-relations court" to indicate a court or division with jurisdiction over adult cases only. Individual courts will generally be referred to by the term used locally.

Unified probation departments, usually serving a county, have been established in a number of communities in which no unified family court has been created.<sup>15</sup> Through these departments that serve several courts a considerable degree of coordination in the social

<sup>14</sup> As in re Cole (312 App. Div. 427; 208 N. Y. S. 753), People v. De Pus (217 App. Div. 321; 217 N. Y. S. 205). As to family court see City of New York v. Kaiser (125 Misc. 637; 210 N. Y. S. 593).

<sup>15</sup> See recommendation in Report to the Crime Commission of New York State of the Subcommittee on Adjustment of Sentences, by W. Bruce Cobb, p. 30 (Albany, Feb. 28, 1927).

treatment of family problems can be accomplished. Ohio has a state-wide law authorizing the establishment of such departments at the option of the county.<sup>16</sup> New Jersey is organized on this basis. The probation department of Ramsey County, Minn., serving the St. Paul courts, is also an example of this type of coordinated service.<sup>17</sup> Programs of county organization for social work, designed primarily for rural communities and small cities, may make social service by a unified county department available to all the courts. For example, in North Carolina the county superintendent of public welfare is responsible for the probationary supervision of both children and adults.<sup>18</sup>

In spite of the diversity of organization indicated by these various types of courts described, the family-court movement, as has been shown, has gained wide recognition in the past 15 years. To summarize: In addition to the many States in which the juvenile court has more or less broad jurisdiction over domestic-relations cases, the family court combining juvenile jurisdiction with jurisdiction over certain types of adult cases has been established in the entire State of Virginia, in seven counties in Ohio, and in one or more communities in Alabama, Missouri, Oregon, West Virginia, and the Territory of Hawaii.<sup>19</sup>

The domestic-relations court with adult jurisdiction only has been established in parts of four States: Illinois, Massachusetts, New Jersey, and New York. In other States, including Iowa, Nebraska, and Pennsylvania, and also in Massachusetts, organization for juvenile and domestic-relations work has been developed by municipal and district courts.

#### FUNDAMENTAL PROBLEMS INVOLVED

It is apparent that the family court, or court of domestic relations, embodies two desires—first, to extend the new method of legal treatment of certain classes of cases, best exemplified in juvenile courts; second, to prevent duplication of jurisdiction by various tribunals. In other words, these new courts involve a problem of legal procedure and a problem of judicial organization.

<sup>16</sup> Ohio, act of March 24, 1925, Laws of 1925, pp. 423-430, adding supplementary sections 1554-1 to 1554-6 and others to the General Code.

<sup>17</sup> Doyle, John J., Chief Probation Officer, Ramsey County Courts, St. Paul, Minn.: *The Family in Court—A Unified Probation Staff*. Proceedings of the National Probation Association, 1926, pp. 59-63.

<sup>18</sup> See *Public Child-Caring Work in Certain Counties of Minnesota, North Carolina, and New York*, by E. Ida Curry (U. S. Children's Bureau Publication No. 173, Washington, 1927) and *The County as a Unit for an Organized Program of Child-Caring and Protective Work*, by Emma O. Lundberg (U. S. Children's Bureau Publication No. 169, Washington, 1926).

<sup>19</sup> An Oklahoma law of 1925 (act of Apr. 11, 1925, ch. 128, Laws of 1925, p. 182) established family courts in counties of 90,000 population. The district judges of Tulsa County declined to assume jurisdiction, stating that, in their opinion, the law was unconstitutional, and no court has been established in Oklahoma County, the only other county of this size.



## PROCEDURAL CHANGES IN SPECIALIZED COURTS

### CONSERVATISM IN LEGAL PROCEDURE

It is a maxim of legal history that it is easier to effect a change in the substantive law than it is to effect a change in procedure. The natural conservatism of the bar is most in evidence when a change in the way cases are handled is proposed. Nor is this conservatism unjustified. Abstract justice becomes unimportant if the method of obtaining justice is not suited to the needs of the community. The common law was several centuries in working out its system of procedural rights. Almost from the first these procedural rights have been jealously guarded, as witness the construction of the phrases "law of the land" in Magna Charta, and "due process of law" in the fourteenth amendment to the United States Constitution. In view of this conservatism<sup>1</sup> the speedy adoption of the procedure involved in the establishment of juvenile courts is all the more remarkable.

### EXAMPLES OF THE NEW PROCEDURE

Typical hypothetical cases before and after the establishment of the juvenile court will illustrate best the far-reaching nature of the change due to the new procedure:

In the middle of the nineteenth century a boy 13 or 14 years old set fire to a stable. He was indicted by the grand jury, and because he could not give bail he was sent to jail until he was tried before a petit jury in a crowded court room. The State's attorney presented his evidence, consisting of proof that the boy committed the act with which he was charged and that he was old enough to know what he was doing. The boy's attorney offered evidence to the contrary. The judge ruled on questions of evidence. Hearsay evidence was not admissible. No one thought of offering testimony as to the boy's surroundings. He was convicted and sent to the penitentiary, in which he served his sentence in the company of the usual hardened convicts in a penal institution.

That boy's grandson to-day sets fire to a garage in a jurisdiction that has a modern juvenile court. Complaint is made. The boy is brought in and is sent to a juvenile detention home in which are no adults except the persons in charge. There he is examined physically and mentally. In the meantime a court probation officer investigates the boy and his environment. He finds that the boy's grandfather was sent to prison, that his family is poor, that they have moved from State to State, that he has had little schooling, and that he has been associating with vicious companions. A plan is made for the boy's care and training. His case is heard in a room informally arranged in which there are no spectators except those immediately concerned in the case and no lawyer except the judge. The judge hears the complaint and reads the reports of the physician, the psychiatrist, and the probation officer. The boy admits the act complained of. (If he had not admitted it the judge would have heard testimony and decided the question of fact.) The judge talks to the boy and to his parents and places him on probation. The cooperation of social agencies is enlisted and a better job is found for the boy's father. The probation officer con-

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<sup>1</sup> See *The English Struggle for Procedural Reform*, by Edson R. Sunderland (*Harvard Law Review*, vol. 39, No. 6 (April, 1926), pp. 726-748).

sults the school authorities and arranges for the boy to have school work that will hold his interest. He puts the boy in touch with recreational activities that will occupy his spare time in a wholesome way. The boy comes to the probation office regularly to report progress and to talk over his problems. The probation officer visits the boy and his family at frequent intervals and endeavors to bring the mother and father to a better understanding of their son and his needs. Finally, the boy is discharged from probation, or, if he continues in his old ways, he may be committed to a training school for boys.

If this boy in the hypothetical case of to-day had been referred to court because he did not have a suitable home or proper parental care similar procedure would have been followed. The fact of dependency would have been determined, his physical and mental condition would have been studied, and his environmental conditions would have been ascertained, and the case would have remained under the jurisdiction of the court, with officers of the court actively engaged in supervision, until discharge or commitment for foster-home or institutional care was deemed advisable.

What is the law doing in these cases? First, generally, as in cases of contract and property, it is determining an event. It determines whether or not the boy set fire to the garage, as it might determine whether a deed was actually signed or whether a seller failed to deliver an order. Second, it is determining a condition—the boy's health, mentality, and environment—again the factual question. Third, it is treating the event in the light of the condition, just as it may weigh considerations of public policy against considerations of individual interest in deciding whether a noise from a factory constitutes a public nuisance and should be enjoined. Fourth, it gives the case continued treatment, as it continues to supervise the administration of a trust in equity.

In such cases concerning minors the law formerly included only the first step. Taking the next three steps involved a method of approach new in this type of case but already known to the law in other cases. The great departure consists in the way the additional steps are taken—in the consideration of such factors as environment, of which the common law took no cognizance; in the action of court officials in investigating and reporting on questions of fact; and in the active participation of the court in endeavoring to improve environmental conditions.

#### THE LAW IN ACTION

It is apparent that the court in its new procedure is combining three distinct acts. It not only determines the facts, it seeks them out, and it may itself apply the treatment indicated. It unites the judicial process of the judge with the processes of the grand jury, of the posse, and of the district attorney, and it continues administrative supervision.

That the facts which the agencies of the court unearth include elements of psychology and psychiatry unknown a few decades ago to laymen as well as to lawyers is here immaterial. The content of judicial decisions always varies. Some centuries ago the courts were concerned mainly with questions of land tenure; to-day problems of corporation law bulk large. Nor is it unprecedented for a court to take into account considerations of economics and social polity.

The judicial process is generally influenced, consciously or subconsciously, by the thought of the era in which it is functioning,<sup>2</sup> as witness the legal history of labor problems. The most important change is that these courts combine three distinct functions: Investigation, decision, and treatment. This combination of functions is often said to result in an "administrative tribunal," but such phraseology is both loose and dangerous. People are too prone to give a complex situation a name; then because they can recognize its tag they believe that they understand its nature. Courts have always had their agencies by which the decisions of the judges were made effective, from the clerks who recorded them to the sheriffs who acted upon them. The law has always had, too, its agencies of investigation, from the time when the judges traveled from county to county to pass upon the breaches of the king's peace which the assizes had revealed. On the other hand, decision of course is not a purely judicial rôle; from early times there have been executives and legislators. The remarkable fact is that these new tribunals study the whole situation, formulate their policies, issue the orders for carrying them out, and decide when and how they are being violated and what shall be done about their violation. "Administrative" is too colorless a word.

The New York State Judiciary Constitutional Convention of 1921 was of the opinion that "extensive legislative, executive, and judicial powers are being vested and combined in administrative bodies in distinct and reckless disregard of the sound principle of the separation of governmental powers, which was deemed so essential to the true protection of individual rights by the wise founders of our republican form of State governments."<sup>3</sup> As a matter of constitutional law there is no Federal requirement that the executive, legislative, and judicial functions of the States be kept separate.<sup>4</sup> The various State constitutions generally provide for a separation of functions; but there is no clear legal demarcation, and the question of the jurisdiction to be given to the courts is generally one of policy rather than one of law.<sup>5</sup>

It is true that the jurisdiction of these new courts is defined by the legislature, but their jurisdiction is sometimes as broad as the limits of family problems. It is true also that parties are given the right of appeal and the right to be represented by counsel, but the parties are represented by lawyers in relatively few cases, partly because of poverty, partly because the court itself not only acts as judge but also takes an active part as an investigator and as a friend of the parties. The relatively small proportion of appeals is attributable partly to lack of funds and partly to the absence of lawyers.

Under the new procedure precedent means little except as it represents experience. The question whether or not to take a child away from his parents and commit him to an institution is not governed by what seemed advisable in a previous reported decision. In fact, the decisions of these courts are not generally reported; the judge is

<sup>2</sup> See *The Nature of the Judicial Process*, by Benjamin N. Cardozo (Yale University Press, 1921, reprinted in 1925).

<sup>3</sup> Report to New York Legislature of Judiciary Constitutional Convention of 1921, p. 11. Legislative Document (1922) No. 37.

<sup>4</sup> *Prontis v. Atlantic Coast Line*, 211 U. S. 210, 213. See also *Constitutional Aspects of American Administrative Law*, by Cuthbert W. Pound (American Bar Association Journal, vol. 9, No. 7 (July, 1923), pp. 402-416).

<sup>5</sup> See *Power of Congress Over Procedure in Criminal Contempts in Inferior Federal Courts: A Study in Separation of Powers*, by Felix Frankfurter and James M. Landis (Harvard Law Review, vol. 37, No. 3 (June, 1924), pp. 1010-1113).

not restrained by the knowledge that his judgments will be read and criticized by fellow members of his profession, a knowledge generally regarded as one of the most salutary checks of the common law.

Likelihood of appeal and the existence of printed reports are vividly present to other "administrative" tribunals, such as public-service commissions and even industrial-accident commissions, where financial interests, large or small, are at stake. The judge of a family court, without these checks, has opportunities well-nigh oriental in scope. Nor is this tremendous power over the lives and happiness of thousands confined to the judge. It is shared by the officials of the courts, particularly the probation officers, who are intrusted with the preliminary investigations and the follow-up work. Indeed, in some family courts only a relatively small proportion of the cases come before the judge's bench.

The danger of this system is the danger of all magisterial justice. The common law as it emerged from feudal times is essentially a system of checks and balances and is fundamentally a practical institution. Its procedure in particular reflects a long history of struggle against abuses of freedom. Because it is a practical institution it is changing its procedure. The celerity and businesslike organization of the English High Court of Justice are far removed from the leisurely processes of Coke and Blackstone. The rush of modern civilization, the problems brought on by the industrial revolution, and the growth of huge cities have necessitated a new judicial technique. But that technique as it is being worked out in family courts is not unlike the manorial courts of feudalism itself.

The distinction between the new procedure and the old common-law ways can not be overemphasized. The old courts relied upon the learning of lawyers; the new courts depend more upon psychiatrists and social workers. The evidence before the old courts was brought by the parties; most of the evidence before the new courts is obtained by the courts themselves. The old courts relied upon precedents; the new courts have few to follow. The decisions of the old courts were reported, studied, and criticized by lawyers, and their rooms were filled with lawyers; the decisions of the new courts are seldom reported, and their hearings are attended by probation officers trained in social service. The judgments of the old courts were final, save for appeal; in the new courts appeals are infrequent, and the judgment of the court is often only the beginning of the treatment of the case. In the old courts the jury was a vital factor; in the new courts, in practice, the jury is discarded. The system of the old courts was based upon checks and balances; the actual power of the new courts is practically unlimited. Justice in the old courts was based on legal science; in the new courts it is based on social engineering.

In other words, whatever analogies may be drawn with old common-law cases and customs, the vivid fact emerges of departure from an attempt to obtain justice by precedent and abstract reason and of return to an attempt to reach justice in the individual case.

From one aspect the new freedom may be the old tyranny. "The powers of the court of star chamber were a bagatelle compared with those American juvenile courts and courts of domestic relations. If

those courts chose to act arbitrarily and oppressively they could cause a revolution quite as easily as did the former."<sup>8</sup>

The new socialized procedure is gaining ground steadily and has affected not only the treatment of juvenile and domestic-relations cases but also general criminal procedure. Fundamentally and applied within its proper sphere the theory of the new procedure is sound because it is adapted to modern conditions. It can be successful in practice, however, only if it lives up to its theory. It must be supplied with the exceptionally able, trained man and woman power that its success demands. It must be regarded not as an end but as a means toward legal and social development. It must be treated frankly as an experiment requiring constant watching and study. Emotionalism must be shed, errors must be acknowledged when they are found, and facts must be dealt with. Finally undue haste to abolish the safeguards and the science of the common law must be avoided. It must be remembered that law is only a part of life, only one science among many to be used for social betterment; but it must be borne in mind, too, that law can not make over life.

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<sup>8</sup> Pound, Roscoe: *The Administration of Justice in the Modern City*. *Harvard Law Review*, vol. 26, No. 4 (February, 1913), pp. 392-328.

## FUNCTION OF THE LAW IN FAMILY PROBLEMS

### THE LIMITS OF EFFECTIVE LEGAL ACTION

What is the proper field for the new procedure as applied to domestic relations? Obviously it can not be made to cover the whole substantive law. It is not adapted, for example, to deal with pre-nuptial property agreements. It can not compel the enforcement of conubial rights beyond ordering the payment of money or prohibiting certain acts. In short, the law has inherent limitations as applicable here as elsewhere.

Dean Pound, in discussing before the Pennsylvania Bar Association the question how far the law can hope to go, pointed out five limitations, the first one growing out of the difficulties involved in ascertainment of the facts to which legal rules are to be applied. As a matter of fact, nothing is more difficult than to get the truth in a family tangle. The suppression of vital elements by the parties, or ignorance of their existence, combined with the innate delicacy and many-sidedness of the problems, makes it practically impossible in many cases for the court to uncover the real situation. He continues as follows:

Another set of limitations grows out of the intangibility of duties which morally are of great moment but legally defy enforcement. I have spoken already of futile attempts of equity at Rome and in England to make moral duties of gratitude or disinterestedness into duties enforceable by courts. In modern law not only duties of care for the health, morals, and education of children but even truancy and incorrigibility are coming under the supervision of juvenile courts or courts of domestic relations. \* \* \*

A third set of limitations grows out of the subtlety of modes of seriously infringing important interests which the law would be glad to secure effectively if it might. Thus grave infringements of individual interests in the domestic relations by talebearing or intrigue are often too intangible to be reached by legal machinery. \* \* \*

A fourth set of limitations grows out of the inapplicability of the legal machinery of rule and remedy to many phases of human conduct, to many important human relations, and to some serious wrongs. One example may be seen in the duty of husband and wife to live together and the claim of each to the society and affection of the other. \* \* \*

Finally, a fifth set of limitations grows out of the necessity of appealing to individuals to set the law in motion. All legal systems labor under this necessity. But it puts a special burden upon legal administration of justice in an Anglo-American democracy. For our whole traditional polity depends on individual initiative to secure legal redress and enforce legal rules. It is true the ultraindividualism of the common law in this connection has broken down. We no longer rely wholly upon individual prosecutors to bring criminals to justice. We no longer rely upon private actions for damages to hold public-service companies to their duties or to save us from adulterated food. Yet the possibilities of administrative enforcement of law are limited also, even if there were not grave objections to a general régime of administrative enforcement. For laws will not enforce themselves. Human beings must execute them, and there must be some motive setting the individual in motion to do this above and beyond the abstract content of the rule and its conformity to an ideal justice or an ideal of social interest.<sup>1</sup>

<sup>1</sup> Pound, Roscoe: *The Limits of Effective Legal Action*. Report of the Twenty-second Annual Meeting of the Pennsylvania Bar Association, 1916, pp. 233-239.

those known to social agencies and those not known, had been studied.<sup>3</sup>

Much overlapping appeared in the statistics presented by the Philadelphia municipal court for 1922, as 16 per cent of 3,771 new cases received in the juvenile division of this court were known to have records in other divisions of the court, 12.1 per cent in the domestic-relations division.<sup>4</sup>

Detailed information concerning overlapping of cases was obtained by the United States Children's Bureau for Philadelphia in cooperation with the statistical department of the Philadelphia municipal court, in regard to 6,728 families dealt with by that court in October, 1923. Of these families 6 per cent were dealt with in more than one type of case during that one month (not including divorce cases and other types of cases included in the Hamilton County figures in the following paragraph). Of the families dealt with in children's cases 14 per cent had been dealt with in cases of other types during the year ended October 31, 1923. Of those dealt with in nonsupport or desertion cases 14 per cent and of those dealt with in illegitimacy cases 20 per cent had been dealt with in cases of other types. The relation between nonsupport or desertion and delinquency is indicated by the fact that 230 (17 per cent) of a group of 1,323 Philadelphia families dealt with in nonsupport or desertion cases involving children between the ages of 10 and 20 years had one or more children known to the municipal court at some time because of delinquency or crime. Of a group of 284 families with children to which divorces were granted in Philadelphia during a period in 1923 and 1924 selected for study, 13 per cent were known to the municipal court during the year in which the divorce libels were filed; and 47 per cent had been known in that year or previously, practically all of them to the domestic-relations division of the court.

Figures obtained by the United States Children's Bureau showed that of 5,286 families dealt with in 1923 by the Hamilton County (Cincinnati), Ohio, family court, the probate court, and the Ohio Humane Society (with or without court action in the municipal or other court)<sup>5</sup> in cases of the types included in the study 13 per cent were dealt with in more than one type of case during the year. Among the children's cases dependency and neglect were most likely to occur in combination with other types of cases, 41 per cent of the families known in dependency or neglect cases being known also in cases of other types, usually nonsupport or desertion or divorce; 28 per cent of the families dealt with in cases of nonsupport or desertion were dealt with in cases of other types also—for the most part children's cases or divorce cases; and almost as high a percentage (26) of the families dealt with in divorce cases were known in cases of other types, chiefly nonsupport or desertion.

<sup>3</sup>The 89 families were chosen from a much larger group known to social agencies, and detailed information was obtained as to their social histories and court records. The families known to the social agencies represented 30 per cent of an unselected group of individuals applying for divorces cleared through the social-service exchange on the basis of the surnames and first names of the men and women as given in the newspapers. See *Where Courts Interlock*, by Mildred D. Mudgett (Family, vol. 4, No. 3 (May, 1923), pp. 51-55). The social-service exchange is a clearing bureau maintained for the use of social case work agencies to prevent duplication in case work and to assist in investigations. When a case is registered with the exchange the names of agencies previously registered are given to the registering agency.

<sup>4</sup>Ninth Annual Report of the Municipal Court of Philadelphia, 1923, p. 449.

<sup>5</sup>The Ohio Humane Society was included in the study because its work in connection with the municipal court was similar to that usually done by probation departments.

## **PRESENT JUDICIAL ORGANIZATION FOR DEALING WITH JUVENILE AND FAMILY CASES**

### **COURT SYSTEMS HAVING JURISDICTION OVER CASES INCLUDED IN THE STUDY**

At the present time in most States jurisdiction in juvenile and domestic-relations cases is divided among (1) specialized juvenile, family, or domestic-relations courts; (2) criminal courts; and (3) courts of probate and chancery jurisdiction. Attempts to consolidate jurisdiction therefore must take into consideration these three classes of courts, constitutional limitations relating to the establishment of courts, and the vested jurisdiction of existing courts.

The number of courts having jurisdiction over family cases of course depends in the first instance upon the general judicial organization of the State. This country seems to take a peculiar zest in the formation of new courts. Many States have courts which do not coordinate with the other judicial units but whose jurisdiction overlaps theirs in almost every particular; and the cure for this situation is often taken to be creation of another court. This condition is by no means nation-wide. In some jurisdictions there is real evidence that the business aptitude for organization for which Americans are supposed to be famous has permeated into the judicial system. In others there is a marked lack of coordination. (See p. 28.)

Original jurisdiction in criminal cases is usually divided between courts that deal with cases of indictment or information (as the court of general criminal jurisdiction) and courts of summary jurisdiction (justices of the peace, municipal courts, police courts) that have power to dispose of minor cases immediately and hold only the more serious cases for the grand jury or the court of general criminal jurisdiction. Sometimes the same domestic situation may be dealt with as a misdemeanor and disposed of in a municipal or police court or may be dealt with as a felony by the grand jury and higher criminal court. This is particularly true of nonsupport and desertion cases (as in Arkansas, California, and Indiana). In fact, in some jurisdictions (for example, Indianapolis and St. Louis) three or four types of courts may deal with nonsupport: City courts, courts of inferior criminal jurisdiction, courts of general criminal jurisdiction, and (as in Indianapolis) the juvenile court under a law relating to contributing to dependency.

In considering chancery and probate jurisdiction it is found that in many States cases of adoption and guardianship are dealt with in the probate or county court, and cases of divorce and annulment of marriage are dealt with in the superior, district, or circuit court or in some other court of general civil and criminal jurisdiction. In some States, however, divorce and annulment cases come under the jurisdiction of a chancery court without criminal jurisdiction, as in Arkansas and Mississippi. On the other hand, adoption and guardianship jurisdiction is sometimes vested in a court of general criminal and civil jurisdiction, as in California, where the superior court has



In contrast to the relatively simple situation in Nebraska, which makes consolidation easy, is the very complicated system in New York City, where jurisdiction is divided among the children's court; the magistrates' courts, which deal with deserting and nonsupporting husbands as "disorderly"; the court of special sessions, with jurisdiction in illegitimacy cases; the surrogate's court, with jurisdiction in adoption cases; and the supreme court, with divorce jurisdiction. The children's court has been given certain enlarged powers with reference to families of children before the court as delinquent, neglected, or dependent, and in three boroughs "family divisions" of the magistrates' courts have been developed to deal with desertion and nonsupport cases; but no attempt has been made to consolidate all family cases in one court. In a number of States possibilities exist for further consolidation in the juvenile or family division of jurisdiction over the classes of cases included in this study or for utilization of the social-service machinery of that division without legislative action.

## **FAMILY COURTS AND COURTS OF DOMESTIC RELATIONS IN ACTION**

The efficacy of a court can not be judged by the number of cases that come before it nor by the amount of money it handles. Most courts can be judged according to their published opinions, but family courts rarely make law. They must be tested by results, and it is results that are hardest to evaluate. However, the court's jurisdiction, the number and quality of personnel, the equipment, actual observation of hearings, and information concerning methods or organization and administration are all indicative of the extent to which the court succeeds in correcting the individual family and community maladjustments with which it deals.

### **CONSOLIDATION OF JURISDICTION**

It has been pointed out that one of the aims of the family-court movement has been elimination of the overlapping jurisdiction of various tribunals. How far this aim is realized depends in the first place upon the content of the legislation under which the courts operate and in the second place upon the extent to which the new courts actually exercise jurisdiction. The first factor is affected by the constitutional limitations regarding the establishment of new courts and the conferring of exclusive jurisdiction upon these courts and the legal status of the courts upon which jurisdiction is conferred (as whether their jurisdiction is limited and whether provision is made for jury trials). The second factor is largely dependent upon the extent to which public opinion, as expressed through prosecuting authorities, bench and bar, and cooperating social agencies, supports the new court.

### **JURISDICTION CONFERRED BY LAW OR RULE OF COURT**

The four family courts of juvenile and broad adult jurisdiction that were studied in Hamilton, Mahoning, Montgomery, and Summit Counties, Ohio, have jurisdiction over all types of cases included in the study except cases of adoption and guardianship.

The five family courts of juvenile and limited adult jurisdiction that were studied furnish an interesting contrast. Desertion and nonsupport cases, but not divorce cases, are included in the jurisdiction of the Virginia courts and in those of Jefferson County, Ala., and Multnomah County, Oreg., whereas in the court of St. Louis, Mo., the reverse is true. Offenses against children are dealt with by the Virginia courts and that of Jefferson County but not by those of Multnomah County and St. Louis. The jurisdiction of the Jefferson County, Multnomah County, and St. Louis courts covers one or more of the types of cases that usually are dealt with by a probate court. The Virginia courts have power to commit mentally defective children who are within their jurisdiction for other reasons.

The jurisdiction of the eight juvenile courts included in the study is in some instances so broad as to make the line between this group and the preceding group little more than an arbitrary division.<sup>1</sup> All of them have jurisdiction over contributing to delinquency or over other offenses against children, though in the District of Columbia and New York City such jurisdiction is quite limited. All have jurisdiction over desertion and nonsupport, though in Indianapolis, Ind., the procedure is in reality a contributing-to-neglect procedure; but in New York City such jurisdiction is limited to cases in which the child is already before the court on a charge related to juvenile jurisdiction. Five of the eight courts have jurisdiction over proceedings for the establishment of paternity. None has divorce jurisdiction. Adoption jurisdiction is vested in four courts, though in New York City it is limited to cases in which the child is already before the court. Six courts have power to commit mentally defective children, and four have at least certain powers with reference to guardianship.

The jurisdiction of the five domestic-relations courts without juvenile jurisdiction that were studied (see p. 16) is limited for the most part to cases of desertion and nonsupport, though two courts have jurisdiction over cases of establishment of paternity and three over at least certain types of cases of offenses against children. None of these courts has divorce jurisdiction nor jurisdiction over adoption, guardianship, or the commitment of mentally defective children.

The four municipal and district courts with organization for juvenile and domestic-relations work are a group concerning which information is difficult to obtain, because they may be established by rule of court without special legislation. Jurisdiction has been given by law over divorce to one of these four courts, over adoption to one, and over commitment of mentally defective children to two. In addition, nearly all types of cases included in the study may be assigned to these courts. Cases of offenses against children, however, and cases of establishment of paternity were not usually assigned to the juvenile and domestic-relations divisions.

#### JURISDICTION EXERCISED IN PRACTICE

Much of the adult jurisdiction of the family court or court of domestic relations is concurrent with that of other courts. In each of the four Ohio counties whose family courts of juvenile and broad adult jurisdiction were studied the chief city has a municipal court with limited criminal and civil jurisdiction, including concurrent jurisdiction over nonsupport, illegitimacy, and offenses against children; and each county has a probate court with jurisdiction over adoption, guardianship, and commitment of mentally defective children. In each community also is a humane society, a very old organization that has been granted special privileges by State law. This society had been accustomed to prosecute cases of neglect, abuse, and nonsupport and desertion in the municipal court; and in Hamilton and Mahoning Counties it continued to prosecute them

<sup>1</sup>For the location of the juvenile courts studied see footnote 17, p. 16, and for the extent to which they are representative of a larger group see p. 8. Legal authority was given in 1929 for designating the Danvers court "for convenience" the family court.

in the municipal court or before justices of the peace after divisions of domestic relations had been established in the courts of common pleas. In 1923 in Hamilton County only 14 per cent of the families dealt with in cases of desertion and nonsupport and not in cases of other types, and 10 per cent of those dealt with in illegitimacy cases only were handled by the family court, according to figures obtained by the United States Children's Bureau. The remainder were dealt with by the humane society, informally or through the municipal court. The Mahoning County division of domestic relations did not exercise jurisdiction over desertion and nonsupport except in cases of failure to pay alimony and cases in which the children were cared for apart from both parents, and illegitimacy jurisdiction was not exercised. All or most of the nonsupport cases in Montgomery and Summit Counties were reported to be heard in the family courts, but only the Montgomery County court heard paternity cases. Thus in these four Ohio communities consolidation of jurisdiction had not approached in practice the extent to which it is authorized by law.

In the five family courts of juvenile and limited adult jurisdiction that were studied the situation was found to be as follows: The jurisdiction of the Virginia courts was exclusive in the cases designated by law as coming under their control. The volume of business had not been so great in any community as to make it necessary to separate the court into two divisions. The jurisdiction of the court of Jefferson County, Ala., was similar to that of the Virginia courts and was exclusive over juvenile cases and desertion and nonsupport cases, and also over cases of contributing to delinquency or dependency. This court had had two separate divisions, presided over by different judges, holding sessions in different places, staffed by different officers, and having relatively little provision for coordination of work. Little social-service work was done in adult cases. In 1927 the situation was improved by legislation establishing in place of the existing court a juvenile and domestic-relations court with a single judge.<sup>2</sup> The court of St. Louis, Mo., likewise was divided into distinct juvenile and divorce divisions with little coordination of activities except that the judge presiding over one of the divorce divisions was assigned also to the juvenile division. The court of Multnomah County, Oreg., had not developed in practice any consolidation of juvenile and adult work except in cases of contributing to delinquency and dependency; nonsupport jurisdiction was not being exercised to any great extent.

Among the eight juvenile courts of broad jurisdiction that were studied several had succeeded in consolidating jurisdiction to a considerable degree, if not to the full extent authorized by law. The District of Columbia juvenile court was exercising jurisdiction in the majority of cases of nonsupport and desertion, and it had exclusive jurisdiction in illegitimacy cases. It was not exercising the very limited jurisdiction that it possessed over cases of offenses against children, and its jurisdiction in cases of serious offenses committed by children was limited to preliminary examinations.

The Denver juvenile court interpreted the legislation under which it operated to mean that it had exclusive jurisdiction in the first

<sup>2</sup> Ala. act of Aug. 2, 1927, No. 225, Acts of 1927, pp. 239-250.

instance as to the custody and disposition of all children under the age of 21 years in both delinquency and criminal cases; but it might direct that children under 21 not included in the definition of delinquency who were brought to court on criminal charges should be tried either in the criminal court or under criminal procedure in the juvenile court. The juvenile court had concurrent jurisdiction in criminal cases against adults if the offense charged was against the person or concerning the morals or protection of a person under the age of 21 years. The Colorado laws relating to contributing to delinquency and dependency were very broad, and concurrent jurisdiction in desertion and nonsupport cases was vested in the juvenile court. In 1923 an arrangement was made with the district attorney whereby the juvenile court was given authority to investigate all nonsupport cases in which fathers failed to pay for the support of their children. If court action was justified charges of contributing to dependency instead of nonsupport charges were filed in the juvenile court. It was stated in 1924 that illegitimacy cases were dealt with by the juvenile court under charges of contributing to dependency, that divorce cases in which children were involved were often referred to the juvenile court for investigation, and that cases of rape and of other offenses against children, jurisdiction over which was concurrent, were dealt with by the juvenile court. Much unofficial court work was done in cases involving questions of divorce, insufficient support, nonsupport, and family trouble.

In New York City and in Newark, N. J., jurisdiction in nonsupport cases was divided between the juvenile and domestic-relations courts. In Indianapolis, Ind., and Jersey City, N. J., such jurisdiction was divided between the juvenile and municipal courts. In Indianapolis nonsupport cases were dealt with in the juvenile court under a contributing-to-neglect law and in the municipal court under a nonsupport law. In New York City the jurisdiction of the children's court in adult cases was limited to cases in which the child was before the court as delinquent or neglected. In exercising even this jurisdiction the court had been proceeding very slowly, partly because questions had been raised as to the validity of certain parts of the act. It exercised its nonsupport jurisdiction first by undertaking the collection of orders for the support of children placed in institutions or under the care of agencies; after this work had been well developed it began to collect support for neglected and delinquent children in their own homes.

The state-wide children's court act of New York State attempted to give to the children's court jurisdiction in all juvenile and family cases involving the welfare of children under the age of 16 years, except cases of divorce and alimony and adult cases involving offenses of the grade of felony, the jurisdiction to be exclusive except over truancy adoption, guardianship, custody, contributing to delinquency, and other offenses against children. But decisions of the New York State supreme court, appellate division, appear to have weakened this jurisdiction, as has been stated. (See p. 16.) Their effect, unless they are reversed, will be to limit the jurisdiction of the children's courts throughout the State substantially to that conferred

upon the New York City court. Information obtained in the course of this study indicated that the courts were proceeding slowly in exercising adult jurisdiction.

Although in Newark and Jersey City the juvenile court had concurrent jurisdiction in desertion and nonsupport cases it heard only those cases instituted by other persons than the overseers of the poor. Jurisdiction in paternity cases, also concurrent, was not exercised by the Newark court; and the Jersey City court usually did not deal with these cases. Practically all the probation work in these two communities was done through county probation bureaus serving all the courts in the county. Each of these bureaus had a domestic-relations division, so that the social-service work in these cases was coordinated even though jurisdiction was divided.

The five domestic-relations courts without juvenile jurisdiction that were studied had little opportunity to consolidate jurisdiction in various types of cases. The jurisdiction actually exercised by these courts has already been described. (See p. 32.)

The four municipal and district courts with juvenile and domestic-relations divisions had succeeded in centralizing the treatment of a variety of juvenile and family cases, though only one of them assigned to the juvenile or domestic-relations division all cases of the type included in the study that came under the jurisdiction of the municipal or district court. In Philadelphia and in Springfield the juvenile and domestic-relations divisions were separate, though in Springfield the probation office was not divided into distinct departments but served all parts of the court. In Polk County, Iowa, and in Douglas County, Nebr., a single division dealt with juvenile and domestic-relations cases.

#### EXTENSION OF ACCEPTED STANDARDS OF JUVENILE-COURT ORGANIZATION AND PROCEDURE

Inasmuch as one of the two main objects of family-court organization was to extend to family cases the point of view and methods developed in the juvenile court it is pertinent to inquire into the extent to which the organization and methods of the new courts conform to generally accepted standards of juvenile-court procedure. It must be borne in mind that with perhaps a few notable exceptions these juvenile-court standards have not yet been put fully into practice in juvenile courts themselves; also that almost no attempt has been made to modify the rules of criminal procedure as applied to cases involving nonsupport and desertion (aside from those dealt with by juvenile courts under laws on contributing to dependency) or offenses against children.<sup>3</sup>

The principal juvenile-court standards applicable to family courts or courts of domestic relations and the extent to which courts of various types included in the study approached the respective standards may be summarized as follows:<sup>4</sup>

<sup>3</sup> Chancery procedure in contributing to delinquency and dependency cases has been developed in Denver, Colo., and certain experiments in the modification of criminal procedure in nonsupport cases are being made in New York State.

<sup>4</sup> Adapted from *Juvenile-Court Standards*; report of a committee appointed by the Children's Bureau, August, 1921, to formulate juvenile-court standards, adopted by a conference held under the auspices of the Children's Bureau and the National Probation Association, Washington, D. C., May 18, 1922 (U. S. Children's Bureau Publication No. 121, Washington, 1922).

## THE JUDGE

1. *The judge should be chosen because of his special qualifications for the work. The terms of office should be sufficiently long to make specialization possible, preferably not less than six years. The judge should be able to devote such time to the work of the court as is necessary to hear each case carefully and thoroughly and to give general direction to the work of the court.*

With few exceptions the judges, probation officers, and staffs of juvenile courts and family courts or courts of domestic relations are not adequately paid. The wonder is, not that the judges and their assistants are not better but that so many capable officials are at work.

The position of judge of a family court requires qualities of the highest order: Broadmindedness, executive ability, tact, knowledge of the law, knowledge of the principles governing social work, and knowledge of people. To these must often be added ability to convince appropriating authorities and the general public that sufficient funds must be made available. These specifications are rarely filled.

The terms of consecutive service of the judges of courts other than juvenile courts included in the study ranged from the 6-year terms in Ohio, in Norfolk and Richmond, Va., and in Jefferson County, Ala., to assignments of three weeks in Boston. With the exception of the Philadelphia municipal court, which had short assignments in the domestic-relations division, and of the St. Louis court, which had 2-year assignments, the terms of service in all the courts having both juvenile and domestic-relations jurisdiction were four or six years. The juvenile courts with broad jurisdiction included in the study also had long terms—four, five, and six years. Only one of the five domestic-relations courts without juvenile jurisdiction—that in Newark, N. J.—had a long term of service (four years) for the judge; in the others the judge as a rule served for periods of a few weeks or a few months. In New York City, however, some of the judges have served in the family court for much longer periods.

In a number of the courts the judges did not have sufficient time to "hear each case carefully and thoroughly and to give general direction to the work of the court." The volume of divorce business was very heavy in the Ohio courts, and in three of the four courts studied this occupied the major portion of the judge's time. These Ohio courts, however, gave much more time to the consideration of individual divorce cases than some of the other courts having divorce jurisdiction included in the study; for example, one that heard 60 to 70 divorce cases in a single day. The judges of some of the courts gave a great deal of time, both in formal hearings and otherwise, to considering the problems of individual cases.

## THE PROBATION STAFF

2. *Not more than 50 cases should be under the supervision of one probation officer at any one time. Probation officers should be chosen from an eligible list secured by competitive examination. The minimum qualifications of probation officers should include a good education, preferably graduation from college or its equivalent or from a school of social work; at least one year in case work under supervision; good*

*personality and character; tact, resourcefulness, and sympathy. The compensation of probation officers should be such that the best types of trained service can be secured. The salaries should be comparable with those paid to workers in other fields of social service. Increases should be based on records of service and efficiency.*

It is very difficult to measure the volume of preliminary work, such as interviewing and investigating, that each probation officer does, but the number of probationers under the supervision of each officer can be ascertained and a comparison made. In only five or six of the courts studied did the case loads even approximate the standard of 50 cases per officer, and two of these courts were serving rural counties. For instance, in one court having jurisdiction over juvenile and nonsupport cases the two juvenile officers had 74 and 130 cases, respectively, and the adult officers had 160 to 198 cases; in addition they made investigations and served as bailiffs and court attendants. In another court with similar jurisdiction no case supervision of adult probationers and very little of juveniles was attempted; some of the juvenile officers did not even know for how many probationers they were responsible. In one juvenile court with board jurisdiction the juvenile-delinquent case load was in conformity with the standards (boys 51, girls 33); but the officer supervising neglected and dependent children was responsible for 159 families, and the adult probation officers were responsible for 96 to 132. Other courts had as many as 200, 250, and 500 adult probationers under a single officer; and some frankly stated that they attempted little or no supervision in adult cases. In general the juvenile-case loads were lighter than the adult-case loads.

As appointment based upon a system of competitive examination is comparatively infrequent in probation work, it is encouraging to find that in the majority of the courts included in the study appointments were made from eligible lists established after examinations held by civil-service commissions or other agencies. In the New Jersey courts, for example, initial appointments were made from State civil-service registers and provision was made for regular increases in salary after promotional examinations. Several courts failed to obtain full value from the merit system of appointment because some of the staff members assigned to social-service work were appointed as constables or other court officials not covered by the competitive-examination system. As a rule, the probation departments in which appointments were made from lists established through competitive examination did not prescribe definite standards of education and experience. The New Jersey examinations, however, did prescribe such standards, though they were usually very low with reference to education, and examinations for the New York City domestic-relations court required one year's social-service experience, though experience in a volunteer capacity was sometimes accepted.<sup>6</sup>

Not many members of the probation departments had the training and experience outlined in the standards as desirable—graduation from college or its equivalent or from a school of social work and at least one year in case work under supervision. This may be explained

<sup>6</sup>The probation laws of New York State were strengthened greatly by legislation enacted in 1928 providing that probation officers shall be selected because of definite qualifications as to character, ability, and training. (Acts of Mar. 9 and 21, 1928, chs. 213 and 460, Laws of 1928, pp. 793, 1013.)



in part by the salaries paid, which as a rule were markedly inadequate, and in part by the fact that probation work in most communities has not yet been placed upon so firm a professional basis as social work done by private family-welfare organizations or by child-caring agencies with high standards. Opportunities for training and for professional advancement and recognition are believed to be less, and young workers with good general education and professional preparation are not so eager to enter this field. Yet the case loads carried by probation officers are much heavier in most courts than the case loads of workers in private organizations of the kind mentioned, and the work is more difficult and more responsible than that of many private agencies.

Several of the chief probation officers and some of the other officers were law-school graduates. A few women probation officers were graduate nurses. In one court none of the probation officers had had training or previous experience in social work; one officer had been a public-health nurse. In another court the staff dealing with adult domestic-relations cases was composed exclusively of persons who had had experience only as constables or sheriffs or in courthouse clerical work. In a court with a separate domestic-relations division only one of eight investigators had any training or previous experience related to the work, and her training had been limited to a period of six months.

A few of the courts had staffs better prepared by education and in some cases by experience. Thus in the District of Columbia juvenile court nearly all the probation officers were college or law-school graduates, and several had had previous experience in social work. The two officers in executive positions on this staff had a college education and social-service experience. One of the six members of the staff of the domestic-relations division of the Boston municipal court's probation department was a member of the bar and had had four years' unusually successful experience in the juvenile court of Boston; and the one woman officer—also a member of the bar—had had experience in settlement work and in a family-welfare society. Three had had no previous social-service experience; one had been an attorney, one the chief clerk of the probation department, and one was a law student. One had family-welfare experience.

Several of the executives of probation departments serving domestic-relations courts and other courts and one devoting full time to domestic-relations and juvenile-court work received in 1927 salaries ranging from \$5,600 to \$7,500 and several received \$3,600 to \$4,100; but some received \$2,400 or \$2,500, or even as little as \$2,000. Most of the chief probation officers received salaries obviously too low for positions of such responsibility. In probation departments with supervisors of divisions as well as chief probation officers the minimum salary received by a supervisor was \$2,400 and the maximum was \$5,000, but only one instance of a salary above \$3,800 was reported. Salaries of investigators<sup>a</sup> and probation officers ranged from \$1,080 to \$3,400; only two officers (negro officers in southern courts) received less than \$1,500, and in only two courts did any officers of this class receive as much as \$3,000.

<sup>a</sup> In some courts persons assigned to the investigation of cases are termed "investigators," the term "probation officer" being reserved for those supervising persons on probation.

On the whole the most adequate salary scale was found in the probation departments of Essex and Hudson Counties, N. J., which served all the courts in their respective counties. The chief probation officers received \$7,500.<sup>7</sup> In Essex County the assistant chief probation officers received \$5,000, the probation officers in charge received \$3,400, and the probation officers received \$2,000 to \$3,000. The officers in supervisory positions in Hudson County received \$3,400 to \$3,800 (except one receiving a nominal salary), and the salaries of probation officers were \$2,400 to \$3,400.

Information on salaries was summarized for 18 probation departments serving large cities.<sup>8</sup> In 11 of these the chief probation officer received less than \$3,500 or some of the probation officers received less than \$1,800, or both these conditions existed, making the compensation extremely inadequate.

#### PRECOURT WORK AND INVESTIGATION OF CASES

3. *The judge or a probation officer designated by him should examine all complaints and after adequate investigation should determine whether formal court action is to be taken. It should be the duty of the court to bring about adjustment of cases without formal court action whenever possible.*

*Social investigation should be made in every case and should be set in motion at the moment of the court's earliest knowledge of the case. Psychiatric and psychological study should be made at least in all cases in which the social investigation raises a question of special need for study and should be made before decision concerning treatment, but only by a clinic or an examiner properly qualified for such work.*

These standards would apply to cases of nonsupport and desertion and to other family difficulties as well as to juvenile cases; and it is sometimes urged that so far as they relate to conciliation service and social investigation they are applicable to divorce cases, at least where children are involved. (See p. 57.) For the purpose of this summary only juvenile cases, nonsupport and desertion cases, and divorce cases will be considered, as these usually represent the most important classes numerically.

Most of the courts with juvenile jurisdiction included in the study were following the tendency noted in most juvenile courts throughout the country in placing considerable emphasis on the unofficial adjustment of children's cases, especially cases of delinquency.<sup>9</sup> The practice varied from that in courts adjusting only a small minority of children's cases unofficially to that in courts like the family court of Hamilton County, Ohio, and the juvenile court of Denver, Colo., which adjusted nearly all children's cases unofficially.

<sup>7</sup> The Essex County chief probation officer now receives \$9,000.

<sup>8</sup> Two of these were in New York City, the children's court and the magistrates' court of which the family court is a part.

<sup>9</sup> Juvenile courts receive many complaints which are regarded by some judges as not requiring formal judicial treatment or official determination of the status of the child. For instance, complaints of trivial offenses can often be settled with a warning to the child, and it would involve needless expense for the court and trouble for all concerned to insist on service of notice, and formal hearing. As the juvenile court becomes well established in the community parents and others bring to the attention of its officers problems of conduct or of environment which call merely for advice or for direction to the social agency best equipped to handle the difficulty. In addition to giving advice which does not involve assuming responsibility for the child, many courts make a practice of supervising children whose parents desire them to have the benefit of such oversight and guidance without the formality of hearing and of determination of delinquency. (*Juvenile Courts at Work*, p. 102.)

Seventeen courts (not including two courts serving rural counties) were dealing with considerable numbers of nonsupport and desertion cases. In 12 of these emphasis was placed on unofficial adjustment, and in most of the others some work was done along this line, either by the court or by a cooperating private agency. Some courts had developed a comprehensive technique for this kind of service, including individual interviews with the complainant and defendant, home visits, and joint interviews, with agreements to pay through the court in many cases. Such agreements were approved by the judge in the New York and Philadelphia courts, and under the law these had all the force of official court orders. Needless to say, the services of attorneys in these cases were not required, though defendants were often represented by attorneys. All that was necessary to initiate action was for the mother to tell her story to an officer of the court, who unfortunately in some courts was a man.

Seven courts included in the study had divorce jurisdiction. In three of these considerable emphasis was placed on conciliation service in divorce cases, either before or after the filing of the petition or libel. In a fourth court one probation officer gave full time to adjusting domestic controversies of various kinds, but this work was not closely related to the divorce business of the court.

All or practically all the juvenile cases were investigated in most of the courts having juvenile jurisdiction. Sometimes investigations were not made in unofficial delinquency cases. In one court the investigations in juvenile cases were made by special police officers. In three courts investigations were not made in all juvenile cases; a fourth often postponed home investigations until after the child had been placed on probation. The investigation varied from a few items entered on a small card to complete investigations reviewed by the chief probation officer or other supervisory officer. In several courts juvenile cases were not cleared with the social-service exchange as a matter of routine.

All but 1 of the 17 courts (not including 2 courts serving rural counties) dealing with considerable numbers of desertion and nonsupport cases made some attempt to obtain social histories in these cases, but 4 courts usually limited the investigation to office interviews, sometimes supplemented by verification of earnings and by histories obtained from social agencies knowing the families. One of these courts consulted the social-service exchange in all cases, another consulted the exchange in cases in which warrants were issued. Ten courts made outside investigations in all cases, in all official cases, or in many cases, and another court made them in cases requiring extradition and in probation cases after the defendant had been placed on probation. A twelfth court made investigations in cases in which differing statements as to earnings were made by husband and wife and in some other cases, and consulted the social-service exchange in all official cases after court hearing. The investigations varied from those in which little history was recorded to those in which comprehensive studies of the family history, economic conditions, present difficulty, and care of the children were made.

Investigations in divorce cases include those made to prevent collusive divorce and social investigations made primarily to determine what the provision should be, through custody and alimony orders, for the welfare of the children. The latter type of investigation

involves determination of the parents' fitness to have custody of the children, their financial ability, and arrangements that can be made for avoiding the conflicts with reference to the children's care, education, and guidance often incident to divorce or separation and frequently disastrous in their effects on the children.

In three of the seven courts having divorce jurisdiction investigations in divorce cases were not usually made; a fourth obtained fairly comprehensive information through office interviews; and the other three made investigations that included home visits. One of the three courts not making investigations had formerly made them in all cases, covering chiefly the character and reputation of the parents and the alleged grounds for divorce; another had made them in cases involving children under the age of 14 years, covering the condition of the children and the arrangements that should be made for their care but not covering the grounds for divorce. In the former court a new judge had discontinued the practice; in the latter the policy of making investigations had been abandoned, except in case of special need, because the probation officer who had made the investigations had resigned and his successor's work in that field had been unsatisfactory. One of the three courts making investigations that included home visits made them in all divorce cases; another made them in uncontested divorce cases and in cases involving children; and the third made them in cases involving minor children. In two courts the investigation covered the causes of divorce, though in one of these the emphasis was being placed increasingly on the care of the children,<sup>10</sup> and in the third court it was concerned primarily with the condition of the children and the provision that should be made for their care.

Few courts had made adequate provision for physical and mental examination of either children or adults. Special child-guidance clinics or psychiatric service was available to 6 of the 20 courts with juvenile jurisdiction for which information on this point was obtained (not including courts serving rural counties). In some of the other courts such service was available for a limited number of cases, and some provided facilities for psychological testing without psychiatric study. A full-time psychologist was on the staff of one of these courts.

In a few courts facilities for physical and mental examinations were available for nonsupport and desertion cases when need was indicated. Three courts were parts of a municipal-court organization with a medical and psychiatric department in which physical and mental examinations were made. In one of these courts it was said that in nonsupport and desertion cases the wives and children of the defendants as well as the defendants themselves were sometimes referred to the psychiatric department.

#### HEARINGS AND ORDERS

*4. Hearings should be held promptly, and unnecessary publicity and formality should be avoided.*

<sup>10</sup> The investigations in this court were condemned severely by a committee appointed by the bar association to inquire into the legal status and activities of the investigators of the courts of domestic relations. The reports of the investigators were criticized as including hearsay evidence, coming between attorneys and clients, and assuming undue authority. It was stated that although the condition of the children was inquired into, the investigations concerned mainly the grounds for divorce. (See Report of Committee Appointed to Inquire into the Legal Status and Activities of the Investigators of the Courts of Domestic Relations, St. Louis Bar Association, Oct. 8, 1923.) The court has continued to make investigations.

*Sufficient resources should be available for home supervision or for institutional care, so that in disposing of each case the court may fit the treatment to the individual needs disclosed.*

Juvenile hearings were conducted informally in all the courts having juvenile jurisdiction.<sup>11</sup> The general public was excluded from all juvenile hearings, but in some courts a considerable number of persons—staff members, representatives of social agencies, and visitors—were present. In one court the number of men attending hearings that involved girls created a very undesirable situation.

Most of the courts with jurisdiction over nonsupport and desertion cases, illegitimacy cases, and cases of contributing to the delinquency or dependency of children conducted the hearings in a simple and informal manner unless the cases were contested or unless jury trials were demanded. As a rule, persons not concerned in the cases were not present. Five courts, however, conducted hearings in a formally arranged court room, and all persons interested in cases to be heard during the session were present, as were spectators in some instances. In these courts the cases involving especially difficult testimony, such as illegitimacy cases, were sometimes heard in the judge's private office, and some of the court rooms were so arranged that the spectators were at a distance from the bench and could not hear proceedings conducted in low tones.

In one of the seven courts having jurisdiction over divorce cases the divorce hearings were conducted in a small, informally arranged room with few persons in attendance, and in another they were conducted in a small, uncrowded court room. In five courts they were conducted in ordinary court rooms, the sessions of one part of one of these courts being held in a large, crowded room, under conditions no better than those prevailing in divorce courts where no attempt at special organization for domestic-relations work had been made. Paradoxically, representatives of the press were present at divorce hearings in the court which fewest persons attended and in which the procedure was most informal, and considerable sensational publicity was given to some cases. The court that held public hearings under undesirable conditions had a rule providing for chamber hearings in the discretion of the court, with the consent of the parties; and reports of the proceedings in such chamber hearings were not given to the public. The rule in this court further provided for cooperative arrangements with the press looking toward the elimination of newspaper publicity in divorce cases, except for bare recital of filing of suits, grounds alleged, and decrees granted.

The inadequacy of the resources for constructive supervision of probationers at the disposal of most of the courts has been indicated in the discussion of the probation staff. Facilities for caring for children who had to be provided for outside their own homes usually were inadequate in some respects, a situation prevailing in most juvenile courts throughout the country.<sup>12</sup>

<sup>11</sup> In the New York City court each case had two hearings, the first being conducted more formally than the second.

<sup>12</sup> A study of 10 juvenile courts serving large cities in different parts of the country revealed that in general the resources at the disposal of the court seemed to have been developed in a haphazard manner and did not fit together to form a complete community program for the care of delinquent and dependent children. The court therefore was limited in the treatment it could prescribe. (*Juvenile Courts at Work*, p. 180.)

All the 21 courts having jurisdiction over nonsupport used probation or its equivalent<sup>13</sup> in nonsupport cases, the defendants often being required to give security for compliance with the order of the court. In a number of communities 50 cents or more a day was paid for the support of families of defendants sentenced to the workhouse or to hard labor. The highest payment per diem provided was in Norfolk and Richmond, Va., where families of prisoners sentenced to labor on the roads received from 50 cents to \$1 a day for the wife and 25 cents additional for each child, the maximum amount being \$1.75. The courts without this provision were greatly handicapped in obtaining support for families.

In some courts—that in Chicago, for example—probation was not used in illegitimacy cases, and no constructive supervision was given except through cooperating private agencies. In Boston, on the other hand, the procedure was criminal and probation could be ordered, and constructive case work was done over long periods with defendants and with mothers and children.

#### PROBATIONARY SUPERVISION

*5. A definite plan for constructive work, even though it be tentative, should be made and recorded in each case and should be checked up at least monthly in conference with the chief probation officer or other supervisor.*

*Reporting, when rightly safeguarded, is a valuable part of supervision, but it should never be made a substitute for more constructive methods of case work. Frequent home visits are essential to effective supervision, knowledge of the assets and liabilities of the family, and correction of unfavorable conditions.*

*Reconstructive work with the family should be undertaken whenever necessary, either by the probation officer himself or in cooperation with other social agencies. Whenever other agencies can meet particular needs their services should be enlisted.*

*Provision should be made by the court for collection of orders in non-support and illegitimacy cases, and for assistance, when necessary, in the collection of alimony orders.*

For 20 of the 21 courts with juvenile jurisdiction included in the study information was obtained concerning methods of probationary supervision in children's cases: In 4 of these courts little attempt was made to give intensive supervision in these cases, though 1 selected a few of the most urgent cases for probationary supervision, and in 2 of them it was not even possible to ascertain the number of active cases on probation. Private agencies cooperating with 1 court carried on the greater part of its probationary work. In only 5 of the 20 courts was fairly intensive case work done in children's cases, including the formulation of a plan which was reviewed at intervals by the judge or a probation officer, frequent home visits, and enlistment of the cooperation of outside agencies to meet the needs of the children and their families. Some of the remaining courts with juvenile jurisdiction were doing the most thorough case work possible in view of the large numbers of cases under the supervision of each probation officer. The reporting system was usually

<sup>13</sup> Sometimes the defendant was placed on parole under suspended sentence, sometimes simply under court order to support.

relied upon, at least in boys' cases, though two courts seldom required regular reports (except in the case of negro children, who were required to report weekly by one of these courts). Nearly all the courts stated that the aim was to make home visits monthly, and some of them attempted to visit more often, but pressure of work prevented frequent visits in many instances. Cooperation with social agencies was also generally stated to be the practice. In two courts a small proportion of children were placed on probation, many cases being dismissed or the children (in one court) being "placed on probation" to parents or teachers without supervision from the probation department of the court.

Ten of the 21 courts exercising jurisdiction in nonsupport and desertion cases attempted to do constructive family case work, though in many of them this was obviously impossible in the majority of cases because of the enormous case loads carried by the probation officers. Five of these 10 formulated definite plans in the beginning of the probation period and usually required reports from the probationers (one requiring them under exceptional circumstances only), made an effort to visit the families monthly, semimonthly, or oftener, and enlisted the cooperation of social agencies in meeting special needs. Three of the 21 courts did a little constructive work. They made some home visits and referred the families to social or health agencies if special problems existed; two usually required weekly reports (one requiring daily reports if the probationer was out of employment), and the third usually had the probationer come to the office to make his payments—though he did not see a probation officer. One court made plans for the families at the beginning of the probationary period, but none of the three was able to keep in close touch with the families or to give constructive service in many cases. Another of the 21 courts gave some supervision, but detailed information concerning this phase of its work was not obtained. For still another court all such cases were supervised by a private organization. The remaining courts in this group attempted practically no case work with the families of probationers, limiting their service mostly to collection of the amounts ordered.

The seven courts having divorce jurisdiction gave little or no follow-up supervision in divorce cases involving children. Formerly such supervision had been given in some cases by one court, but it had been discontinued as a result of adverse criticism by the bar association.

Information on methods of collecting money ordered by the court for the support of probationers' families was obtained for 16 of the 21 courts studied that exercised jurisdiction in cases of nonsupport and desertion. In 15 of them payments were made through the cashier's office, the clerk's office, a special auditing department, or the probation department; in 1 the payments were made through the overseers of the poor. Some courts required the mothers to call in person for their money, and some mailed the checks. In several courts a careful system of checking the regularity of payments and sending notices to men delinquent in payments had been developed; in others the initiative in following up delinquent accounts rested with the mothers, assistance being given by the courts when complaints were received.

Alimony ordered in divorce cases was paid through the court in three of the seven courts having divorce jurisdiction. In a fourth the alimony usually was paid through the court, and a fifth gave assistance in collecting delinquent accounts when complaints were made. In one court the payments were made to a probation officer, who then sent out checks to the women. This officer kept record of the accounts and followed up delinquent accounts by letter. The seventh court gave no assistance whatever in this matter; if payments were in arrears the wife had to employ a lawyer to represent her in civil proceedings or to start a criminal action for nonsupport in another court.

Most of the seven courts dealing with illegitimacy cases<sup>14</sup> had the payments ordered in such cases made through the court in the same way in which payments were made in nonsupport cases. Constructive case work with mothers and children was attempted in two courts, though in one the case load was extremely heavy; and a third had a comprehensive program for the care of children born out of wedlock through aid to expectant and nursing mothers, placement of children for adoption, and other measures. In one court the cases came through the overseers of the poor, and no social-service work was attempted by the court. Except for reference to social agencies and hospitals no case work in illegitimacy cases was done in the remaining three courts.

#### RECORD SYSTEM

*6. Every court should have a record system which provides for the necessary legal records and for social records covering the investigation of the case and the work accomplished. The records of investigation should include all the facts necessary to a constructive plan of treatment. The records of supervision should show the constructive case work planned, attempted, and accomplished, and should give a chronological history of the supervisory work.*

In the majority of the courts included in the study the social records did not meet the standards specified in either juvenile or adult cases. The records of supervision were as a rule less complete than the records of investigation.

#### EXTENT OF COURTS' CONFORMITY TO STANDARDS

The extent to which the organization and procedure of the courts included in the study conformed to the standards outlined may be stated as follows:

1. In a majority of the communities whose courts were studied the establishment of family courts brought cases involving family problems to the consideration of judges who regarded this work as a specialty and who were sincerely interested in developing better standards. This situation did not exist, however, in some of the courts, especially the domestic-relations courts without juvenile jurisdiction, in which the periods of the judges' service were usually very short.

2. In a majority of the courts probation officers were appointed from eligible lists established through competitive examinations. Salaries were markedly inadequate in 11 of the 18 probation depart-

<sup>14</sup> Excluding those dealing only with an occasional case, in one of which illegitimacy cases were included in the general nonsupport jurisdiction of the court.



ments serving large cities for which information on this point was obtained. Not many probation officers had adequate preparatory training and experience, and the probation departments of all but five or six courts were so understaffed that the officers were carrying excessively heavy case loads and could not give adequate attention to the cases entrusted to them. Officers supervising adults were usually responsible for a much larger number of probationers than were officers supervising juveniles.

3. In most of the courts considerable emphasis was placed on unofficial adjustment in nonsupport and other domestic-relations cases, as well as in juvenile cases; and a comprehensive technique had been worked out in some courts. Conciliation service in divorce cases had been relatively less developed. The majority of courts made field investigations in some of or all the nonsupport and desertion cases, and a few made thorough studies; husbands and wives involved in nonsupport cases were not given physical or mental examinations except in occasional instances or if the need for examination was obvious. Field investigations were made in divorce cases in three of the seven courts having divorce jurisdiction.

4. Court proceedings in nonsupport and desertion cases and other domestic-relations cases (excluding divorce) were for the most part simple and informal, and persons not concerned in the cases were not usually present. In some courts, however, these conditions did not prevail. Little improvement had been made in divorce hearings except in two courts.

5. In only 5 of the 20 courts having juvenile jurisdiction for which information was obtained concerning probationary supervision in children's cases was even fairly intensive work done in these cases. Methods of collecting money through the court in nonsupport and desertion cases had been rather well developed, though in some courts no follow-up of delinquent accounts was made as a matter of routine. Family case work was attempted by 10 of the 21 courts exercising jurisdiction in nonsupport and desertion cases, but inadequate staff in most of them made intensive work difficult or impossible. Little or no follow-up supervision was given in divorce cases involving children, though assistance in collecting alimony was usually available.

6. Social records in most courts did not give an adequate picture of the problems involved and the work accomplished.

#### EFFECT OF FAMILY-COURT ORGANIZATION ON JUVENILE-COURT WORK

One of the questions frequently raised in discussions of the advisability of consolidating in one court the jurisdiction over juvenile cases and certain types of adult cases is the effect that such consolidation may have upon the juvenile work of the court. It is argued that the original purpose of the juvenile court was separation of children's cases from adult cases in order to avoid contacts between children and adult offenders, to remove the stigma connected with bringing children to a court which also deals with criminal cases, and—of special importance—to permit the court to center all its attention on the juvenile problem. On the other hand, those advocating

the consolidation in one court of children's cases, cases of adults offending against children, cases of nonsupport and desertion, and cases of divorce are impressed with the desirability of enabling the court dealing with children to dispose of related problems that closely affect their welfare and to extend the safeguards of the juvenile court to children who must appear as witnesses in cases against adults.

In the study of the Ohio courts special attention was given to these considerations. So far as could be observed the only serious difficulty involved in the exercise of the extensive jurisdiction that these courts possessed was the overloading of the judge with divorce cases. The proportion of the judge's time devoted to divorce business was naturally much greater than the proportion that the divorce cases bore to the total number of cases dealt with, inasmuch as all divorce cases were heard by the judge, whereas many of the other cases (especially in Hamilton County, Ohio) were handled unofficially by the probation department. Contested divorce cases also occupied a very much longer time than cases of any other type. Three of the four Ohio courts studied were devoting three and a half or four of the five and a half working days of the week to the divorce business of the court, and the fourth (that in Mahoning County) was giving two and a half days to it.

The organizing of the St. Louis domestic-relations court had practically no effect on the work of the juvenile court, as the juvenile division was entirely separate from the domestic-relations division. The juvenile court of Jefferson County (Birmingham), Ala., had been weakened by the organizing of the domestic-relations court, as the law provided for dual control by the two judges, but this situation was corrected by making provision for a single judge. (See p. 33.) The chief probation officer, acting as referee, heard some of the children's cases, but both the judge and the chief probation officer were overburdened. Juvenile-court work in New York State and in Virginia was greatly strengthened by the legislation that had been enacted recently. As has been pointed out, the New York children's courts were proceeding cautiously in the exercise of adult jurisdiction. In most of the juvenile courts with broad jurisdiction the adult jurisdiction had developed gradually, and as a result there had been no disorganization of the juvenile work. The adult jurisdiction of the Philadelphia municipal court had little effect on the juvenile work, as the juvenile work and the domestic-relations work were done by separate divisions. The juvenile division had the services of the medical department, the central record bureau, the statistical division, and other service divisions maintained by the court.

In courts in which the combined juvenile and adult business is not too heavy for one judge and the juvenile work alone would not occupy his full time, the combination of juvenile and adult jurisdiction has enabled the judge to devote all his time to problems connected with child and family welfare. With a few exceptions probation officers already engaged in juvenile work have not been burdened with adult cases as a result of the organization of family courts, the juvenile case loads generally being lighter than the adult case loads, as has been pointed out. But in many communities the juvenile court was greatly in need of a larger, better-organized staff; and it may be questioned whether the time, effort, and money devoted to

domestic-relations cases should not have been directed first of all toward improving the service rendered in children's cases. In some communities juvenile-court work undoubtedly has been damaged through the effect the family-court movement has had upon public opinion. It is a mistake to regard the juvenile court as a task accomplished, as a foundation upon which to rear the structure of a family court, before the juvenile court has been given sufficient attention and intelligent criticism to enable it to fulfill its aims.

## FUNDAMENTAL CONSIDERATIONS IN THE EXTENSION OF THE NEW JUDICIAL TECHNIQUE

### SAFEGUARDING THE JUVENILE COURT AND CONSOLIDATING THE GAINS MADE

The family-court movement has been in large part an outgrowth of the juvenile court. It has been the result of practical experience which has demonstrated to judges, lawyers, and social workers that problems of child welfare and of family welfare are inextricably intertwined and that the new technique is needed in dealing with certain types of family problems. Obviously the welfare of the child is at stake not only in a delinquency or neglect proceeding but also in a nonsupport proceeding against the father, in an action for the legal separation or divorce of his parents, or in a proceeding to establish the child's paternity. The child, in fact, is the primary reason for the concern of the public with the adults involved in such situations.

In developing the new judicial technique it is important to consolidate the gains made in dealing with certain aspects of the problem which have been attacked first before attempting to cover other sectors. The ideas underlying the juvenile court have been adopted almost universally, but the fact that a legislative body has enacted a principle does not mean that the principle has yet been put into wholly effective operation. Many rural communities and small towns throughout the country have no facilities for dealing with children in need of the protection that a juvenile court can give. Even in many of the larger cities the juvenile court still has an inadequate staff, lacks the means for intensive study of the child, and obtains results chiefly through the method of trial and error instead of through scientific study followed by treatment adapted to the needs discovered.

The primary importance of children's cases has been recognized by the law itself, which has always been peculiarly interested in them. The necessity of treating juvenile cases adequately is universally recognized by legal thinkers, educators, and social economists. The new judicial technique is well adapted to the handling of juvenile cases, and it has been shown that the juvenile court which is based upon that technique can live up to the expectations of its founders. Entirely apart from the relative importance of adult cases and of juvenile cases, if the new machinery and the new technique are not properly fulfilling their existing functions in children's cases, it can hardly be expected that new functions will be performed better.

If the personnel qualified to administer these delicate questions of family relations is insufficient, either in caliber or in number, to handle adults as well as children, questions of domestic relations involving adults should not be allowed to interfere with the work of the juvenile court. It is far better that justice be administered properly and thoroughly in one field, particularly when that field is very important, than that new courts try to do too much and as a consequence do nothing well.

Hopes and aspirations should not be allowed to obscure facts. The condition of the juvenile court is a fact, ascertainable in each

jurisdiction in which it functions. The greatest service that can be performed to-day by those interested in the administration of justice in domestic relations is to see that the juvenile court in their community is properly organized and is properly carrying on its functions. For the most part, except in rural communities, the initial effort of founding juvenile courts is past, but there remains to be done the equally important work of making the juvenile court as stabilized and as competent in its field as are most courts of common law. That work should be given right of way.

This is not to say that the juvenile court necessarily must be continued as a separate court, nor that the extension of the new technique to cases of adults is necessarily inadvisable; but every question of change of court organization or of court technique with respect to domestic relations involving the juvenile court should be considered first of all in the light of its probable effect upon the handling of children's cases.

#### FLEXIBILITY OF PROGRAM

The point of view indicated in the preceding section would lead to different results in almost every jurisdiction. In some cases it would lead to temporary abandonment of proposals to consolidate in one court all cases of domestic relations and to revitalizing of interest in the work of the juvenile court. In other cases, where the material for the application of the new technique is better and more plentiful, it might lead to the establishment of an omnibus court that, depending largely upon the volume of business, would operate either as a unit or in two parts, one of which would deal with cases involving adults and the other with cases involving children. In still other cases it might lead to two separate courts—a domestic-relations court and a juvenile court.

In none of the communities whose courts were studied has there been developed a family court that exercises complete, exclusive, original jurisdiction over cases of all types included in the study. Attempts at consolidation have succeeded, here with reference to one aspect of the problem and there with reference to another; but in a number of communities the establishment of a family court has not eliminated overlapping jurisdictions. For instance, two different courts still hear nonsupport cases in some communities in which family courts have been established. In such communities it is possible without additional legislation to effect further consolidation through court rule, agreement among prosecuting authorities, and increasing public knowledge of the function of the family court.

One of the outstanding results of this study is the sharp realization that there can be no nation-wide formula for the legal adjustment of family problems. Local conditions vary, and the population of one State differs in both number and character from the population of another. Domestic relations themselves differ with geography. In a seaport city with a large foreign population, for example, the conflicts between parents raised in foreign lands and their children brought up in new surroundings may crowd the court; in an agricultural community conflicts may arise from dissatisfaction with rural life on the part of the younger generation. In one community there may be an excellent judge and a large and efficient probation staff supported by a group of lawyers and social workers who see that

proper standards are maintained in domestic-relations courts; in another these vital elements may be absent. Fifty years ago the people of one State may have guessed better than the people of another as to the kind of court structure that the constitution should impose upon future generations; the court structure even of municipalities is often embodied in the State constitution or entrenched behind the ramparts of politics. All these variations and many more came to light in this study. In evaluating the work of family courts it must always be remembered, first, that generalizations are unsafe; second, that the problem of the law, the family, and the court can never be solved adequately unless local conditions are kept constantly in mind.

#### ADEQUACY OF PERSONNEL

Most of the statements favoring the establishment of family courts dwell on the advantages that should be derived from their foundation or extension; comparatively little reference is made to the handicaps under which such courts must labor without sufficient and adequately trained personnel. Yet without such personnel a family court may be worse than useless; instead of being an administrator of justice in the light of modern conditions and scientific study it may degenerate into an unwarranted and harmful meddler in domestic affairs.

It is useless to talk about making the administration of justice a process of social engineering if the first principle of both engineering and the administration of justice is not observed—supplying the tools with which the work must be done. It is futile to attempt to adapt law to an industrialized society unless the instruments of law are organized with the efficiency that industry itself has attained. One probation worker can no more handle 150 cases of juvenile delinquency adequately than a judge can adjudicate 150 points of law simultaneously. The new judicial technique, whatever advantages it may have, does not possess the ability to cure by waving a magic wand.

A scientific attitude toward the administration of the law of domestic relations implies recognition of the fact that most family courts are poorly equipped to fulfill the purposes for which they were founded. As quickly as possible the standards previously set forth for judges and probation officers (see p. 36) should be reached in existing courts, and enlarged powers should not be conferred nor new courts created until careful plans for administration have been formulated.

#### UTILIZATION AND STIMULATION OF COMMUNITY RESOURCES

If it is to be successful a family court must utilize to the fullest extent other social agencies in the community. Not only does a large part of the work carried on by family courts belong functionally as much to these other agencies as it does to the courts, but in many cases the outside groups are able to supply service that the court is not equipped to give.

Of course the outside agencies may have the same shortcomings as the family courts. They may not be properly oriented among themselves, and as a consequence their work may overlap as much as the old courts are accused of overlapping. Or, as this study discloses, the family court and the outside organizations may themselves overlap in their endeavors. Once more the difficulty of formulating a general rule without reference to local conditions becomes apparent.

If the resources of the community do not meet the needs discovered it is the duty of the court to inform the public from time to time and to cooperate to the fullest extent with other agencies in obtaining more satisfactory provision. For example, sufficient resources for foster-home care and institutional care of children may be lacking. Facilities for family-welfare service, including help in budget planning and in adjusting various family difficulties, may be inadequate. Provision for diagnosis and treatment of mothers and fathers incapacitated by physical or mental disability may be insufficient. For obtaining these and many other items of an adequate community program the court shares responsibility with other organizations.

#### RESEARCH AND THE DEVELOPMENT OF SCIENTIFIC METHODS

Few courts of any type are equipped to do research work. Child-guidance clinics working with juvenile courts in a number of communities have been accumulating information concerning the causes and methods of treatment of delinquency which is invaluable as a basis for developing programs of treatment and prevention.<sup>1</sup> In the field of marital maladjustments and other domestic difficulties research is equally necessary, but as yet little has been attempted. Exceptions are the studies of men and women involved in a selected number of domestic-relations cases in the Detroit recorder's court, made by the psychopathic clinic of that court, and the intensive study and treatment of a limited number of neglect cases by the psychopathic clinic maintained in connection with the juvenile court of Detroit, also the studies of causes of marital difficulties in a group of divorce cases dealt with by the Cincinnati court.<sup>2</sup> Some municipal courts (as in Chicago and Philadelphia) have a psychopathic laboratory or neuropsychiatric division. However, few family courts or courts of domestic relations can be expected under present conditions to be equipped with facilities for scientific research.

As the child-guidance movement has been initiated and for the most part carried on by private effort, so might nongovernmental endeavor be directed toward the establishment of domestic-relations clinics, possibly in connection with legal-aid bureaus. These clinics should be equipped to render diagnostic service and unofficial assistance in the medical, psychiatric, and social fields to those asking help in solving difficulties connected with marital or other family relations or referred by courts for such service. Such organizations, besides being of immediate assistance to the families with which they came in contact, would make available for the first time a factual basis for programs of prevention and treatment and for measurement of the efficiency of legal and nonlegal institutions as agencies dealing with family maladjustments.<sup>3</sup>

<sup>1</sup> For example, the early work of Dr. William Healy and Dr. Augusta F. Bronner in connection with the Chicago juvenile court and the present work in the Judge Baker Foundation in Boston, the Institute for Juvenile Research in Chicago, and the Institute of Children's Guidance in New York.

<sup>2</sup> See One Hundred Domestic-Relations Problems, by Helen Flinn and Arnold L. Jacoby (Mental Hygiene, vol. 10, No. 4 (October, 1920), pp. 732-742), and Sex Antagonism in Divorce, by Hornell Hart and M. E. McChristie (Proceedings of the National Probation Association, 1922, pp. 135-141).

<sup>3</sup> The tendency in the field of the physical sciences is also applicable to sciences dealing with human behavior and social organization, though its development is naturally much more difficult in the latter field. "Experts recognize that the day of arbitrary opinion is passing, that experimental research and service experience can best guide every item of the standard. With great gaps in our precise knowledge of the properties of matter and energy, empiricism still rules; but its domain narrows as research gives us measured data based on scientific methods." Standards Year Book, 1927, p. 6. U. S. Bureau of Standards Miscellaneous Publication No. 77. Washington, 1927.

## **APPLICATION OF THE NEW TECHNIQUE TO SPECIFIED TYPES OF CASES**

In the review of various considerations applicable to the treatment of cases of domestic relations when they come into contact with law these cases in the main have been treated generically. At this point, however, the law of domestic relations, apart from the treatment of juvenile delinquency and dependency, which has already been considered, can be separated into its component parts. It is important to ascertain how each group of cases relevant to this study is affected by the possibilities and limitations of the new judicial technique and court reorganization, to endeavor to fix some limits as to what courts can and should hope to accomplish in these cases, and to orient their treatment with the principle of safeguarding the juvenile court.

It is necessary in considering each type of case to bear in mind, as has been emphasized in this report, that the program for a given community must be based upon careful analysis of local conditions and adaptation of general principles to local needs. The family-court movement is still in an experimental stage, and no final statement of principles with reference to the scope of the new courts can yet be made. In fact, in this stage of development it matters little what aspects of the family problem are brought within the jurisdiction of the new courts in various localities so long as effective standards of dealing with the problems selected are developed.

In the opinion of the writers any attempt to judge the efficacy of existing courts by a standardized outline of a so-called model court would be actually detrimental. Experiments in the treatment of the different types of cases coming within the general scope of this report are greatly to be desired, and local situations must determine the parts of the problem to be attacked first. It is extremely helpful to the whole movement, for example, when a court in one locality undertakes a demonstration of what socialized treatment of nonsupport cases really involves, while a court in another community may be developing such methods of cooperation with courts having divorce jurisdiction as will insure adequate treatment of matters affecting the custody and welfare of the children involved.

In considering any particular type of case with reference to any given local situation the first question to answer is "How can adequate administrative standards be developed best in this field?" When careful study of existing conditions indicates that further advance is possible in the direction of socialized treatment of family problems certain general considerations applicable to the various subjects coming within the jurisdiction of family courts in different communities may be helpful. These will be suggested in the following paragraphs.

### **OFFENSES AGAINST CHILDREN**

Acts or omissions of adults in regard to children come under legal cognizance in three classes of cases: Those in which an adult is



accused of a crime against a minor, those in which the adult has failed to fulfill a duty toward a minor, and those in which the adult is accused of causing juvenile delinquency or dependency or of tending to cause it.

Included in the first group of cases are certain types of offenses against minors that clearly do not require thorough investigation of environment or need for continuous treatment, as cases in which an adult has stolen from a minor. In some jurisdictions all such cases come under the family court, but it is obviously unnecessary for them to be handled by a court whose main object is socialized treatment of children. Certain other offenses are more closely analogous to the third group of cases—those in which the adult is accused of causing or attempting to cause juvenile delinquency. These cases affect or have a bearing upon the child's care and development and should be considered from the social point of view. They include not only cases of sex offenses against children but also certain other types of cases covered by criminal law, such as the purchase of junk from minors. Some of these types of cases are usually dealt with as contributing to delinquency and can be treated very satisfactorily in this manner. Whether serious sex crimes should be dealt with in the juvenile court is a more difficult question. The children involved need the protection given by the absence of the atmosphere of the criminal court and of publicity, and they usually require careful study and treatment in order that they may be helped to recover from the effects of the exploitation they have suffered. Nevertheless the accused is charged with a most serious crime and is entitled to all the safeguards provided by the criminal law. In any event a method of cooperation between the juvenile court and the prosecuting authorities such as has been developed in certain jurisdictions could be adopted immediately,<sup>1</sup> and the criminal court could make it an invariable practice to refer the minors involved to the juvenile court for investigation and treatment.

The second group of cases, in which an adult has failed to fulfill a duty toward a minor, is illustrated mainly by nonsupport and desertion cases, which will be discussed in the following section. Failure to comply with school-attendance laws or to furnish medical care, and other types of failure to fulfill parental obligations are dealt with sometimes under specific charges, sometimes under the general charge of neglect, sometimes under the charge of contributing to delinquency or dependency. These cases are closely related to the dependency-and-neglect jurisdiction of the juvenile court, and they should be dealt with by the same tribunal and receive the same socialized treatment.

The third group of cases can be taken as excluding crimes against children and cases of desertion and nonsupport but including all other cases in which the adult is accused of causing or tending to cause juvenile delinquency or dependency. As a rule they are closely related to some juvenile problem already before the court, and jurisdiction over them belongs properly to the juvenile or family court. Their number is not usually so great as to place that court under undue strain.

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<sup>1</sup>See *Juvenile Courts at Work*, pp. 221-224.

## NONSUPPORT AND DESERTION

Such offenses as nonsupport and desertion of course bear a direct relation to juvenile delinquency and dependency. They are rarely the result of a deliberate desire to violate either the law or the traditional obligations of the family. Rather they are caused by economic conditions, poverty, and physical and mental limitations. In most cases the old criminal treatment is inadequate. Nor are intermittent police-court hearings and orders to pay money much more efficacious. Nonsupport is usually an evidence of home conditions seriously detrimental to the welfare of the children. As a general rule, much more than the enforcement of the payment of support orders is necessary. Physical examination and psychiatric study of one or more members of the family, medical care, and vocational and social adjustments may be needed. In these cases of adults the new judicial technique can be most helpful if properly administered. These also are the cases in which jurisdiction is often most confused. In some localities the police court, the criminal court, the juvenile court, the family court, and a number of social agencies all attack the same family problem.

The practical difficulties, however, of treating these cases in the new way are great. The volume of such cases in the larger cities is enormous. To unload them upon the juvenile court subjects it to undue strain unless a reallocation of jurisdiction of this kind can be accompanied by a proper supplementing of the juvenile-court staff. The same comment applies to the family court having juvenile and adult jurisdiction. Establishing a separate court of domestic relations concerned mainly with nonsupport and desertion cases may be the best solution in some communities, but in view of the close interrelation between these cases and juvenile cases the absolute separation of the two classes involves certain losses.

This class of cases exemplifies the necessity of trying to do one thing well; or, if it is being done well, to assure its future before attacking new problems with inadequate tools. It is true that children's cases often can not be treated adequately without proper treatment of the adults involved, but it may be better to proceed with this handicap than to undermine the quality of all the work being done.

This of course is the negative side of the picture. Great need exists for coordinating and improving the treatment of these cases, which have so important a bearing on the preservation of the home and the welfare of the children. As rapidly as the new technique can be extended to embrace them without hampering the development of the juvenile court such action should be taken. Whether they should be placed in the juvenile court, a separate court of domestic relations, or a family court of broad jurisdiction will depend upon circumstances; but whenever the combined volume of work will not be too great for a single court that organization appears to be preferable. Within the organization specialization of service is desirable; for example, certain probation officers should devote all their time to the conduct problems of children, and others should specialize on family problems, including cases of neglect, contributing to dependency, and nonsupport.

Some experiments have been made in the extension of equity procedure to nonsupport cases. The domestic-relations division of the city court of Buffalo has been given equity powers (see p.14), and the New York State children's court act provides for civil proceedings in nonsupport cases and specifies that a judgment of "disorderly person" shall not be necessary in making an order. It has been noted that in certain jurisdictions action to compel support is brought under a contributing-to-dependency statute. Contributing to dependency may be dealt with in Colorado either as a misdemeanor or under equity procedure, and the Denver juvenile court uses equity procedure in all except the most seriously contested or extradition cases of nonsupport. Some provision for informal procedure in nonsupport cases is greatly to be desired. This can be accomplished not only by vesting the court with full equity powers but also by a provision such as that existing in the Philadelphia municipal court, in which voluntary agreements are confirmed by the judge without hearing and have the force of official orders. In any event criminal procedure should always be available for cases in which full justice can not be done through voluntary agreements and for cases in which the defendant is outside the court's jurisdiction.

After the question of the court through which the new technique is to be developed has been settled the relation between the court and the other family-welfare agencies of the community remains to be considered. Here again whether intensive family rehabilitation is to be undertaken by the staff of the court or by other family-welfare agencies must be determined in accordance with local resources and local needs. Whatever division of service may be adopted it is essential that the court include on its staff experienced family-welfare workers who are able to make adequate investigations, to carry on conciliation service, to formulate plans, and to utilize the resources of the community in making them effective. Medical and psychiatric clinics also must be available to the court if effective work is to be done in this field.

#### ESTABLISHMENT OF PATERNITY AND ENFORCEMENT OF SUPPORT OF CHILDREN BORN OUT OF WEDLOCK

Proceedings to establish paternity and to enforce support of children born out of wedlock have many problems in common with cases of nonsupport and desertion, involving as they do the determination of the amount of support that should be ordered and the collection of support orders. They are complicated by the difficulty of establishing paternity, the necessity for testimony of a most intimate and embarrassing nature, and the urgent need for social service that will help the mother to reestablish herself in the community. They are closely allied with juvenile-court problems, inasmuch as very young mothers or fathers may be already under the jurisdiction of the juvenile court as delinquent or may need the guidance that the juvenile court can give.<sup>2</sup> All the safeguards that can be thrown around the proceeding—such as exclusion of the general public and protection of the mother from revolting cross-examination—

<sup>2</sup> In various studies it has been found that one-ninth to nearly one-fourth of the unmarried mothers were under 18 years of age, and one-eighth to more than one-fourth of the fathers were under 21. See *Case Work with Unmarried Parents and Their Children*, by Katharine F. Lenroot (Hospital Social Service, vol. 12, No. 2 (August, 1926), p. 70).

are greatly to be desired. Except in the largest cities, the number of cases is not so considerable as greatly to overload the juvenile or family court. As rapidly as possible jurisdiction over these cases should be placed in a socialized court having jurisdiction of juvenile cases, or cases of nonsupport and desertion, or both. An added reason for combining nonsupport and illegitimacy jurisdiction is the fact that in 18 States the father of a child born out of wedlock is liable under the general nonsupport and desertion law.<sup>3</sup>

## DIVORCE AND ANNULMENT OF MARRIAGE

### GENERAL CONSIDERATIONS

As far as judicial treatment is concerned divorce cases may be divided into two parts: The determination whether or not a divorce should be granted and the proceedings after this question has been settled, including alimony and custody of children.

Some confusion of thought exists between what the substantive law of divorce should be and how the law should be administered; and one school of thought believes that, whatever the law may be, the court should go beyond its strictly judicial functions and try to reconcile the difference between the parties.

Hearings in uncontested divorce cases are perfunctory in many jurisdictions. The real cause of disagreement often is not given in such cases, and sometimes it is not even realized by the parties. Frequently evidence is taken before a master in equity. Doubtless collusion between the parties is common. In contested cases the evidence adduced is more reliable, and a greater array of facts is presented than in uncontested cases; but even in these cases the real difficulty may not be ascertained. A correct diagnosis of marital difficulties is often more a matter for doctors and psychiatrists than for lawyers. The element of sexual maladjustment is coming to be more and more recognized. This element the parties either do not comprehend or will not testify to. In most States it does not of itself constitute a ground for divorce.

Whether divorces should be made easier or harder to obtain is outside the scope of this study. It is for the legislature of each State to determine that question. No court, whether a court of equity or a family court, can or should depart from the requirements which the legislature has laid down. In other words, much of the agitation on this subject should be directed toward the substantive law and not toward the method of its administration.

It is a real question how far the new judicial technique is applicable to cases of divorce. In theory the granting or refusing of a divorce involves only one judicial act, not continuous jurisdiction; but this could be said too, in theory, of juvenile delinquency and dependency. The new method of treatment of cases by the courts is frankly, in some respects, interstitial judicial legislation. Moreover, in two respects—alimony and custody of children—divorce cases do come before the court recurrently.

Determining whether or not a divorce should be granted does not involve the exercise of magisterial discretion that juvenile cases require.

<sup>3</sup>In California, Colorado, Connecticut, Delaware, Iowa, Massachusetts, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Ohio, Pennsylvania, South Dakota, West Virginia, and Wisconsin.

Public opinion—as reflected to some degree in the statutes—has conceded that there should be no hard and fast rules in children's cases; but with respect to the granting of divorces the statutes and the common law speak too plainly to permit doubt. Divorces are to be granted only in certain well-defined cases and under certain conditions. The court, of course, should safeguard itself as much as possible from fraud and collusion, and in many jurisdictions reform is greatly needed. The social investigator in some jurisdictions has been called upon to make field investigations to determine whether fraud exists; but in general, until the existing rules of substantive law are changed, it would seem that the new technique can not and should not be applied to the question of severing marital relations unless the welfare of children is involved.

What has been said with respect to divorce applies also to cases where annulment of marriage is sought. Here, too, the question is chiefly one of substantive law.

#### ALIMONY

The awarding of alimony after a divorce has been granted involves different considerations. Here there is much more scope for judicial discretion. Several alimony hearings in the same case are usual, sometimes spread over a number of years, and the system of rotation of judges in effect in many courts of equity is not conducive to the most satisfactory handling of such cases. The allowance of alimony, after determination that one of the parties is entitled to it, is really a separate matter from the granting of the divorce, and the method of treatment is different. In short, alimony hearings are much more closely allied to hearings for nonsupport and desertion than to divorce proceedings, and the new technique is intrinsically applicable to both.<sup>4</sup>

#### CUSTODY OF CHILDREN

When children are involved in a divorce case their custody and welfare become the most important aspect of the whole proceeding from the standpoint of the State; and 36.1 per cent of the divorces reported in the United States in 1926 involved children.<sup>5</sup> Here certainly the new technique not only is in order but is required for proper determination of the interests involved. Divorce proceedings conducted according to the old rules of evidence are not calculated to bring out the various considerations that should be regarded in determining custody. The problems here are closely allied to the work of the court handling juvenile cases. Indeed if they are not brought to the juvenile court in their inception they may end there in cases of juvenile dependency or delinquency. Divorce cases also are allied closely to cases of nonsupport and desertion because courts dealing with nonsupport cases deal with many families involved later in divorce proceedings.

#### JURISDICTION

Jurisdiction over cases of divorce generally is given to-day to the equity courts. Although a number of students of the problem

<sup>4</sup>See the Michigan law providing for a "friend of the court" to oversee the collection and expenditure of alimony orders, making nonpayment of alimony and leaving the State a felony, and providing for payment of compensation to families of men sentenced to the house of correction for default in alimony payments. (Supp. 1922 (Cahill's), secs. 11499, 11450 (1)-(8).)

<sup>5</sup>Marriage and Divorce, 1926, p. 39. U. S. Bureau of the Census. Washington, 1928.

believe that the same judge, or at least the same court, should pass upon all aspects of divorce questions and that this judge or court should be the one having jurisdiction in children's cases and other family cases, all the objections to this omnibus treatment that were mentioned in discussion of desertion and nonsupport can be made in this connection also. The volume of divorce cases is very large, and some of the work of the court would be likely to suffer under present conditions. Observations of some courts where the experiment is being tried confirms this statement. (See p. 47.)

Can jurisdiction in divorce cases be split? As a general rule, it is hard to see why it should not be when practical circumstances make it inadvisable to give full jurisdiction to a family court.<sup>6</sup> The juvenile court, for example, could determine custody after an equity court had granted the divorce, or the equity court could send the question of custody to the juvenile court for determination, just as it sometimes sends a question to a court of law to be determined by a jury. At the present time some divorce cases are referred informally to the juvenile court for investigation as to the interests of the children.<sup>7</sup> In the absence of special legislation the practice of such informal reference by the divorce court to the juvenile court should be extended. Wherever jurisdiction is placed the court should be required to have evidence as to the number, ages, and whereabouts of the children entered upon the records before a decree is granted. In 6.6 per cent of the 179,397 divorces in 1926 no information was available as to whether children were involved.<sup>8</sup>

Alimony cases involving the support of children might be heard by the juvenile court or by a socialized court dealing with cases of non-support and desertion, provided it was able to handle the increased volume of business. Where a court of general civil and criminal jurisdiction, including divorce, has a juvenile or family division, as in some Ohio counties and in Iowa and Nebraska, it might be desirable to assign to the juvenile or family division entire responsibility for divorce cases involving children, leaving other divorce cases in the general equity or chancery division. Such an arrangement in Hamilton County, Ohio, for example, would relieve the family-court judge of a large volume of work not involving children at all. Of course local statutory and constitutional provisions in each jurisdiction would have to be taken into account. If possible, the court determining custody and alimony for the support of the children should have

<sup>6</sup>In this connection it is of interest to note a comment made by the executive secretary of the Pennsylvania Children's Commission: "Differing from many States, Pennsylvania has a system of separating entirely the process for hearing and granting divorces from the process of awarding custody of the children. In all divorce cases the master appointed to hear the evidence ascertains the number, ages, and whereabouts of the children of the couple, and this information undoubtedly influences his recommendation to the court with regard to the granting or refusing of the petition. Questions of custody are settled, however, by a different process. Parents are expected to make a private arrangement and decide questions with regard to the care of their children. If either parent wishes to secure the custody of a child or to make a new arrangement to which the other parent does not acquiesce, the case comes into the common-pleas court on a writ of habeas corpus, and the judge awards the custody in accordance with what the evidence indicates will be in the best interests of the child. The consideration of custody apart from divorce decrees is thought to have advantages over the system of awarding custody in connection with the decree. It tends to keep the issues in the divorce case more clearly defined and prevents the bitterness and recrimination characteristic of divorce cases in which both parents are eager to secure the custody of the child or children." *Child Welfare Conditions and Resources in Seven Pennsylvania Counties*, by Neva R. Deardorff, p. 258. U. S. Children's Bureau Publication No. 176. Washington, 1927.

<sup>7</sup>As in Denver, Colo., where divorce cases in which children were involved were generally referred to the juvenile court for investigation.

<sup>8</sup>Exclusive of 1,456 cases of divorce for which no detailed statistics were obtained. *Marriage and Divorce, 1926*, p. 59.

continuing jurisdiction that would permit modifications of orders from time to time as changed conditions might make such modifications necessary or desirable.

It can be argued that such a subdivision of functions would only increase the confusion of jurisdictional alignment that already exists. But if such a subdivision would result in a better handling of the cases, particularly with respect to the important question of custody of the children, that should be sufficient reason for it. An apparent conflict in theory should not obstruct an actual accomplishment.

#### ADOPTION AND GUARDIANSHIP

The trend in adoption legislation is away from the purely legal point of view—according to which adoption may be by notarial act (as in two States) or the court is expected merely to sanction a relationship as a justice of the peace solemnizes a wedding—toward the conception of adoption as essentially a process in social case work. Thus the newer laws provide for social investigation and for a trial period in the foster home before a decree is granted, the aim being to insure the welfare of the child and to avoid unnecessary severance of natural family ties.<sup>9</sup>

For the administration of these modern statutes facilities for social investigation are essential, and the judge should have a sound knowledge of the general principles of child-welfare work. The number of such cases to be disposed of during a year is usually small, and in most jurisdictions it would seem desirable to assign them to the juvenile court.<sup>10</sup>

Guardianship may be either of the person or of property. Guardianship of the person of infants, when not created by will or deed, is akin to adoption. Proceedings for the appointment of children's personal guardians and for their removal on the ground of unfitness can best be determined by the juvenile court with its facilities for investigation, although jurisdiction in these cases is generally given to the equity courts.

Guardianship of property involves no considerations that could make the new technique applicable. Property rights of children have always been protected by the common law, supplemented by equity, and there is no reason to disturb the situation. The new courts have enough to do, and generally more than enough, in trying to adjust the more intangible problems of personality.

#### COMMITMENT OF MENTALLY DEFECTIVE AND INSANE CHILDREN

It is no longer believed that all feeble-minded persons (to the extent to which society is able to provide for their care) should be segregated

<sup>9</sup>See Adoption Laws in the United States, by Emelyn Foster Peck, especially pp. 17-18, 20, 25-26 (U. S. Children's Bureau Publication No. 148, Washington, 1925); also Jurisdictional and Social Aspects of Adoption, by Joseph W. Newbold (Minnesota Law Review, vol. 11, No. 7 (June, 1927), pp. 605-623).

<sup>10</sup>Reporting on the adoption of children in Philadelphia County, Pa., the Pennsylvania Commission Appointed to Study and Revise the Statutes of Pennsylvania Relating to Children made the following recommendations: "The annual number of adoptions is so small that if properly placed in the judicial system the administration of this service would present none of the difficulties growing out of a great volume of work in which standards of performance must be temporarily, at least, sacrificed in the interests of serving great numbers of people. It should be possible for a community of the size of Philadelphia to give adequate attention to the three or four adoptions which occur in a week. Smaller communities which have a proportionately smaller number likewise can give the matter the requisite time to do a thorough piece of work." The commission did not recommend that adoptions be placed under the juvenile court, but the need for social investigation was emphasized. Report to the General Assembly Meeting in 1925, pt. 1, pp. 133-134. Harrisburg, 1925.

in institutions. The question of commitment of a mentally defective child to an institution involves consideration of his home conditions, his own behavior, the special educational facilities available to him, and the possibility of supervision in the community that will safeguard his own interests and those of the public. Obviously the mere determination of the grade of mental defect is not sufficient; the process involves social investigation as well as psychological and psychiatric study. Moreover, feeble-minded children often come before the juvenile court as delinquents or dependents, and the court should have power to select the type of care best adapted to each child's needs. Hence it is desirable to give the juvenile court jurisdiction over these cases, which are comparatively few in number, and over the very few cases of insane children. Already juvenile courts in 9 States and in parts of 4 others have been given exclusive or concurrent jurisdiction over at least certain classes of mentally handicapped children. In 4 others the juvenile court has jurisdiction over such children if they are already before the court on another charge. A tendency may be noted also to extend the jurisdiction of the juvenile court to minors who are in need of special care because of physical handicap.<sup>11</sup>

#### PUBLIC AID TO DEPENDENT CHILDREN IN THEIR OWN HOMES

Chiefly because the movement for granting public aid to dependent children in their own homes (the so-called mothers' pension movement) was in the beginning an outgrowth of the juvenile-court movement, a number of States have placed administration of this aid in the court having juvenile jurisdiction. This function is primarily administrative and not judicial, and logically it should be vested in a properly equipped public department rather than in a court. Here again local conditions may modify this generalization.

<sup>11</sup> For example, New York and Ohio legislation of 1925 (N. Y., act of Apr. 1, 1925, ch. 227, Laws of 1925, pp. 461-470; Ohio, act of Apr. 6, 1925, Laws of 1925, pp. 106-107, amending Gen. Code, sec. 7803, and enacting supplemental section 7803-1).



## CONCLUSIONS

In this examination of the child, the family, and the court certain facts have been set forth and certain opinions of the writers based upon these facts expressed. The problem is extremely complicated and often the same set of facts may be interpreted in different ways. The general conclusions growing out of the study, as viewed by those who have had it in charge, may be stated as follows:

1. In considering the attitude of the law toward domestic relations, two factors must be kept constantly in mind: First, that law is a process of social engineering, that the organization of the society with which it deals is changing, and that it must discover and perfect new tools to fulfill its functions; second, that it is necessary to ascertain and deal with the facts, that sentimentalism is as dangerous as ignorance, and that changes in legal processes should be conditioned upon practicability.

2. Great need exists for extending the new judicial technique as rapidly as possible to matters bearing upon family relations that come within the scope of this report. This technique includes informal adjustment of cases not requiring official court action, thorough social investigation, physical and psychiatric examinations when necessary, informal hearings conducted with a minimum of publicity, and constructive supervision of probationers. Without doubt the ideals of justice can be achieved more nearly by these methods properly administered than by wholly legalistic methods of dealing with these cases.

3. Because of variation in local conditions a nationwide formula for the adjustment of family problems coming before the courts is impossible. Wide differences exist not only in constitutional provisions and court systems but also in the degree of public interest in a social approach to legal problems involving child welfare and family life. Nevertheless, efforts of all interested groups should be directed toward the establishment and maintenance of tribunals that will have broad powers to deal with family problems.

4. The proper treatment of children's cases must be assured. If the resources of a community are inadequate to meet the needs discovered in day-by-day contact with juvenile problems it is the duty of the judge and executive officers of the staff to call public attention to the deficiencies disclosed and to cooperate with other agencies in obtaining the facilities required. The juvenile court requires continuing study, constructive criticism, and constant support by the public, whether it continues to exist as a separate court or becomes part of a court of broader jurisdiction. In general, where juvenile courts have been established they should be brought to a high standard of efficiency before an attempt is made to extend their jurisdiction further. It may be, however, that in a given situation it would be easier to obtain

adequate administrative machinery for the juvenile court if it were absorbed into a new court with broad jurisdiction, but the plan for administration should always be worked out carefully in advance.

5. The new judicial technique seems particularly applicable to nonsupport and desertion, the support of children born out of wedlock,<sup>1</sup> and certain offenses against children, especially contributing to dependency and delinquency. Some of the new methods, especially investigation, should be extended also to cases of adoption, guardianship of the person of children, and commitment of mentally defective children.

Divorce cases present special problems. Only a minority of divorce cases (somewhat more than one-third) involve children. Where children are concerned three questions must be decided: Severance of marital relationships, custody of children, and alimony.

The problem of ascertaining the real causes of marital difficulties and of adjusting them without resort to divorce procedure is of the most delicate nature, and at least under present conditions it is not one which courts are equipped or can reasonably be expected to become equipped to solve. The question whether or not a divorce should be granted is governed by well-defined rules of substantive law, and the new methods of procedure developed in juvenile courts do not apply. Moreover, the addition of divorce jurisdiction to the family court tends to overload it with cases not involving children.

Alimony and custody are subject to the continuing jurisdiction of the court, and the new technique of investigation and supervision is required in order to safeguard the interests involved. The possibility of vesting in the juvenile or family court jurisdiction as to divorce cases involving children, or as to custody of children and alimony for the support of children, merits careful study and experimentation.

6. Depending upon local conditions, social treatment of the cases mentioned may be developed in one unified court having also juvenile jurisdiction, in one court with separate branches for juvenile and domestic-relations work, or in separate juvenile and domestic-relations courts. Unified jurisdiction is desirable when it can be obtained without the sacrifice of more important ends.

7. Wherever jurisdiction over domestic-relations cases can be centered in one court by some working agreement on the part of the several judges such action appears to be more desirable than appeal to a legislative body, provided an adequate social-service staff can be maintained. This plan lacks the dramatic quality of the establishment of a new court, but it has the advantage of ease of accomplishment and flexibility.

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<sup>1</sup> Adjustment without official court hearing should not be permitted in illegitimacy cases unless paternity is acknowledged and the settlement approved by the court as making adequate provision for the child.

8. Attempts to obtain the passage of legislation providing for the establishment of family courts or courts of domestic relations invariably should be preceded by careful study of the constitutional and statutory provisions of the State regarding courts and court systems, study of existing methods of dealing with juvenile cases and adult cases involving family problems in the locality which the proposed court would serve, and education of the public as to the need for socialized treatment of juvenile and family problems, its cost and its value.

9. Whatever jurisdiction is vested in a juvenile court, a family court, or a court of domestic relations, the following conditions are essential if it is to develop into an efficient instrument of social justice:

(a) Freedom from political influence and selection of judges and probation staff based on qualifications for the work to be performed.

(b) Ample financial support, permitting the employment at adequate salaries of a staff sufficiently large to render all the service required in each case.

(c) Recognition of the fact that the socialized treatment which the court is intended to give can be performed only by men and women fitted by nature, education, and experience to carry on the delicate tasks intrusted to them. The services of the social case worker, the physician, the psychologist, and the psychiatrist, all are necessary to the proper development of this new legal institution.

10. To supplement the work of the new courts and also to render services in courts organized along the old lines, pending the extension of the new technique, the work of legal-aid bureaus and other social agencies should be strengthened and extended.<sup>2</sup> The staffs of these organizations should have a proper understanding of the functions and methods of the new courts and should maintain close cooperation with them.

A valuable contribution could be made toward the understanding and solution of marital difficulties and other domestic-relations problems if funds were made available for the development in selected communities of domestic-relations clinics, staffed by psychiatrists, psychologists, and social investigators. These clinics should be available to any person desiring help in adjusting troubles growing out of the marital relation.

11. Finally, there emerge from this study the significant facts of overlapping jurisdictions, inadequacy of treatment, and other failures of law to meet the family problems coming within its scope. Public responsibility for the correction of these conditions must be fulfilled, though the types of organization selected for dealing with them may vary.

<sup>2</sup>See Report of Joint Committee for the Study of Legal Aid, by the Association of the Bar of the City of New York and Welfare Council of New York City (Brooklyn, 1928), and Growth of Legal Aid Work in the United States.

## APPENDIXES

### APPENDIX A.—FAMILY COURTS AND COURTS OF DOMESTIC RELATIONS IN THE UNITED STATES<sup>1</sup>

#### EXCLUSIVE OF JUVENILE COURTS OF BROAD JURISDICTION

State and Territory, and name of court	Legislation authorizing court	Date of establishment of court	System in which court is included	Territory covered by court	Jurisdiction conferred by law or rule of court
<b>Alabama:</b> Juvenile and domestic-relations court of Jefferson County.	Acts of 1927, No. 225.....	1923	-----	Jefferson County (includes city of Birmingham).	Delinquent, dependent, and neglected children, contributing to delinquency or dependency, offenses against children, desertion and nonsupport, mentally defective and insane children, school and child-labor laws, assault and battery on husbands, wives, and children.
Juvenile and domestic-relations court of Montgomery County.	Acts of 1927, No. 201.....	1927	-----	Montgomery County (includes city of Montgomery).	Delinquent, dependent, and neglected children, contributing to delinquency or dependency, desertion and nonsupport.
<b>Hawaii:</b> Division of domestic relations, First Circuit Court of Hawaii.	Laws of 1921, ch. 183 (Rev. Laws 1925, ch. 135, sec. 2237).	1921	Circuit court.....	Honolulu County (includes city of Honolulu).	Delinquent and dependent children, contributing to delinquency and dependency, desertion and nonsupport, bastardy, divorce, separation, annulment of marriage, alimony, guardianship.
<b>Illinois:</b> Domestic-relations branch of the municipal court of Chicago.	-----	1911	Municipal court..	City of Chicago.....	Desertion and nonsupport, contributing to dependency.
<b>Iowa:</b> Juvenile court and court of domestic relations of Polk County.	-----	1924	( <sup>2</sup> )	Polk County (includes city of Des Moines).	Delinquent, dependent, and neglected children, contributing to delinquency, mentally defective children, divorce, guardianship, adoption, mother's aid.
<b>Massachusetts:</b> Municipal court of Boston, domestic-relations sessions.	-----	1912	do.....	Central district of Boston (10 wards).	Nonsupport, stubborn children 17 to 21 years of age, assault and battery on husband, wife, or children, neglect of children, establishment of paternity.
District court of Springfield, juvenile and domestic-relations sessions.	-----	1914	do.....	City of Springfield, also West Springfield and five other towns.	Delinquent and neglected children, contributing to delinquency, desertion and nonsupport, stubborn children under 21 years of age, failure to send children to school, assault and battery and drunkenness involving husband and wife or children, establishment of paternity, nonsupport of destitute parents.

<sup>1</sup> North Carolina passed on Mar. 19, 1929, an act applicable to Mecklenburg County creating a domestic-relations court with broad juvenile and adult jurisdiction, including that of investigation and recommendation in divorce cases when children are involved. Oklahoma passed in 1925 a law authorizing family courts applicable to Oklahoma and Tulsa Counties, but no courts have been established in these counties. (See footnote 13, p. 17.)

<sup>2</sup> Formerly a juvenile court.

<sup>3</sup> The juvenile court is nominally an independent court, but the judges of the district court constitute the juvenile court unless they designate superior-court or municipal-court judges as judges of the juvenile court.

Appendix A.—Family courts and courts of domestic relations in the United States—Continued

State and Territory, and name of court	Legislation authorizing court	Date of establishment of court	System in which court is included	Territory covered by court	Jurisdiction conferred by law or rule of court
<b>Missouri:</b> Court of domestic relations of St. Louis.	Laws of 1921, p. 225 (Annotated Supp. 1927, sec. 2634a.)	1921	Circuit court.....	City of St. Louis.....	Divorce, separate maintenance, annulment of marriage and proceedings growing out of and dependent thereon, civil actions relating to care, custody, or control of children not connected or associated with divorce or separate maintenance, cases arising under the juvenile-court laws and the children's code, child-labor and compulsory-education laws.
<b>Nebraska:</b> Juvenile court and court of domestic relations of Douglas County.		1921	District court.....	Douglas County (includes city of Omaha).	Delinquent, neglected, and dependent children, mentally defective children, divorce, custody of children in divorce, mothers' aid.
<b>New Jersey:</b> Family court of Newark.	Laws of 1921, ch. 327, amended by Laws of 1924, ch. 252 (Cum. Supp. 1911-1924, secs. 160-213).	1921		City of Newark.....	Contributing to delinquency or dependency (jurisdiction not specifically granted but exercised under jurisdiction over "all cases affecting the care, maintenance, education, and neglect of children") desertion and nonsupport, offenses against children, preliminary hearing of assault and battery involving wife and husband (jurisdiction not specifically granted but exercised under grant of jurisdiction "conferred upon criminal courts in any city or cities of the first class"), fornication and adultery in cases in which indictment and jury trial are waived, establishment of paternity.
<b>New York:</b> Family court of New York City.	Laws of 1910, ch. 659, amended by Laws of 1911, ch. 881; Laws of 1913, ch. 689; Laws of 1914, ch. 404; Laws of 1915, ch. 531; Laws of 1919, ch. 339; Laws of 1920, ch. 844; Laws of 1921, ch. 250.	1910	Magistrate's court.	3 of the 5 boroughs of Greater New York (Manhattan, Bronx, Brooklyn).	Desertion and nonsupport of wife, children, parents, and grandparents.
Domestic-relations court of Buffalo.	Laws of 1924, ch. 424.....	1910	City court.....	City of Buffalo.....	Desertion and nonsupport, wayward minors 16 to 21 years of age, disorderly persons, all criminal business related to domestic relations or family affairs.
<b>Ohio:</b> Franklin County court of common pleas, division of domestic relations.	Laws of 1927, p. 53, adding sec. 1532-7 to Gen. Code 1926, sec. 1352.	1927	Court of common pleas.	Franklin County (includes city of Columbus).	Delinquent, neglected, and dependent children, contributing to delinquency and dependency, desertion and nonsupport, mentally defective and insane children who are dependent or delinquent, offenses against children, establishment of paternity, divorce and alimony, mothers' aid, crippled children, school-attendance cases.
Hamilton County court of common pleas, division of domestic relations, juvenile court, and marital relations.	Laws of 1914, First Special session, p. 176 (Gen. Code 1926, sec. 1639).	1914	do.....	Hamilton County (includes city of Cincinnati).	

Lucas County court of common pleas, division of domestic relations.	Laws of 1923, p. 187 (Gen. Code 1926, sec. 1532-6).	1924	do.....	Lucas County (includes city of Toledo).	[The jurisdiction in the 7 Ohio courts is the same, except that divorce is not specifically granted to the Summit County division of domestic relations but is assigned to this division by the court of common pleas; the Lucas County division of domestic relations has exclusive jurisdiction over bastardy proceedings; and the Montgomery County division of domestic relations has concurrent jurisdiction over all criminal matters.]
Mahoning County court of common pleas, division of domestic relations.	Laws of 1917, p. 731 (Gen. Code 1926, sec. 1532-4).	1918	do.....	Mahoning County (includes city of Youngstown).	
Montgomery County court of common pleas, division of domestic relations.	Laws of 1915, p. 424 (Gen. Code 1926, sec. 1532-1).	1917	do.....	Montgomery County (includes city of Dayton).	
Stark County court of common pleas, division of domestic relations.	Laws of 1927, p. 95, adding sec. 1532-8 to Gen. Code 1926, sec. 1532.	1929	do.....	Stark County (includes city of Canton).	
Summit County court of common pleas, division of domestic relations.	Laws of 1917, p. 703 (Gen. Code 1926, sec. 1532-5).	1919	do.....	Summit County (includes city of Akron).	
Oregon: Court of domestic relations of Multnomah County.*	Laws of 1920, sec. 9783.....	1919	-----	Multnomah County (includes city of Portland).	
Pennsylvania: Domestic-relations division of the Philadelphia municipal court.	-----	1914	Municipal court..	City of Philadelphia.....	Nonsupport and desertion.
Virginia: Juvenile and domestic-relations courts throughout the State.	Laws of 1922, chs. 481, 482, 483 (Code 1924, secs. 1945, 1953-a).	*1922	-----	Each county and each city (may combine by special agreement).	Delinquent and dependent children, contributing to delinquency or dependency, desertion and nonsupport, education laws, offenses against children, offenses of one member of family against another, persons who knowingly contribute to marital disruption of home.
West Virginia: Domestic-relations court of Cabell County.	Acts of 1921, ch. 168.....	1921	-----	Cabell County (includes city of Huntington).	Delinquent, dependent, neglected, and defective children, contributing to delinquency or dependency, desertion and nonsupport, offenses against children, divorce, annulment of marriage, adoption, enforcement of school laws.
Domestic-relations court of Monongalia County.	Acts of 1923, ch. 134.....	1923	-----	Monongalia County (includes city of Morgantown).	Delinquent, dependent, neglected, and defective children, contributing to delinquency and dependency, nonsupport and desertion, offenses against children, enforcement of school laws.

\* An act passed in 1929 abolished the independent court of domestic relations and transferred its jurisdiction to the newly organized department of domestic relations of the circuit court. This department was also given divorce jurisdiction.

\* Such courts were established in Norfolk and Richmond in 1916 (under Laws of 1914, ch. 57).

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<sup>1</sup>In general only material which has a bearing on court problems has been included. Publications of United States Government bureaus are listed under the names of the issuing bureaus. References which appear in the List of References on Juvenile Courts and Probation in the United States (U. S. Children's Bureau Publication No. 124), in Foster-Home Care for Dependent Children (U. S. Children's Bureau Publication No. 136), and in the Handbook for the Use of Boards of Directors, Superintendents, and Staffs of Institutions for Dependent Children (U. S. Children's Bureau Publication No. 170) have not been repeated, except for special reasons, in this compilation. The first of these publications is out of print but may be found in libraries. Single copies of the other two can be obtained free on application to the U. S. Children's Bureau, Washington, D. C.

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**ADDRESSES OF ORGANIZATIONS WHOSE PUBLICATIONS APPEAR IN THE LIST OF REFERENCES**

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- Associated Charities [Cleveland], 614 Electric Building, Cleveland, Ohio.
- Association of the Bar of the City of New York and Welfare Council of New York City. Joint Committee for the Study of Legal Aid. W. Bruce Cobb, Director, 285 Schermerhorn Street, Brooklyn, N. Y.
- Charity Organization Society of the City of New York, 105 East Twenty-second Street, New York, N. Y.
- Child Welfare League of America, 130 East Twenty-second Street, New York, N. Y.
- Commonwealth Fund, Division of Publications, 578 Madison Avenue, New York, N. Y.
- Joint Committee on Methods of Preventing Delinquency. See Commonwealth Fund, Division of Publications.
- Judge Baker Foundation, 40 Court Street, Boston, Mass.
- National Committee for Mental Hygiene, 370 Seventh Avenue, New York, N. Y.
- National Desertion Bureau, 67 West Forty-seventh Street, New York, N. Y.
- National Probation Association, 370 Seventh Avenue, New York, N. Y.
- National Urban League, 17 Madison Avenue, New York, N. Y.
- Russell Sage Foundation, 130 East Twenty-second Street, New York, N. Y.
- Women's City Club of New York, 22 Park Avenue, New York, N. Y.

# Child Labor

A series of articles dealing with child labor in its relation to education, health, mental hygiene, recreation, parental education and the standard of living.



*Edited by*  
GERTRUDE FOLKS ZIMAND



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## FOREWORD

**E**DUCATOR, physician, psychiatrist, labor leader, recreation worker, and parental guide have all contributed to this kaleidoscopic picture of the effects of premature employment upon the normal development of children. One by one they point out, from the angle of their particular interest, the special needs of adolescents and the meaning of child labor in terms of mental and physical injury, deprivation of schooling and of play, economic waste and low wage standards. Though writing independently without any attempt at collaboration, the authors have drawn up a striking indictment of child employment as an obstacle in the path towards that "better life" for which each one of them is working. The article dealing with health aspects of employment includes concrete suggestions for the development of a health program for working children in the continuation school.

The National Child Labor Committee wishes to take this opportunity of expressing to the authors its appreciation of their interest in the child labor question and their kindness in giving of their time and thought to the preparation of these articles for *The American Child*.

WILEY H. SWIFT.

May 1, 1929.

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# SOME EDUCATIONAL ASPECTS OF THE CHILD LABOR PROBLEM

by

WILLIAM JOHN COOPER

“**W**HERE political strength is increased by literacy,” says Dr. Snedden, “denial of public education necessarily accentuates the inferiority of the illiterate.”<sup>1</sup> The recognition of this fact by men in the less privileged walks of life had much to do with the establishment of the American public school—a movement of the first half of the nineteenth century generally resisted by established private and church schools, by large tax-payers, and by the conservative elements in society.

After the “battle for public schools” had been won, another struggle ensued to make these opportunities really available to all the children. Advocates of compulsory school attendance have been actuated by many motives—some more or less selfish, perhaps, many highly altruistic. Generally the philanthropist, the better citizenship advocate, and the labor leader have been found working side by side for the elimination of child labor, and consequently for compulsory school attendance. As a result the legislatures of the various states have enacted statutes designed to remove the blot of illiteracy from the American flag.

Our attention must now be focused on such problems as these:

First, better enforcement of existing laws. It is still possible for ignorant or selfish parents to avoid sending children to school. Moreover, it is, unfortunately, possible for children of an unpopular race to be denied school privileges by local officials or as a result of local public sentiment.

Second, an increase in the legal age for school leaving. This should follow the perfection of methods of production and exchange which lessen the demand for labor. At the time the fight for public education was won, thousands worked under pioneer conditions and every human muscle could be used to good advantage. Today, however, the development of machinery and the application of power to it has lessened the demand for human power. As the benefits of this progress are distributed, not only will adults have more leisure time, but the period of education for the young may very properly be prolonged. In a democratic society whatever real “leisure class” is developed may well be a class of school children.

Third, a guarding of the school against propaganda. Recent newspaper charges, that great commercial interests have attempted to produce school text-books favorable to such interests, are timely. Whether these

<sup>1</sup> Snedden, *Educational Sociology*, (p. 215).

charges are true or false is not material here. A democratic society must be kept reminded of this ever present danger of propaganda. It has been recognized by philosophers and monarchs for centuries. Plato would have state-controlled schools to perpetuate his republic, while Spinoza was opposed to such schools for that very reason. Erasmus said, "Give me for a few years the direction of education and I agree to transform the world."<sup>1</sup> In recognition of this power of the schools on the part of rulers, let Napoleon and Bismarck speak: "My principal aim in the establishment of a teaching body is to have a means for directing political and moral opinions,"<sup>1</sup> said Napoleon. And at the birth of the German Empire Bismarck said, "The German child when handed over to the teacher is like a blank sheet of paper and all that is written upon a child during the course of elementary education is written with indelible ink and will last through life. The soul of a child is like wax. Therefore he who directs the school directs the country's future."<sup>1</sup>

But the public school needs to be guarded not only against self-seekers. Men of noble purpose and splendid intentions, recognizing the power of organized education will seek to use the school to reform society. Toward all these the proper attitude of the friends of public education has been well expressed by Professor Franklin Bobbitt of the University of Chicago. Writing on the problems of the curriculum-maker, Dr. Bobbitt said, "The school is not an agency of social reform. It is not directly concerned with improving society. Its responsibility is to help the growing individual continuously and consistently to hold to the type of human living which is the best practical one for him. This should automatically result in an enormous improvement in society in general. But this improvement is not a thing directly aimed at. It is only a by-product. If we visualize the conditions of a perfected society wherein further improvement is not possible, the responsibility of education is not changed or diminished thereby."<sup>2</sup>

Fourth, extension or reforming of the school system to meet new situations. Of these we shall consider three very briefly. Our first concern is with the child who has such inadequate or injurious home environment that he becomes a school disciplinary problem and is excluded from regular day school. Oftentimes a boy of this type is actuated by the desire to "go to work" in order to enjoy the "pleasures," "clothes," etc., that children of more favored parents enjoy. For handling of such cases the parental school is needed. In some cities a so-called industrial school has proven satisfactory for types of children who have been literally driven out of school by a course of study not at all adapted to their needs. The more serious cases of offenders of normal capacities require a different type of school. The 1927 legislature in California made possible a type of "adjustment school" advocated for many years by Dr. Fred Nelles, who was, until his recent death, superintendent of one of the state's industrial

<sup>1</sup> Kilpatrick, *Source Book in the Philosophy of Education*, (p. 4 and p. 8).

<sup>2</sup> Bobbitt, "Orientation of the Curriculum-maker," *Twenty-sixth Yearbook of the National Society for the Study of Education*, (p. 54).



schools. According to the provisions of this law, any county or combination of two or more counties may establish "one or more adjustment schools. . . for the purpose of furnishing to certain minors under the age of eighteen years and in the manner prescribed by this act, care, custody, education, training and adjustment to good citizenship which shall be continuous and uninterrupted during the period that such minors shall remain in such school." At this writing San Francisco has established a school of this type, and the county board of supervisors is considering a school of this type for Alameda County. The next advances in line with this law are perfecting a technique in the teaching and administration of such schools, and the establishment of a state school to which small and financially weak counties may send their children. In the interest of economy only the stronger counties should be encouraged to build their own schools.

The second major problem involves the revision of the compulsory part-time education act. New York's law requiring school attendance for twenty hours per week of all minors while out of employment is probably a step forward in solving problems of juvenile delinquency. The results will be watched with interest by the rest of the country and especially by educators and progressive thinkers in those states which have large urban centers. California has a representative committee at work studying the problem.

The third major problem is concerned with children of the migratory worker, especially the Mexican. In a special report on the topic, Mrs. Lillian B. Hill, Chief of the Bureau of Attendance and Migratory Schools says: "In trying to give education facilities to these migrant children, California is faced with much more serious problems than any other state. Due to the mild climate, the great diversity of crops, and the large influx of Mexican labor, California has, indeed, a difficult problem. Migratory laborers are employed in at least forty-six counties in this state. Different crops are harvested throughout almost the entire year, from cotton in November and December, lettuce in January and February, asparagus in March, cherries in April, and so on to tomatoes, walnuts, and citrus fruits in late August and September. The migratory family stays until the peak of the harvest is past and then goes on to the next crop. In certain districts where the crop is small and only a comparatively small number of laborers are needed, the children can be and are taken care of in the regular school of the district. Other districts add a class or two to meet the need of these children. Still other districts have regular migratory schools, sometimes a tent is set apart in the labor camp for school purposes. In some of these migratory schools there are such large numbers of children that a double session is necessary. The first group of twenty-five or thirty children attend from 7:20 to 11:35, the second session starting at 12:10 continuing until 4:30 in the afternoon. The same teacher conducts both sessions and receives a salary and a half for this work. . . . The problem of the migratory child as an individual presents other factors

to be considered. The social adjustment necessary to progress in education is particularly difficult to Mexican children, especially migratory children. These children, moving so much, are constantly meeting new children and new school situations. The teacher is also new, and the children do not stay long enough to receive from her any inspiration or real guidance. Then again there is the language difficulty. These children always use their native language in conversing with each other and on the playground. It is only with difficulty that they are forced to use the English language in the classroom. The teacher's attitude in many cases is one of tolerance. She can do so little for a child whom she will have under her guidance for a few short weeks, a child who has no background on which to build. She feels, and no doubt she is partly justified in so doing, that she must expend her greatest efforts on the more permanent children. There are social problems of the migratory children which tend to retard their progress in school, such as the low economic condition of the family, the wretched camp conditions under which they live, the long hours of labor, irregular hours of sleep, poor food, low moral standards, physical handicaps, and skin diseases. Physical strain of continuous stooping in picking tomatoes and cucumbers, the danger of strained wrists in twisting dried onions, and the weight of carrying and dumping thirty-five or forty pounds of cotton are not conducive to great educational progress. Many of these children are therefore so retarded in school that they fall into the first, second, or third grade. Even the physical equipment of the school-room is not right. Big boys fourteen and fifteen years of age sit in seats made for children of six and seven. They look out of place and are out of place in such environment. The instruction given is not the proper kind. To be sure they should be taught to read and write, but by a different method, or at least in a class of children somewhat near the age and size of themselves."

Among the questions requiring the attention of sociologists and educators, if the problem of educating children of migratory workers is satisfactorily settled, are the following:

1. How shall we know where these children are? Should every migratory worker be compelled to have a base and there register his children with the county or city superintendent of schools?

2. How shall we know that the migrant's children do attend school? Should each district report work accomplished to the superintendent with whom the worker is registered?

3. Should there be a state fund with which to pay the total cost of educating these children in all districts where they enroll in such numbers as to overtax the regular teaching staff?

4. Should there be a special course of study organized in short units for these children? If so, in what ways should it differ from the regular curriculum? For example, should such curriculum endeavor to overcome

deficiencies in personal hygiene, homemaking, etc., and such other fields as are cared for by the home and other agencies in the case of children with more stable home life?

5. What implications have the solutions of such problems as above indicated for the training of teachers, attendance officers, school administrators, juvenile court authorities, etc.?

In this field of child labor, then, as in other educational and social work, the harvest indeed is plentiful but the laborers are few.

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# PRESERVING AND PROMOTING THE HEALTH OF WORKING CHILDREN

by

HUGH GRANT ROWELL, M. D.

**C**ERTAIN general considerations will be helpful at the beginning of this article:

1. Many persons enter some sort of employment during adolescence.
2. Such employment is legalized in the United States under certain restrictions which are devised to protect the worker against hazards to normal growth, to good health, and morals. Not all states have such restrictions and regulations, or at least their adequacy is much greater in some states than in others. They usually include limitation of the length of the working day and week, prohibition of night work, requirement of a physician's certificate of physical fitness before entering employment, forbidding work in specified dangerous occupations, etc.
3. At certain ages, and when previous education has not reached a given point, employed adolescents in some states are required to continue part-time education and this is usually given in the day time in continuation schools.
4. The continuation school is the logical place not only for the study of the health of working children and the effect of work upon health, but also for constructive health work with employed children, this being the one place, at least in theory, reaching them all. Milwaukee is the present leader in the research field. New York State and New Bedford, Massachusetts, have made outstanding contributions.
5. Protection and promotion of health is just as desirable in continuation schools as in public schools. The continuation school pupil may be considered as at the beginning of a career of work, and a well-planned, well-conducted health program in such schools may do much to offset certain possible disadvantages of beginning work at this age.
6. Educational programs in continuation schools are somewhat uncertain as yet, chiefly because of the very limited amount of time available, and the wide range of mentality of the pupils.

## *Situation*

Regardless of the exact provisions of the laws regulating age for employment in the various states, a summary would show the period of adolescence to be the age at which the granting of employment certificates is permitted. It is generally believed, and most of the laws provide, that gainful labor outside the home shall not begin before the age of fourteen.

Ten years ago this statement would not have been true, and it would have been necessary to point out the exploitation of young minors by parents and employers and to predict disaster to the health and growth of such children. Today, the chief problem is how to permit certain adolescents to enter industry with a minimum of loss, or with no loss whatever, of present and future well-being—physical, mental, and social.

The period of adolescence is, for a number of reasons, not an ideal time for beginning a career of employment. However, in many instances, if employment is not permitted, an actual hardship is worked upon the individual who has completed as much schooling as he can because of limitation of mental equipment or loss of interest in school. Such an individual may well become a disciplinary problem for school and community, and work, in some cases, seems the most promising remedy for this.

Nevertheless, adolescence is in all instances a period of instability for both boy and girl and, in an important number of cases, of serious stress and strain, mental as well as physical. Any control plan involving this period of life must give consideration to several important factors. Important emotional changes occur at this period. Social interests and outlooks take on new directions and emphases.

Physically, adolescence represents the second period of rapid physical growth, the first occurring from the fifth to the seventh year of age. At pubescence, the beginning of adolescence, the boy or girl grows rapidly and increase in stature often occurs, seemingly at the expense of increase in weight and strength. Such rapid growth often results in definite forms of physical stress and strain and against these the child unconsciously develops a protective mechanism. This partly or wholly explains the apparent laziness or apathy of many adolescents. A striking illustration is the doubling of the heart's volume in a year or two between the thirteenth and fifteenth year. As a result, there may arise cardiac symptoms, including feeling of fullness and shortness of breath; and examination may reveal irregularities in rate (which are not uncommon in children), hypertrophied left ventricle of the heart, or even the additional factor of temporary hyperthyroidism, particularly in girls.

It is because of these rapid growth changes that it is necessary to insist that, while it is permissible and in some instances even desirable for certain adolescents to begin their working life, such activities should be conducted under strict supervision and there should be a very definitely planned program for determining (1) whether a given adolescent should enter industrial life at all; and (2) if he is allowed to go to work, that his employment shall be of such a nature that no physical, mental, or social hazard shall be involved or allowed to enter during the period of controlled employment.

Such requirements are perfectly consistent with the general standards accepted by employers, since an employee must be able to perform regularly and acceptably the duties or tasks assigned, and since an employee increases

in value as the period of employment increases—the ill-adjusted laborer being expensive and unprofitable. Hence, in addition to any reasons attributable to the paternalistic interest of employer in employee, it is logical that the employer should be the first person eager for suitably selected adolescent employees.

### *Continuation School Education*

Whatever may be the elements of strength and weakness in continuation schools in terms of pure education, much of the welfare of the adolescent laborer lies in their hands at present. In addition to cooperating with state bureaus of labor and industry in studying the workers on the job, such schools exercise a certain social and moral supervision over the child laborers, and provide definite instruction of educational, social, and moral nature. Criticism has been levelled at continuation schools because of their educational programs. What is the situation with which they deal?

For perhaps half a day a week many working adolescents attend continuation schools. The continuation school pupils form a conglomerate group, varying from individuals of mentality just high enough to permit them to escape institutional care to bright adolescents of real talent. Testing, whether of the general type for determining the I.Q. or of more specialized type for determining special skills, abilities, and aptitudes, reveals a wide spread of individuals—which, in turn, means that the continuation school curriculum, if effective, must be developed with this wide range of equipment in view. In some instances it is an accepted practice to use part of the school time to improve the individual in the chosen field of employment. This is exemplified by the continuation schools maintained by some department stores, under supervision of educational authorities. In other instances no such attempt is made and pupils will be found taking so-called academic courses—usually training in the English language, household arts, fine arts (frequently show-card or other commercial arts), printing and other trades, shop work such as automobile repairing, and a variety of courses planned for such purposes as social improvement, recreation, and home-making. Time is exceedingly limited and instruction must therefore be superficial. This is not to question its value, but to stress the point that somehow, out of a school week of only a few hours, time for health work must be discovered.

At present there is no continuation school with a complete health program worthy of the name. An experiment being conducted in the West Side Continuation School in New York City gives promise of affording much light on this field. This demonstration now has excellent health service, but the other portions of the health and physical education program are either uncrystallized or as yet unattempted. Encouraging work of various kinds has been done in New Bedford and Fall River, Massachusetts, and Milwaukee, Wisconsin.

Theoretically, the health program of continuation schools should per-

form the same threefold function as that advocated for any other school: (1) health service, (2) physical education, and (3) health education. But while the basic theory is the same, certain adaptations will be necessary owing to the highly specialized situation found in continuation schools.

### *Health Service<sup>2</sup>*

The general practice, in the case of a child of the controlled ages who plans to enter a career of work, is for the individual to secure a statement from the employer describing the job, and showing hours of employment. In the majority of states the child must have reached a certain grade in school, varying in different states or else, in some instances, obtain a certificate stating lack of mental ability to attain that grade. The child must have reached a certain age, usually fourteen years or more. The child must obtain certain educational documents from the school which he attended last. *In spite of the fact that public schools generally have cumulative health records for each pupil, no state as yet requires that such records, or copies thereof, be brought to the certificating office with the other school data.* Herein lies the first basic weakness of the present control plan. No advantage is taken of the health record of the child which should have been kept from the time of his admission to school. Moreover it is quite probable that until more attention is given to health records in many public school systems, little information of real value can be obtained. In defense of certificating offices, which are often severely criticized for passing individuals who later turn out to be unfit, it may be stated that, were there available a really good health record of the child in school, many mistakes would be avoided.

The child goes to some central point for his physical and medical examination, or, in some states, he may have the examination made by his family physician if he cares to pay for it himself. The latter plan has usually been a failure. Whether a small fee might not justly be charged for the physical examination at the certificating office may well be considered, since the child is being given a service which will result in monetary gain to him. The fee might be collected from the first week's wages, and the funds derived used for improving the health service.

The most satisfactory form yet developed for recording the certification examination is that now in use in the New York experiment. This form was developed under the advice and supervision of industrial and medical experts, and has been revised from time to time as weaknesses or new needs were discovered. It covers the broad field of inquiry necessary for a correct opinion as to the fitness of the child for a specified job.

For general use, the *Minimum Standards of Physical Fitness for Chil-*

1 Wood, T. D. and Rowell, H. G. *Health Supervision and Medical Inspection of Schools*, (p. 33). W. B. Saunders Company, Philadelphia. 1927.

2 The author recognizes that at present much of this work, especially that for determining that a child is physically fit before he enters employment, is in many places quite unrelated to the continuation school.

*dren Entering and Working in Industry*<sup>1</sup> as set up in 1923 have been found most practicable. However, an individual must be passed for a specific job, and this means that special standards may be needed for that job and the case judged accordingly. (This applies only to permissible forms of employment, certain jobs being prohibited by law for children under specified ages.) Obviously the examiner, to pass on cases effectively, must be familiar with the job in question and very often with the place of employment as well, if the examination is really to determine fitness for a specific task.

Recent studies in New York under the State Department of Labor<sup>2</sup> have revealed many instances of children working at jobs for which they were unsuited and therefore in situations involving actual or potential health hazards. If a child is permitted to accept a job and receives physical damage therefrom, beyond incidental and uncontrollable accidents, one of two kinds of error exists: either the standards under which the child was passed for the job are incorrect, or there has been laxity in maintaining these standards.

The author in no way wishes to blame certificating officers or state departments of labor for the unsatisfactory certification. It is plainly due to a lack of funds and it is for this reason that the suggestion was made that certificating offices may have to charge very moderate fees for the health examination, possibly omitting the fee if the child is not passed. Twenty-five to fifty cents per examination would help the certificating office budget markedly and this fee is extremely modest compared with the cost to the child for service elsewhere.

Certain adolescents, of *proper physiological age* and physically fit, are passed without question for certain jobs. But there are others who, upon examination, are found to be unfit for the particular job in question (1) permanently or (2) temporarily, pending certain remediable measures. Some children, if they could be followed, might be tried on certain jobs and checked after two to four weeks to determine their fitness to continue. This is using the *Test of Labor* which the author found useful in his experience in the child labor field.

For the permanently or temporarily unfit, further services are necessary. Among these are (1) vocational guidance, including the establishment of an employment bureau in the certificating office or the continuation school; and (2) follow-up, i.e., directing the child toward remedial measures which may secure or improve fitness for work. Such remedial measures frequently fit a child for a job similar to the one for which he had been declared unfit previously, as where nearsight is corrected by glasses. If the defect cannot be cured, a change in the type of work contemplated may be necessary.

<sup>1</sup> *Physical Standards for Working Children*. Bureau publication No. 79 of the Children's Bureau, U. S. Department of Labor, Washington, D. C. 1923.

<sup>2</sup> *The Health of the Working Child*. Special bulletin No. 134, Bureau of Women in Industry, New York State Department of Labor.



Follow-up work has many ramifications. Teachers in continuation schools are expected to spend part of their time visiting homes and plants, thus making useful contacts with the parents and employers, and also observing the children at home and at work. Visiting teachers have proved useful in follow-up work, especially with problem cases. The certificating office must also maintain contacts with hospitals and clinics where children who cannot afford private medical services (and they include most children in this group) may be sent for consultation and treatment. Contacts must also be maintained with the various social agencies interested.

The basic necessities for proper and adequate health service are:

1. Well-lighted and ventilated offices, equipped in about the same manner as the medical offices of a hospital clinic.
2. Physicians and other personnel in sufficient numbers to handle the children thoroughly and expeditiously. Usually it will be necessary to train the physicians in certificating office practice unless they are used to industrial work. A splendid example of what can be done is found in the New York City demonstration. Certain eminent specialists acted as volunteer instructors for the staff physicians, giving one or more periods to demonstrating the best technic in their individual fields. As a result, the physical examinations now being made in the demonstration are outstanding.
3. Adequate records and record systems, including, if possible, use of the previous school health record of the child.
4. Availability of data to those whose work is influenced by it, such as teachers and those carrying on other branches of the health program.
5. Adequate understanding of the purpose and scope of the program by all concerned, including employers, children, parents, schools, social agencies, and clinics,
6. A well-organized follow-up system.
7. Health check-ups at stated intervals, either on change of job or a certain number of months after the certificating examination.
8. Adequate clerical help.

### *Physical Education*

Since there is no well-organized physical education program in any continuation school, so far as the author knows, the suggestions below have been evolved from a knowledge of continuation schools and the needs of pupils. It may be mentioned that Springfield, Massachusetts, is experimenting in physical education programs for the vocational group.

Two kinds of physical education may be advocated: (1) A general program, (2) a corrective or preventive program based on the needs and hazards of specific industries and on individual handicaps. It seems quite possible that the physical education program will be, at least in part, an

extracurricular activity, voluntary in attendance, because of the limited school time of the continuation school pupil.

In developing the *general program*, the plans of community centers for individuals of similar age may be used. There are game programs of a degree of organization compatible with the physiological and mental ages and social status of the groups concerned, which can be adapted to the facilities available. Continuation schools are usually located in old buildings, often poorly planned and equipped, and with very limited grounds. If there is any sort of gymnasium indoor games are possible, though an outdoor program is always preferable. Games selected should be ones which the individual may carry on in the community after the two brief years in continuation school.

The exercise needs of different groups vary. Stenographers and clerical workers require a general medium type of exercise. Assuming that they exercise at all, they are the group that later use radio setting-up exercises or play tennis and golf or hike. The shop worker often prefers a more strenuous big-muscle activity program. As will be shown later, certain preventive and corrective exercises may be needed to offset industrial work which sometimes results in physical asymmetries or defects.

Dancing, especially social dancing, may well be included in the physical education program, if for no other reason than because such instruction may result in a different type of social dancing than now exists among continuation school groups. The social values of dancing are well recognized and utilized in continuation school recreational-social programs.

Good posture is needed by the industrial group. Standing, sitting and working posture, properly learned and practiced, means more efficient and less fatigued workers. In any work, whether seated work, shop work, or industrial arts classes, the individual should be instructed in general methods which are satisfactory not only from the viewpoint of shop efficiency as determined by time and motion studies, but also from the viewpoint of preventing industrial deformities and defects.

A *corrective program* is distinctly worth while, in that it assists the worker to avoid many industrial discomforts and health hazards. To teach a normal worker to sit properly is important, but to instruct an individual with poor posture how to improve existing defects by properly prescribed exercises, may mean far less industrial fatigue and therefore better ability to hold down the job. The difficulty with corrective programs for adolescents is to find a means of making such programs interesting. Close follow-up of corrective class cases is necessary and much individual attention must be given.

### *Health Education*

The term health education is used here in the sense of health instruction. At the present time the author can point to no ideal health education program in continuation schools. Excellent classes in child hygiene and

home hygiene are found in many cities but such work reaches <sup>it is</sup> only part of the pupils.

Four plans of health education are possible: (1) lectures, movies, demonstrations, to large groups, as at assemblies, (2) formal classroom health lessons, (3) the correlation plan, (4) some combination of 1, 2, and 3.

The first two methods require special periods to be assigned from an educational week which is usually only three or four hours in length.

The correlation plan has several advantages: (1) It is now used successfully for other subjects in continuation schools. Frequently English language, spelling, arithmetic, etc., are combined with an industrial arts lesson. Health materials may likewise be worked into most lessons by a careful analysis of the lesson to be given. (2) It requires the least amount of classroom time. (3) It reveals the relationship between health and other subjects. Health is a twenty-four hour a day subject, not half an hour a week. (4) It is the soundest educationally.

However, the correlation method necessitates a carefully planned and integrated curriculum and requires more skill in handling than the old-fashioned health lesson. More teaching ability and greater knowledge of a group and its needs are required of the instructor. At present, probably no subject is so poorly taught as health.

In planning any type of health education program for continuation schools certain factors must be kept in mind: (1) The wide spread of mentality of the pupils. (2) The range in types of instructors, varying from the academic teacher to the teacher of shop work. (3) The very limited time available per pupil for health instruction. (4) The needs of the specific situation as shown by analysis.

In general, it is agreed that these governing factors will result in a health education program based on fundamentals only. A few basic facts will be taught well, and these will be the content of the course. It will do the pupils of higher mentality no harm to have these fundamentals driven home once more and it is essential to pupils of lower mentality that they make these attitudes, facts and practices part of their lives.

Standard health habits are emphasized in many continuation school health programs and this is right. But more important is the need for an adjustment of attitude and method of living, necessitated by the specific industry which the student has entered. A stenographer, for instance, may well be urged to see the value of outdoor exercise after a day's work and to avoid the typical stenographer's lunch of soda fountain saccharinities. But the boy working on a farm or in a factory needs other instruction. This problem is not difficult, practically, since the continuation school class groupings are usually according to industrial activities. It does however mean developing several program-entities to meet the specific needs of different groups.

Much help in setting up a health education program may be derived from certain scales, such as Wood and Lerrigo's *Health Behavior*.<sup>1</sup> In using such a scale for continuation school work, the wide range of mentalities of the group must be kept in mind. Previous background must also be considered. Until health education in public schools has reached some such level as set up in the Wood-Lerrigo scale, material in continuation schools must be adapted to the situation by determining what health instruction the pupils have already had and how much they have retained, considered in terms of habits, attitudes, and knowledge.

It would be desirable to construct special tests of health habits, attitudes, and knowledge for use in continuation schools, but for the present the few existing tests may be used and the situation thus analyzed. In using such tests<sup>2</sup> it would be helpful if mental measurements had previously been taken and the I.Q.'s of the different classes determined. But rough standards can be found without this from a study of published reports on mental testing in other continuation school groups. In general the stenographers have shown the high mental levels and the shop classes the low.

The continuation school teacher, at present, has practically no health background. Training continuation school teachers in health work is now recognized as a necessity and credit is given in some cities for courses developed for this purpose. Such credits should be required of every teacher in this field.

Health courses for continuation school teachers are still in the experimental stage, and only theoretical discussion of the situation is possible. The writer's course at Teachers College has brought to light interesting problems. Such courses ought to include subject matter needed for simple instruction in the fundamentals of personal, community, and home hygiene, and each student should be expected, under supervision, to adapt such subject matter to his special field, whether it be art, shop work, or language and spelling instruction. Certain health truths will not prove readily adaptable to some of the teaching situations without much ingenuity and may have to be presented to the pupils without attempt at correlation. Too much naiveté or false interest is to be avoided.

Since there are so many different types in a continuation school, it is essential that each teacher make a definite analysis of his teaching situation and his group to determine its needs. If then, certain simple but fundamental subject matter in the field of health is supplied, it will be possible for the teacher to determine what parts are needed by his particular group and to find places in the teaching situations for using the material.

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<sup>1</sup> Wood, Thomas D. and Lerrigo, Marion O. *Health Behavior*. Public School Publishing Company, Bloomington, Illinois. 1927.

<sup>2</sup> The tests developed by the American Child Health Association in their *School Health Program Study* deserves careful trial in the continuation school field. The author is less enthusiastic about the strictly health knowledge type of test.

Almost any continuation school teacher finds a definite need among his pupils for fundamental material on (1) social hygiene and relationships, (2) sleep, (3) food, (4) diet, (5) clothing, (6) play and social activities, (7) dental hygiene, (8) eye hygiene, (9) use of professional health service, (10) mental hygiene, (11) shelter both for living and for work, (12) cleanliness, (13) community hygiene with special interest in control of communicable disease, pure food and water supply, and waste disposal.

While many schools teach this material by various devices, it is preferable and not particularly difficult to utilize the analysis approach. Professor R. G. Reynolds, Principal of the Horace Mann School, got much valuable information merely by asking his teachers to list twenty-five items taught in their work and to suggest health material which could be taught in correlation.

The approach and lesson detail is different, depending on the group taught. The shop instructor, for instance, may teach proper sleep habits by showing that sleeplessness results in fatigue and fatigue in carelessness and industrial accidents. The academic teacher may show her group of stenographers that proper sleep means more accurate work, less criticism, and raises in salary. This is only setting up specialized life situations in terms of the specialized pupils. *With continuation school pupils the life situations are so varied and specialized that the more general plans used in public schools will not work out satisfactorily.*

A teacher of shop work and a teacher of an academic class find that their pupils need instruction regarding diet. Both begin by inquiring from their pupils what they would like to have for the next meal. There is an immediate contrast in replies, the shop group probably emphasizing plenty of meat and the academic group (often stenographers) preferring sweets. Each group works out a meal of different content and of different caloric value, the one intended for the individual doing heavy manual labor, the other for the semi-sedentary person. In the latter group the problem of dieting and reducing will present itself and from this will come a discussion of the height-weight-age tables and their proper uses. It is well agreed that the fundamental appeal to girls is through their desire to be pretty and popular.

Contrast, too, the probable lesson in dental hygiene for shop workers and boys in art classes. Both need good teeth, but in the case of shop workers, the maintenance of health in order to do a good day's work and so earn good wages may be stressed more effectively than with the art group, where the beauty of good teeth will have more appeal.

First aid and safety are well taught in the shop atmosphere. Most shops use safety posters liberally, and their appeal is easily recognized by the boys. The need for wearing goggles for persons working on certain machines can be thoroughly appreciated. The pupil in household economics will not need such instruction, but will learn of the hazards of gas

and electric household apparatus, of street and home safety, and of the sort of first aid needed in the home as contrasted with shop first aid.

Lessons on posture, and they are most necessary, are based on the life situation of which an important factor is the work situation. Practical applications are made in many instances by the pupils themselves. A comfortable chair for the stenographer and how she should sit versus how to plane a board and still avoid a low shoulder, illustrate different approaches.

Similarly in considering working conditions, the need for well-lighted, well-ventilated, quiet offices are studied by the academic group while the shop workers take up the subject from the point of view of factory hygiene.

Mental hygiene problems are numerous and must be given careful attention. Many are preventable through health education. The social hygiene problem also must be met squarely in continuation schools.

Special classes in home hygiene occupy a well-deserved place in the curriculum, since most of these adolescent girls will marry within a very few years and will practice the art of home-making chiefly on the basis of what they have learned from these courses.

It may be that teachers of certain continuation school classes cannot handle health teaching. Some doubt is expressed whether shop teachers can do so. There is no proof of this. The author believes they would be most successful. However, if it is shown later that shop teachers cannot teach health, then some more academically trained teacher must accept the task and teach shop pupils health in terms of the life situation, shop. But such a teacher would not have the standing of the shop instructor with the pupils, nor would the educational opportunity be as good outside the shop.

In developing health instruction in a continuation school, the supervision of a well-trained health education specialist will make possible a stronger program. Such an expert will have to be, or become, familiar with the peculiar problems of continuation school education and the situation, educational and otherwise, in the particular school where he works.

With all the difficulties of organization and administration of health education which have been presented, three facts may be stressed:

1. A health education specialist is needed in all continuation schools.
2. Much research must be made in this field before clear-cut definite programs can be outlined.

3. A well planned program will be based considerably on local needs discovered and met through: (a) certification examinations, (b) testing of health habits, attitudes, and knowledge, (c) consultation with those in the best position to give technical advice, (d) actual analysis of the needs of a class by the teacher, (e) the use of every possible individual, situation, and sound means to surround the pupil with the atmosphere of health, in its broadest sense, during his entire time in continuation school.

# PSYCHOLOGICAL HAZARDS OF THE ADOLESCENT IN INDUSTRY

by

OLIVE A. COOPER, M. D.

**T**HERE has been much that is invaluable written in regard to the physical hazards to which the early adolescent child in industry has been exposed, and vivid presentation made of the appalling physical handicaps sustained, but comparatively little consideration has been given to the mental hazards to which he has been subjected and their probable effect upon his later development.

It is an implicitly accepted premise today that lack of early preparation and training for life bring more unhappiness and failure than do many of our physical handicaps. This fact is borne out in many instances. Let us take for example the case of a child who through early illness has been rendered infirm or perhaps seriously crippled, but who by means of early suitable mental training and the subsequent establishing of a proper point of view toward life is able to carry on in a far better capacity than the physically robust child whose early mental training has been such as to render him inadequate and unprepared to face life. The first is equipped to meet the situation as it is and to deal with it accordingly, while the second is totally unable to do this and is ever seeking a way out, an exit, often found in the role of nervous invalidism and a condition equally as disabling as many of our most serious physical defects and in some cases more so.

If we expect well-rounded adults, self-supporting, independent, and capable of effecting a harmonious adjustment to those about them, we must at the proper time give them the essentials that make for the desired result. In other words we cannot hope to produce adequate personalities in the absence of wholesome and efficient training. To be assured of this end we must seek those sources which have the facilities for making the needed contribution. These should be found logically in the school and in the home.

Adolescence is an evolutionary stage in the life of an individual and refers to the transition from childhood into adulthood. Although impossible to set apart any well-defined chronological range as marking this period it is estimated approximately as being between 12 and 22 years of age.

It is a critical phase in life calling not only for careful and intelligent physical care but also painstaking mental guidance that will promote a congenial adaptation so essential when the time comes for the individual to

emancipate from the home and take his place in society. It is a period of rapid growth in which we find many and varied mental changes taking place, outstanding of which are ideas and impulses which are not always conducive to wholesome development. There is a craving for expression, often at the expense of the child's own welfare and even that of those about him, a desire for adventure and above all an earnest struggle for recognition. There are also outstanding at this period, many instabilities in the physical, intellectual and emotional fields which if not expediently directed tend to become permanent handicaps in adult life. Among them are such psychological factors as feelings of inadequacy, excessive self-sufficiency without ability to correctly evaluate abilities and disabilities, suspicion, distrust, a desire to dominate, and lastly an increasing feeling of independence which may be and often is quite out of proportion to the resources at hand.

Adolescence, because of the dangers it entails, should be as free from stressing responsibility as possible. Cares and employment that do not have educational direction back of them should not be considered as belonging to this phase, chiefly because of their probable lack of constructive value and the possible undermining influence they might have on the individual. Premature employment not only takes away a youth's right to health and happiness but also deprives him of opportunities for a later successful vocational adjustment and efficient adaptation to life as a whole.

When one thinks of labor in terms of its effect upon the psychological development of the adolescent, at the 14 or 15 year old level, one cannot make broad generalizations. He is forced to remember that each child is an individual and that there is a wide diversity in the constitutional make-up of these children. What might serve the needs of one might be dire therapy to another. Nevertheless there are three fairly well-defined groups of children whose pathways lead toward industry and whose individual cases call for careful deliberation regarding their future programs. At this juncture and in connection with these groups there arises a question as to the advisability of urging the child to remain in school although his interest is elsewhere; the question of placing him in industry and subjecting him to the forces therein; or lastly, the question of permitting him to enter industry and supplement his work there with educational supervision. Every case calls for an individual decision which should be made only after deliberate consideration.

Outstanding of the groups mentioned is the one characterized by the child whose mental equipment does not permit him to profit by further academic instruction and who is frequently referred to as being "manually minded." This is the type of child who not only may profit economically by his instruction in vocational classes but may also gain a form of socialization which later becomes a distinct aid in his contacts with his employers and fellow-workers. In addition to this, part-time work is desirable, here as in many other cases—a pay envelope being a help to self-respect and very often a means of establishing a child on a satisfactory standing in his



own home. All of this tends to build up an attitude which supplies a needed compensation in the absence of higher intelligence. Attitude frequently is a greater determinant of success than is ability.

The second group comprises those children who, although well endowed and fully able to do the regular scholastic work, are forced into industry at an early period because of the economic stress in the home or other adverse circumstances. The lure of money blinds them to the advantages of school, making it appear an impediment to economic progress, irksome and something to be avoided, rather than a stepping-stone toward a happier and more securely organized adult life. It invariably happens that parents in these homes have likewise considered school as a financial hindrance. They have lacked the vision to see its broader and more advantageous aspects, as a preparatory center for life in all its phases. A child coming from a home of such standards goes forth into the economic field with little or no preparation for the task at hand, and advances, believing himself able to meet all occasions. Actually he is void of constructive attitude, with his emotions and desires untrained as they are, and he is without the qualities that constitute economic success. His need for such traits as concentration, persistence, and conscientiousness foredooms him to failure. His performance of the job is impeded and his industrial advancement seriously obstructed. The inevitable happens, he becomes disillusioned, dissatisfied and is obliged to seek outlet for his maladjustment and mental turmoil, and usually succeeds in doing so either by the way of misbehavior or through the construction of a neurosis.

A third and certainly an interesting group of children is composed of those whose failure in regular grade work cannot be accounted for on the basis of inferior endowment but rather through early unfavorable conditioning of the child to the school. It is regrettable that these children in their unfortunate introduction to school have built up a defense against instruction which makes their remaining there impracticable from all angles. Their rebellion is so strong and their associations with the school so distasteful that attempting to co-ordinate a paying job with vocational instruction under the educational system is quite impossible. The only avenue left for them seems to be industry at an early period that they may acquire habits of industry and avert the possible building up of delinquent trends. This group constitutes a minority with a poor prognosis due to a faulty attitude existent from the beginning.

The fairly recent revolution in our educational procedure has been most encouraging in that its function and purpose are far different from what they were ten or more years ago. Different in numerous ways, chiefly because they are beginning to recognize children as individuals and not as a homogeneous mass able to respond favorably to one standardized program. They also appreciate that the outstanding function of education is to socialize the child and prepare him for the actual needs of life, rather than to cram him with academic subjects as was the method of the older system.

Today our educational program is interested in the personal and social development of the child and in subjects only as they contribute to this end. It has learned of the fundamental difference in individuals and roughly speaking it has separated them into two large groups, the one composed of pupils with the academic mind, competent to grasp traditional scholastic instruction and the other made up of those whose aptitudes lie not in the intellectual fields but rather in the manual occupations. It has tried to fulfill its obligations to the latter group as well as to the former although not without difficulty and in many cases with a sense of failure.

The boy of 14 who expresses a desire to work should be instructed in relation to that desire. The forces behind it may not only be the incentive of the pocketbook but also may be an eagerness to receive recognition as an adult and as an essential personality in the household. When a boy's interest is outside school subjects, failure usually ensues, which in itself is a compelling motive for a child to go into industry. The same failure encountered in school often awaits him in industry, assuming he enters the field directly without preliminary preparation. But given an opportunity in vocational training where he may sense success and gain an understanding of his aptitudes, one finds the boy has become interested in achievement and no longer is acutely aware of his inferiority and failure. More than that he may find a feeling of equality and confidence and an accompanying zeal to do in order to maintain his position in the group.

Out of this insight for the needs of the "manually-minded" child came the birth of vocational classes and continuation schools. The schools saw the folly of forcing a child into concentration on academic subjects when his interests were in the manual and more practical spheres, and they foresaw the important place that vocational training would occupy in his future program.

Continuation schools provide the adolescent with broader training which industry because of the nature of its organization is unable to give. The educational system aims to teach him in such a manner as to sustain his interest in order that he may function as near his maximum efficiency as possible. Every effort is made to have him gather vision that he may look ahead for future possibilities, be able to evaluate them correctly, prepare himself for them and finally achieve them. Vocational training appreciates that above all else the adolescent must be taught adaptability, since vocational fitness is as changeable as society itself, ever casting off old methods and taking on new. Hence the need for the individual's readiness to meet the changes as they occur and for ability to adjust to them.

One of the outstanding objectives in the educational scheme is to teach these children to use their equipment judiciously that they may reap its full value. It is interesting to note here that surveys of various industrial

situations have shown that employees with inferior mental equipment have under suitable training been able to function at nearly one hundred per cent efficiency of their mental capacity, while others, although having superior equipment, were unable to function anywhere near this degree of efficiency chiefly because of poor habit formation and consequent faulty attitudes.

One cannot overemphasize the importance and need of a wholesome attitude—an attitude that enables the child to be receptive to instruction, tractable, and congenial with those with whom he associates. A child who enters industry from a household of friction (as is the case in many homes where economic stress is a predominating factor) without the guidance afforded by vocational schools, is very likely to enter one of the so-called "blind-alley" jobs where the regular pressure together with lack of preparation furnishes a cause for his failure. His lack of financial progress impresses him with the meagerness of his capacity as a workman and we may find him building up reactions which will serve as large stumbling blocks in any possible road to further development and advancement.

If a child in his work can be made to appreciate what he is doing in relation to the finished product; if he is taught the reasons for each step, his work is less apt to be monotonous. He views it with interest and enthusiasm, he sees his position as a constructive one and as an essential part of the organization. This feeling of usefulness makes for a wholesome attitude and satisfactory vocational adjustment.

Every adolescent should be doing and making but only under the supervision and guidance of those whose chief aim is the development of the individual as a whole, with equal attention given to his physical, intellectual, social and economic welfare. His occupation should not be considered in terms of dollars and cents but rather in terms of his future development.

The chief aim of the educational system should be to prepare the child for the needs of later life, that is its one and only function and all time should be devoted to it. Industry on the other hand is founded on a diametrically different basis. It aims to produce but not in terms of childhood development. Were it by chance to undertake this last as a responsibility it could do so only at the expense of the constantly professed efficiency. This would be not only impractical but highly improbable. Adequate child training, because of its obvious encroachment upon industrial policies and the adulteration of efficiency it would involve, could not be a logical part of an industrial program. Labor factions see the child as a wage-earning unit while education sees him in an altogether different light. To the latter, he is far more than that. His ability to earn is but a small portion of his preparation for life. Education sees him as a future member of society and realizes keenly that the great determinant

of his success is his ability to live happily among those with whom he mingles. Their efforts are exerted in the direction of developing those essentials by means of which he may reach the desired goal. This form of development cannot be looked for in any organization unequipped to give it and whose aims are in another direction.

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# PLAY, THE BUSINESS OF CHILDHOOD

by

WEAVER PANGBURN

“—that youth shall not die and its zest and enthusiasm grow pale.”

—G. Stanley Hall

**T**HE main business of childhood is play. Whether in the physical, mental, or moral life, lessons valuable to adults learned in youth are mostly by-products of play, though some are direct products of home and school. The best preparation for adult life is a richly lived childhood.

Of course many persons are blind to this fact, especially those who missed the discipline of recreation in their own childhood. The self-made business man or the farmer who through early working became a drudge before he had rounded out his boyhood, may thank God that he learned hard work when young. But in his leisure hours today, he is helplessly inept away from the office or farm. Now when he wants to play, he does not know how. His chickens have come home to roost. They will come.

The intrusion of drudgery on the rightful play life of pre-adolescence and adolescence upsets the child's logical growth. It mars childhood. It often blights adult life in two ways: by blocking the chance for consistent progress in making a living and by abruptly halting training for the use of leisure.

In this day of machines and the short work day, absence of training for a job is hardly as serious as not learning the constructive use of leisure. A Robot can earn a living feeding a machine in seven or eight hours out of every twenty-four, but what can he do with the rest of his time? Nicholas Murray Butler has said that for every young man who needs training for a vocation, there are a hundred who need training in use of leisure.

By the grace of God and uncannily ingenious machines, the United States is an easy place in which to earn a living. If it fails to become a place in which people can and will use their abundant spare time intelligently and fruitfully, how far short we shall fall of becoming a great people!

Here is a boy of fourteen. He is going to leave school to get a job. Let us stand near to look hard at him and to project him into the next two years.

His body is growing rapidly and is plastic. He is awkward but fond of team games calling for cooperation and competition. He likes to run with the pack, his gang. He has streaks of laziness and emotional in-

stability. In him is a lack of judgment combined with forwardness; he is hard to control. Sensitive to ridicule, he is yet given to freakishness and pranks. He has great love of adventure, admiration for physical prowess, and worship for his heroes.

Wanderlust comes on the lad now and then. He wants to roam, to explore. He has great interest in nature, especially in the training of animals. But the passion to belong is the dominant interest in this youth who tomorrow will enter a cotton mill, start running errands, or plod the beet field. He is at the age of extreme loyalty.

Of course he will miss his crowd's baseball and football games, those occasions when the other boys will learn to lose themselves in their passion for the team's victory. In the bickerings, the legislation from which the other boys will learn fair play and abiding by the rules, he will be absent. While other boys through their games are learning to think and feel in terms of a personality larger than their own—learning to be patriots—he will be going through a monotonous round of tiresome work that may lead nowhere.

While at their contests under sympathetic leadership his former pals are learning aggressiveness, ambition, courage, leadership, perseverance, initiative and motor control, he will be learning—disillusionment. The bodies of other boys will be developing symmetrically in athletics, swimming and winter sports, while his plastic body will probably develop excessively large major muscles, minor muscles remaining undeveloped, or vice versa.

These things a boy cannot forsee. He cannot be expected to.

Where, in drudgery, can the boy satisfy the thirst for adventure, the wanderlust, that others satisfy in the hikes and camping activities of Scouting and similar movements? Must he get his heroic thrills in illicit adventure in back alleys and dives, at petty gambling and petty thieving, in raiding apple carts and breaking store windows? Or, shall a dead level of suppressed longing be his portion? At a time in his boy's life when he is constantly trying to avoid the humdrum of routine existence, he will be thrown continuously into a deadly round of wrapping packages or making brushes.

And what of his normal adolescent dreams of greatness, his reveries, his desire to experiment, to observe? He will lose most of the innumerable activities and impressions his more fortunate contemporaries enjoy in organized and free play. A minor part in a dramatic performance might encourage a taste, even a talent for dramatic expression that could lead him to achievement as a director of dramatics as it did a Seattle playground boy. A handcraft contest might draw out unsuspected skill in him as it did in the crap shooter who won a model airplane contest. For him a harmonica band or ukelele club might be the stepping-stone to worth-while musical appreciation or even achievement.

Will this boy find his special talent in unending monotonous rows of sugar beets?

If he is to arrive at adulthood a member of the army of unsettled casual labor or of the unemployable, with his physical development retarded or with actual deformities, and untrained in the arts of recreation, will he not beat futilely at the doors of real life? Will he not some day in his despair point the finger of accusation at society and say, "I asked for bread and you gave me a stone"?

The girl's case is similar to the boy's. Do her fantasies come true in the canning factory? To what fine purpose does she invite lateral curvature of the spine or flat feet? Can she enjoy the rhythm of the dance, tennis, canoeing, when she gets home from nine or ten hours of back-breaking labor? Are the Camp Fire and Girl Scout activities, with all their fine training in home-making and citizenship, for her?

The little boy and girl who come from school only to expend their play time in working in a store or in farm drudgery are also being robbed of their just inheritance.

It is true that many children in city and country would, if spared from drudgery, find inadequate recreation facilities and leadership in their communities. The answer to that problem is that the community should fill the need for these opportunities. At any rate, the children would be free.

The plastic, immature child who trips unconcernedly from the school-room into the drudgery of a blind alley job, is like a man striding cheerfully down a road into an ambush. Soon a budding personality, which through wisely led leisure time activities might have had fresh avenues of self-expression opened to it, is befogged in dull monotony. The worst of drudgery is not that it discourages the child's intelligence and impairs his physique. It often does something to his spirit.

And if a boy or girl faces life with a bewildered, broken, defeated spirit—well, that is an unjust way to start. Shall we not give every child his chance?

# REVISING PARENTAL ATTITUDES TOWARD CHILD LABOR

by

SIDONIE M. GRUENBERG

**T**HIS has been called the day of the child. Within the past few decades various reform movements have gathered momentum, focusing attention upon the child—his rights and his needs. In improved infant care, preventive hygiene, recreation and playgrounds, progressive school methods and child labor regulation, the focal point of our concern has been the conservation and amelioration of child life. Scientists and educators, statesmen, editors and publicists have, as it were, espoused the cause of childhood, and have championed it so widely as to justify the conclusion that the child is at once the most important factor and the most challenging problem in modern life.

Along with the community's awakened consciousness has come a new attitude on the part of parents—a searching for greater knowledge and understanding with which to direct children's physical and spiritual growth according to the laws of their own natures, on the one hand, and according to their deepest interests on the other.

As was to be expected, this new attitude has challenged the criticism of the ever-present reactionary, who decries our reforms as sentimentality, and our revised approaches as "new-fangled notions."

"Our parents made a good job of bringing up their children in the good old way," they tell us. "None of this sentimental nonsense went into *our* training. We helped with chores about the house until we were old enough to work, and then off to work we went. Children nowadays are too much educated and too little disciplined—they're soft!"

Which of us has not heard that classic which the exasperated father flings at the exasperating son: "When I was your age I was working—and I knew the value of a dollar. And what's more, at fourteen I learned a man's discipline in a man's job!" Or the reproach from mother to daughter: "When I was as old as you are now I was helping my father at daybreak with the cows and the chickens, and helping my mother with the younger children." You will still find many persons with long, and perhaps somewhat rose-hued memory, who will tell you that the hard-worked boys and girls of those days were better disciplined and more God-fearing than adolescents are in these days of prolonged schooling and deferred responsibility.

As a matter of fact, there is just enough truth in these claims to warrant our careful consideration of them. They should, at least, put us on



our guard against accepting reforms and changes simply because they are changes. As parents, especially, we will have to weigh our new ways against the old ways, and be sure that the new are better and not simply *newer*.

Parents of today are probably not unlike parents of other generations in their desire to give their children the very best that is available for their training and well-being. We differ from our grandparents only in our point of view as to what constitutes that "best." We have revised our attitudes towards essentials in life values in keeping with changes in ways of living. We have learned, for example, that children need freedom as much as they need discipline—and that the two are by no means incompatible; they need play as much as they need work; they need a wider knowledge and understanding than the learning of one skill or one trade will give them; they need the wholesome give and take of association with their fellows; they need the loyalties and competitions of the athletic field and the school. And they need the whole of their youth for these things. Today, therefore, enlightened parents are insisting that the youth of their children shall not be consumed in labor that is too hard, work that is pure drudgery, and responsibilities that make them old beyond their years.

Again, parents and educators are no longer content to dismiss from the schoolroom, and throw to the factory, as "unable to profit by further instruction," those children who show a disinclination to master the three R's. Instead we are learning to adjust the child's instruction to the child's capacity. We are beginning to bend the rigid curriculum of our traditional schoolroom, as we see the need for making education pliant as children themselves are pliant. We are demanding that our schools offer to each individual child a kind of education that he *will* profit by.

The sentimental glorification of the "good old discipline of hard work" is probably well enough as far as it goes. Doubtless the children raised under its harsh regimen developed many of the sterner virtues, and, just possibly, some of the accompanying vices. But its exponents seem to be blind in two important respects. In the first place they fail to take account of the changed conditions of modern life and labor—conditions which in no way consider children's normal interests and needs. In the second place they fail to evaluate the various physical and emotional maladjustments which accrued to those adolescents who went too early to a man's work and a man's responsibility.

Now, what are the legitimate work interests and needs of childhood, and how are these needs met by such of our commercial and industrial occupations as are open to child workers?

Any observant parent or teacher knows that children of practically all ages do work. In early childhood the line of demarkation between work and play is hardly discernible. The young child's play is work. He strives as seriously at building his blocks and his sand-piles as the

adult does at building his business or professional undertakings. It is his work—work of his own choosing and along the lines of his own interest at the moment. Later the growing child comes to differentiate work from play, and to enjoy work *as work*. The work which he chooses is to some extent imitative—an attempt to reproduce the activities which he sees around him; but also it constitutes an expression of his own interests and desires. Probably the young child's chief interest in work is his growing sense of mastery over the materials he is using. His chief satisfaction lies in his sense of personal achievement in bringing to successful fruition some chosen task, no matter how small, and in the acquisition of useful skills. As he grows into the teens other factors enter into his work interests; the need for self-assertion and a feeling of independence, the restless urge for new and untried experiences, the desire to undertake some of the responsibilities and win some of the privileges of adult life. These things the adolescent seeks and should be helped to find. But does he find them in the kind of industrial or commercial job that is likely to be available to him today?

Here we come to the essential difference between children's work and present-day child labor. Child labor has been well defined as "the labor of children which deprives them of a fair start in life in terms of health, play, education, and suitable work carried on under the auspices of home and school." In other times, perhaps, when manufacturing was done by the piece and by individual workmanship, the youthful apprentice might well know the satisfactions of developing skills. But what skills are involved in standing beside a long table, ten hours each day, pasting gummed labels on small packages that come pouring from a vast machine? What sense of achievement lies in shelling shrimp—hundreds of them—day after day—for the cannery? What sense of mastery may a child achieve weeding and thinning endless rows of sugar beets? What possible vehicles for self-expression and initiative can be found in the monotonous routine functions of modern manufacture?

Even the romantic and hallowed trade of the newsboy—that traditional humble cradle of greatness—is no longer what it used to be: that of an independent young merchant. Today the newsboy is oftentimes one of a number of vendors attached to an established news stand or chain of news stands. He has an allotted corner and an allotment of papers. For him, therefore, there remains neither the thrill of adventure nor the delicious sense of independence. Few indeed are the opportunities for self-expression and personal achievement that are offered to under-educated adolescents in these days of routinized production and distribution.

Now what are the alternatives? How shall we protect our children from exploitation in modern industry, and still give them the valuable discipline of work and responsibility which our grandparents extolled, and which we would by no means discard? How shall we provide them with suitable outlets and opportunities for achievement, and still insure for them the broad schooling and social play that we have come to regard

as necessary to their fullest development? For while the factory is certainly no place for children, neither can these young people thrive on idleness, irresponsibility, over-protection and delayed maturing. We must protect our adolescents from the dangers of commercialized labor—certainly; but in doing so we must not rob them of the joy of work.

Assuming that economic pressure is not a factor (and many studies of working children indicate that the need for earning money is by no means the prime motive of the child laborer), children can be helped to find, both at home and at school, suitable substitutes for real work—substitutes in the form of activities that are essentially satisfying to them.

Many of our modern schools are effectively bridging the gap between the adolescent's need for self-assertion through workmanship and society's need for protecting the adolescent from commercial exploitation. More and more schools are finding ways to interest boys and girls in creative activities which are both purposeful and productive. We see the modern school developing into a sort of laboratory workshop—a place in which children, under proper supervision and guidance, may explore for themselves many kinds of work; in which they may initiate real work projects, make real things for real uses. In some schools children run the school supply shop; in others they manufacture for sale, articles of their own designing. They print their own magazines, write and produce their own dramas and pageants, make their own scenery and costumes. Through such activities as these the schools are seeking to give children many of the work satisfactions of which they are deprived by present-day conditions in the working world.

In the home, too, and in the wider community, no less than in the schoolroom we can offer children opportunities to do real work that will bring them the joy of achievement and responsibility and still safeguard their playtime and their physical and educational well-being. The household needs many simple articles which children can make, and many services which children can do and enjoy doing, if we are alert to supply them with the needed materials and tools—and, at times, the suggestion.

We have found that freedom and discipline can blend in the home as they can not in the factory. As parents we are learning to give our adolescents, progressively, freedom to make their own choices and to plan and carry through their own projects; to let them participate in family councils and family decisions—not merely in family chores; and to help them find work satisfactions in suitable work substitutes until they are mature enough to vision the world's work and their own places therein.

In these and other ways we hope to conserve for our children much that was good in the training which "the old-fashioned discipline of hard work" had to give them—and still to protect them from much that was cramping and distorting in that old system. At the same time, we must frankly recognize the limitations of even the best planned work activities

at home and at school. At best, these can be only substitutes for real experiences, and as such they can be satisfying to children only up to a certain point. As they grow older, our boys and girls need broader contacts and a wider range than either home or school can give them. They cannot then be satisfied with make-believe realities in an artificially arranged and protected setting. They need contact with the realities of the adult world around them—a contact which, in a simpler economic order, was an inherent part of growing up, but which today's complex ways of living have made unavailable to our young people. The problem of how we may give our growing boys and girls this needed contact with real work in the real world, without exposing them to commercialized exploitation, is one which parents and educators have still to solve. So far we have found no ready solution. We know only that we cannot apply the old formulas to these new conditions—that the methods of our grandparents will not serve our children in adapting to the complexities of modern living.

We will have to change the formulas to meet their needs.

All this is not to prolong our children's infancy, as the exponents of "hard work" infer, but rather to enrich their youth and to make possible not only a wider service to the community but also a happier adjustment of their own lives and their own work to this modern world.

# CHILD LABOR AND THE AMERICAN STANDARD OF LIVING

by

WILLIAM GREEN

**T**HE American labor movement is opposed to child labor because child labor is contrary to the aims and ideals for which the American Federation of Labor is striving. We believe that with the advance of machinery and science, and the time- and labor-saving devices that have resulted therefrom, the working people should share in the increased prosperity and that they should have the extra time and opportunity afforded them in which to better their lives and the lives of their children. We believe that working men and women should have wages that are adequate to care for their families, that the hours of work should leave time to be spent outside of the factory, mill, or other place of industry, and that the working conditions should be healthful, sanitary, safe and just. Child labor is against these things. Where children are working, their wages are small, and the wages of the men and women are correspondingly small. When, because of the low wages, longer hours of work are necessary for the people to earn enough to pay for their living—their home, food, and clothing—little children are robbed of their health and youth in industrial occupations, working conditions cannot be called good.

Some people believe that the number of children working is small. In 1920 the Census Report showed over 1,600,000 children who were working, farm and home labor exempted. That was at a time when the federal child labor law was in effect. It is reasonable to suppose that this number has greatly increased since that act was declared unconstitutional. Surely it cannot truthfully be said that such a number is negligible. And these children are young, from ten to seventeen years of age. What opportunity have they for advancement, for education, for physical and mental growth? They should be spending their time in schools, and in normal, healthful recreation.

The question of wages has as much to do with child labor as any other one factor. The children are sent to work because the earnings of the parents are not sufficient to cover the expenses of the family and the home. Although the children receive only small pittances for their labor, every little bit is needed in many homes. In places where the fathers and mothers are receiving adequate and fair wages which are rightfully theirs, the necessity for children going to work is removed. That is why the American Federation of Labor so strongly advocates higher wages, especially since the wealth of our country and the prosperity of our industries warrant such increases.

The American standard of living has been established mainly through the efforts of organized labor. Through the trade unions men and women have been able to negotiate for wages that are high enough to maintain a decent home life and to care for the children. Under these standards child labor is not practiced, as it replaces men and women who need the work, cuts wage-rates, and also takes school and play from the children.

Naturally, manufacturers who hire so-called "cheap labor" are opposed to the abolition of child labor. Child labor is cheap labor from their point of view. But is this true? Is labor that kills youth and health, that takes the needed rest time and play time, and the necessary period of training and schooling from children, cheap? Can we say that the work is worth broken spirits and bent minds? Child labor is the most expensive kind of labor there is. It increases poverty for it retards education. It impedes progressive mechanical developments which make for prosperity. It stunts mental, moral, and physical growth, which reduces the effective manhood and womanhood of our country to a lower standard. These "costs of production" where child labor is employed far out-balance the profits gained.

Still we do not believe in idleness and wastefulness. We feel that labor is a divine and heaven-given opportunity. We know that many great and distinguished men worked as children, and worked hard, but we must not forget that there are many children who are not fit, either physically or mentally, to do industrial work. Work that deprives a child of his natural heritage, a chance to grow and develop, is not good.

Play is now considered by psychologists as a very essential part in the development of a child. Children who are deprived of play are deprived of part of their birthright. Their growth is hindered and their lives weakened. The children who work at looms and machines, who spend their time where there are poisonous and injurious gases and are in danger of industrial accidents, are not going to grow up into the kind of men and women that we need.

Not only are the children industrially employed to be considered, but the hundreds of young children, especially boys, who work at street trades. Irregularity, nervous excitement, and exposure are the most detrimental health hazards of their work, while the making of undesirable and unsound associations, the acquiring of knowledge of the "tricks of the trade" (which are often better not learned), and the lack of constructive supervision, are perhaps the greatest moral and social dangers which the "street-trader" encounters. Truancy from school and delinquency result. In the juvenile courts there are a larger number of working children than school children who have broken over the bounds, and have become involved in some trouble, many times resulting from the work they do.

It is not false to say that the child laborer will grow up with an inferior education, will be weaker than his brother who had the fair chance at life, and will, in a great many cases, develop criminal tendencies.

The schools offer safe, supervised educational advantages along with healthful conditions. They are for the children. They provide them with lessons and work which trains them from idleness toward endeavor; supervised play develops character and responsibility, teaches team-work, and makes for good moral and physical development. We do not want idle children nor do we want the vast power of child life wasted. What we do want and need, however, is childhood that is given the opportunity to develop into manhood and womanhood that can meet the industrial, scientific, and educational world with a clear mind, a high heart, and a strong body. We want men and women who can help maintain the standard of living that is now established and who can contribute to the advance and progress of the world.

**A Note  
on the Amendment of  
The Indian Companies Act  
1913-1914.**

12

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**NECESSITY OF DIRECTORS INDEPENDENT  
OF  
MANAGING AGENTS**

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*By*  
**NARAYANDAS BAJORIA, B.A.**



This note is published for the information and discussion of the investing public as well as the Managing Agents.

Suggestions and criticisms are earnestly solicited and will be thankfully received by the undersigned.

Phone 2512

2513

BARABAZAR:

26th February 1929.

NARAYANDAS BAJORIA,

117, Harrison Road,

Calcutta.

# NECESSITY OF DIRECTORS INDEPENDENT OF MANAGING AGENTS.

## I.

In India, the management of Joint Stock Companies is mostly in the hands of Managing Agents unlike other countries where they are managed by a Board of Directors. This system, whatever its advantages may have been in the past, has resulted in the creation of vested interests for the firms managing the Companies at the expense of the shareholders.

System of  
Managing  
Agency.

## II.

To begin with, Managing Agents are generally appointed for a fixed long term varying from 10 to 30 years and in some cases even for longer periods ; moreover the Articles of Association are so framed (a few specimens are enclosed in appendix "A") that even after the expiry of the fixed period, it often becomes almost an impossibility to remove them from office, no matter how inefficient and unscrupulous their management of a Company may have been in the past. The result is that a fresh term has almost always to be sanctioned to them even when they have grossly mismanaged the Company's affairs. The Managing Agents are simply irremovable. Very often it happens that even after the able and energetic proprietors of a firm of Managing Agents, with whom the management contract had been originally made, have retired or passed away, the

Its defects.

Managing  
Agents being  
irremovable  
become  
inefficient and  
dishonest.

management has still to be continued with their successors in the firm even if they are absolutely incompetent or indifferent, which is highly detrimental to the interest of the shareholders concerned. As a matter of fact, the right of Managing Agency has thus become a very valuable property which is sold from one firm to another at a very high price irrespective of the buyers' ability to manage.

### III.

Secondly, numerous transactions are daily made for the purchase and sale of raw materials and finished products of a Joint Stock Company with the firm of Managing Agents in their other departments; and as in these dealings there is almost always a conflict between the interests of the shareholders of the Company in question and those of the Managing Agents, the interests of the shareholders have to suffer greatly.

Conflict of Interest in contracts with Managing Agents' firm.

### IV.

Thirdly, there are instances where an unscrupulous partner or manager, (happening to be) in charge of the firm of Managing Agents, has taken a grossly unfair advantage of his position and power in respect of the Companies under his firm's management, even when dealing with a third party in the matter of sales and purchases made on behalf of the Company, and who has thereby ruinously sacrificed the interests of the latter for his own personal benefit for that of his firm.

Dishonest partner of Managing Agents may do great wrongs.

## V.

Fourthly, even when it is not profitable to do so, many Managing Agents extend the operations of a Joint Stock Company out of the profits, instead of distributing them in dividends or investing in sound securities and thus deprive the shareholders of large sums. They extend the buildings, add new machineries even though the existing machineries cannot be profitably employed for full time, provide for various other extensions on the plea of improvements although the probable results do not justify the expenditure involved on them. Often the Managing Agents spend the funds of a Company carelessly even when the extensions are not expected to yield even 3% or 4% interest on the outlay. Their sole object is to keep as much estate and money under their control as possible.

Managing Agents use Company's money for their own interests.

## VI.

The defects stated in the foregoing paragraphs are neither theories nor abstract thoughts but they are founded upon true hard facts which have come to my personal knowledge in the course of my agitation against the mismanagement of some of the very large Companies where crores of rupees were invested and which were managed by first class reputed European and Indian firms. All the above charges can be substantiated by citing concrete facts and figures.

Above defects are matters of personal knowledge.

## VII.

Many other instances have been found where very unfair advantages in many other ways have been taken by the Managing Agents against the interests of the Shareholders in general. They depress or inflate prices of shares by declaring low or high Dividends to serve their own interests and to speculate at the expense

Direction of dividends to suit their own interests.

of the shareholders and the public although such declaration of Dividends etc. is absolutely unjustified by the results of the working of the Company. For instance, in the case of a certain Jute Mills Company as is well-known in the Calcutta market, although this Company was making very large profits and all the other Jute Mills Companies were paying very handsome dividends comparatively, the Managing Agents of this Company declared and paid a very low dividend for several half years, absolutely unjustified by the result of the Company's working and thereby intentionally depressed the value of the shares considerably and then they began to buy the shares themselves. The market value of the shares was about Rs. 1200/- per share at that time and other Jute Mill shares of the position of this particular Company were also quoted at comparatively similar high prices.

One particular instance.

By their action in giving low dividends for several half years, the Managing Agents compelled the shareholders to sell to themselves at between 400/- to 500/- per share because the investors among the public would not buy these shares yielding such poor dividends, whatever might have been their intrinsic value, and *thus about 5,000 shares worth really more than sixty lakhs of rupees were purchased by them at the expense of the general public at a price of about twenty to twenty-five lakhs of rupees and the public thereby lost forty lakhs of rupees owing to fraudulent behaviour of the Managing Agents.*

### VIII.

Many Managing Agents do not publish the accounts and the balance sheets in proper time to serve their own personal interests, and they can thereby keep the shareholders in the dark as to the position of affairs of the Company. Sometimes accounts of a particular period are published at the expiry of a year or even more than 18 months

How undue advantages are taken by late publication of accounts.

and the Company's position may be quite different from what the accounts indicate. The Managing Agents knowing as they do the position, take advantage of the ignorance of the shareholders and buy or sell shares to their own advantage at the expense of the general body of shareholders and the public.\*

## IX.

The Managing Agents and their favourite Directors, who are often in league with one another, squander away the resources of the Companies, not only in the ways indicated above, but also by employing officers at disproportionately high salaries and by providing even for the subordinate officers, quarters which are very costly and quite disproportionately to their acquirements.

High salaried officers and their corruption.

Those officers who are often connected with the Managing Agents in some way or other, are given every opportunity, fair or foul, to earn large sums, in commission and otherwise, while they are supposed to guard the interests of Company *i.e.* the shareholders in general.

## X.

Even in the matter of buying raw materials for the mills and selling finished products etc., only such brokers are employed as are in some way or other related to the members or managers of the firms of Managing Agents by race, colour or friendship or flattery and many concessions are given to them even in the matter of prices.

Particularly Racial discrimination in buying and selling.

\* In this respect the policy of Messrs, Andrew Yule & Co. Ltd. is exceptional. The Balance sheets of their Jute Companies are published within a fortnight after each accounting period.

This of course means that it is greatly detrimental to the economic working of the Companies and causes heavy losses to the Shareholders. *Some of the European Managing Agents further do not accept the names of even first class Indian Firms as buyers owing only to racial prejudice to the great detriment of the interests of the Shareholders who are mostly Indians in most of the Companies concerned.*

## XI.

The above is the general rule. But there are, of course, honourable exceptions, like Messrs. Andrew Yule & Co. Ltd., and some others.

Managing Agents alone not to be blamed, Law should protect investors.

For all the above defects, we cannot blame the Managing Agents alone. It is very natural for them to act as above, when they feel that they can safely do what they like, there being little chance of their evil deeds being scrutinized detected and punished. Very honest men placed in similar positions may be tempted to corruption. *Even Budha and Christ with great difficulty overcame temptation.* What then of ordinary mortal beings! Hence the Law of the land should protect the public by providing adequate safeguards so that there may remain fewer occasions for temptation.

## XII.

It was in order to safeguard the interests of the Shareholders of Joint Stock Companies in India, that the Central Indian Legislature made certain amendments to the Indian Companies Act of 1913 by the Amending Act XI of 1914 providing among other things (See Objects and Reasons and the discussions in the Imperial Legislative Council Pages 724-741, 743-760. (Amendment (1))). The Gazette of India Part VI 28th March 1914) that "*Every Company registered after the commencement of this Act shall have at least two Directors..*" Sec. (83A). It was

further proposed at the time that the majority of the Directors of every Company should be independent of the Managing Agents, excepting in the case of private Companies, and in Companies in which the Managing Agents themselves hold a predominant voting power.

### XIII.

This Proposed Section (83C) which was the very soul of the whole Amending Act was, first of all, proposed by Hon'ble Mr. Clarke, the Law Member of the Executive Council of the Viceroy. It was approved by all Provincial Governments namely of Bengal, Bombay, United Provinces, Punjab and most of the Commercial bodies but subsequently owing to the opposition of the Bombay and Bengal Chamber of Commerce, *it was withdrawn by the Government.* Then it was moved as an amendment by Hon'ble Sir Ibrahim Rahimtoola Kt. and although supported by such eminent public men as Hon'ble Pandit Madan Mohan Malaviya and by the Hon'ble Mr. Vijiaraghava Chariar, Hon'ble Mr. V. R. Pundit and others it was unfortunately lost and thus really making the whole Amendment Act practically useless, providing little safeguards for the Shareholders from the hands of the Managing Agents which was the real purpose of the Act. It was however made obligatory by Sec. 91. **Amendment ii & iii.** *That Interested Directors should disclose their interests in contracts to the other Directors and in the case of contracts appointing Managing Agents, and in any variation of such contracts to the Shareholders.*

**Amendment (iv).** *That in the case of contracts by agents of a Company, other than a private Company, in which the Company is an undisclosed principal a memorandum in writing of the terms of the contract should be made and communicated to the Company.*



#### XIV.

In spite, however, of all such provisions in the Law on the subject, these clauses are evidently of little value in a Board where Directors are merely the nominees of the Managing Agents (either their Sharebroker or Solicitor or their favourite contractor or some Rai Sahib, Rai Bahadur of "the well known "Zeehazur"; type) and rarely there is any Independent director on the Board although almost all the shares are held by the general public. To illustrate this, lists of Directors and their profession in Jute Mills and other Companies as exist in Calcutta in these days may be referred to.

Directors when nominees of Managing Agents are useless.

#### XV.

At the present moment the appointment of Directors on the Board of Limited Companies takes place generally in the following ways:—

How Directors are elected at present

Generally there are three or more Directors in Limited Companies now-a-days managed by Managing Agents and according to the Articles of Association on (sometime one-third of the number) of the Directors retire every year. He offers for re-election, and he is re-elected generally without any opposition as long as he remains a friend of Managing Agents. Most of these Directors happen to be *creatures* of the Managing Agents. When a Managing Agency firm holds a very large number of shares in the Company (which is very rare now-a-days) this may not be so bad although it is not desirable. But when the Managing Agents hold only a few shares and the majority of the shares are held by the public even then if the Directors be the creatures of the Managing Agents, *it defeats the very purpose of the Law*. In such cases as shown above, extremely unfair advantage is taken by many of the Managing Agents. The Directors being their own men, *connive at the unfair means*

*of the Managing Agents.* The Shareholders generally take very little interest in affairs of the Companies and are under the impression that even if they agitate, it will be very difficult to collect the majority of votes against the Managing Agents to bring any dirty facts to light. It is also really very difficult to do so as has been practically seen during the agitation against the bad management of some of the Joint Stock Companies.

*Further the Managing Agents having the control of the business and being an influential body can always control many votes through their brokers etc., although their policy might have been very unscrupulous and unfair.*

## XVI.

Generally, when any information is asked at a General Meeting, the reply invariably received from the Managing Agents is that it is not in the interest of the Company that the information should be given and that the other competitive firms will take advantage of the information if so given, although it is more often an excuse. But the result is that, under the cover of this so called explanation and the Secrecy Clause, which is now found in all Articles of Association, fraudulent contracts are made by the Managing Agents to exploit a company for their own interests alone. Therefore, it is absolutely necessary that legislation should be enacted by which a fairly large number of Shareholders, if they like, can always elect their own representatives on the Board of a Company to detect such fraud and provide for good Management. Therefore, in order to effect this, some such legislation as is set out below should be put on the statute.

## A Bill to amend the Indian Companies Act, 1913.

Whereas it is expedient further to amend the Indian Companies Act 1913 : It is hereby enacted as follows :—

### VII of 1913

1. This Act may be called the Indian Companies (Amendment) Act 1929.

Short title

2. In section 83 A sub-section (1) of the Indian Companies Act, 1913 (hereinafter referred to as the said Act) the words "registered after the commencement of this Act" shall be omitted, and the word "three" shall be substituted

Amendment of section 83 A (1) in the Indian Companies Act 1913.

for the word "two" and after the word "directors" the words "and every company whose subscribed capital is more than *Five Lakhs* of Rupees shall have at least five Directors" shall be inserted.

---

Present section 83 A (1) :-

"Every Company registered after the commencement of this Act shall have at least two directors."

---

3. In section 83 B of the said Act, the figures and words "(ii) the directors of the Company shall be appointed by the members in general meeting" shall be omitted and the Roman numeral "ii" shall be substituted for the Roman numeral "iii".

Amendment of section 83 B in the Indian Companies Act 1913.

4. After section 83 B in the said Act the following sections shall be inserted, namely—

Insertion of new section 83 C and 83 D, in the Indian Companies Act 1913.

---

NOTE—" This section is similar to the one introduced by the Hon'ble Mr. Clark, Law Member of Viceroy's Council but sub-sequently withdrawn on pressure from the Bengal Chamber of Commerce.

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Majority of directors to be persons not members or employees of the Managing firm or Company.

“83C.—When a firm or another Company is manager of a company other than a private company, then, notwithstanding anything contained in the articles of the company, there shall be not less than five directors of the company, and the majority of such directors shall be persons who are not members or employees of such firm or company.

Provided that this section shall not apply to a company limited by shares as long as such Managing firm or company or the members thereof hold as sole absolute beneficial owners and not merely as trustees not less than three-fourths of the total number of shares in the Company which confer on the holder the right to vote at a general meeting of the company.

83D.—Notwithstanding anything in the Articles of a company.

(1) The whole of the directors shall retire from office *simultaneously* “every year” at the annual general meeting, but a retiring director shall be eligible for re-election.

---

If every year is considered to be too early, it may be changed for “after every second year”.

---

Appointment of Directors.

(2) If the minimum number of the directors of the company be less than five then any holder or holders of not less than one-third of the total number of shares in the issued capital of the company which confer on him or them the right to vote at a general meeting shall have the right to appoint one director in respect of each one-third of such share capital held by him or them, and if the minimum number of directors of a company be five or more than five then any holder or holders of not less than one-fifth of the total number of the shares in the issued capital of the company which confer

on him or them the right to vote at a general meeting shall have the right to appoint one director in respect of each one-fifth of such share capital held by him or them. Any further number of directors required to be appointed over and above those appointed in pursuance of the foregoing provisions shall be appointed subject to any regulation in the Articles of the company and in default thereof by the members in a general meeting.

---

Utility of this section. Although the shareholders holding the majority of shares will be able to elect the majority of the Directors but by this provision of Law minority also may have some representation on the Board to watch their interests and in case of anything done wrong by the Managing Agents or the majority of the Directors, the minority may bring the same to light of all the shareholders and the general public.

As the Law stands at present it is impossible to know anything about the affairs of a Joint Stock Company save and except what is given in the Balance Sheets, if the Managing Agents or their favourites happen either to hold or influence the votes of even one share more than half the limited number of shares. In private partnership, a partner who has even one anna share in the business can inspect all the books of Accounts and give his opinion although it may not be acted upon, regarding all purchases and transactions that may be made by the firm. But unfortunately, at present in a Limited Company, even if a shareholder may hold one fourth or one fifth of the total capital, he may be not allowed to see any books of accounts.

---

(3) Notwithstanding anything contained in the articles of association each Director shall have full right to inspect all books, papers and documents of the company and take notes or extract there from and call for any information and particulars from the person or persons in charge of the affairs of the company.

(4) This section shall not apply to private companies.

(5) After the section 91D of the said Act the following section shall be inserted namely:—

---

Insertion of new section 91 E. in the Indian Companies Act, 1912.

**91E.** Notwithstanding any thing in the  
 Removal of  
 Managing  
 Agents by  
 special resolu-  
 tion.  
 Articles of a company or any contract  
 with the managing firm or agents of  
 a Company other than a private com-  
 pany, such managing firm or agents  
 shall be removable by a special resolution of the  
 company."

Shakespeare says "Security is the mortal's Chiefest enemy".  
 When any one feels that he cannot be removed  
 even in case of gross mismanagement, he naturally  
 tends to be careless, inefficient, irresponsible and  
 unscrupulous like Macbeth. Therefore it is a com-  
 mon fact that sons of rich men, Zemindars Landlords etc., generally  
 become luxurious, careless and corrupted because they feel that they  
 need not care about their livelihood and that even without education  
 and ability they will be able to live comfortably. So with Managing  
 Agents. This is as much beneficial to Managing Agents as to the  
 shareholders. The terror of punishment and the law prevents  
 millions from sins and crimes even if they be inclined towards it. In  
 case Managing Agents are able and efficient, no shareholder will so  
 foolish or regardful of his own interest as to vote for their removal.  
 Hence the Managing Agents will not be injured in any case. Further  
 a special resolution can only be passed by three-fourths majority.  
 Therefore it will be applied only in cases of gross mismanagement  
 and corruption.

Therefore, legislation as suggested above and such other as  
 may be found expedient is absolutely necessary to guard against  
 fraud and provide for better management of Joint Stock Companies.

(6) In sub-section (1) of section 131 of the  
 said Act, the word 'thirteen' shall be  
 substituted for the word 'fifteen' and  
 after sub-section (3), the following  
 new sub-section shall be inserted,  
 namely :—

Amendment  
 of section 131  
 in the Indian  
 Companies  
 Act, 1918.

Present section 131 (1) :—  
 "Every Company shall, once at least in every year  
 and at intervals of not more than fifteen months, cause  
 the accounts of the Company to be balanced and  
 balance sheet to be prepared."

(3) a.—Every company shall hold its annual  
 or half-yearly general meeting con-  
 vened for the purpose of considering  
 and passing the accounts and adopting  
 the balance sheet not later than three months from  
 the date up to which the accounts of the com-  
 pany are Balanced & Audited.

Annual  
 account and  
 balance sheet.

### Appendix "A."

"The firm shall be and continue to be and subject to the direction and control of the Directors shall act as the Managing Agents of the Company for the term of five years at least from the date hereof and thereafter (so long as they are able and willing to act as such) unless and until they be removed by a resolution of the company passed at an extraordinary general meeting duly and especially convened for that sole purpose of which meeting not less than twelve calendar months' previous notice shall be given and where at not less than three-fourths of the Company's Ordinary Share Capital for the time being shall be represented by members entitled to vote attending in person or by proxy or under Power of Attorney and such resolution be duly confirmed at a subsequent Extraordinary General Meeting of the Company to be duly and specially convened for the sole purpose of confirming such resolution and of which last-mentioned meeting not less than six calendar months' notice shall be given."

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**U. S. DEPARTMENT OF LABOR**  
JAMES J. DAVIS, Secretary  
**BUREAU OF LABOR STATISTICS**  
ETHELBERT STEWART, Commissioner

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LABOR LAWS OF THE UNITED STATES SERIES

**LABOR LEGISLATION**  
**OF 1927**



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# BULLETIN OF THE U. S. BUREAU OF LABOR STATISTICS

No. 470

WASHINGTON

OCTOBER, 1928

## REVIEW OF LABOR LEGISLATION OF 1927

### INTRODUCTION

During the year 1927 legislative sessions were held in 46 States and 4 Territories. The sixty-ninth Congress, second session, and seventieth Congress, first session, were in session during the year. The Kentucky and Mississippi Legislatures did not convene. The Virginia and Louisiana Legislatures met in extra session. Besides their regular sessions, Alabama (1926-27), Arizona, New Hampshire, South Dakota, Texas, and West Virginia had extra sessions during the year.<sup>1</sup> The acts of the third session of the seventh legislature of the Philippine Islands, which convened during 1927, were not available, but volumes 21 and 22, containing the first and second sessions of the seventh legislature, covering the period from August 14, 1925, to February 10, 1927, were available and are made use of in this bulletin.

Legislation of interest to labor was enacted in every State in which the legislature met except in Louisiana. The extra sessions held in Louisiana and New Hampshire were called to meet the flood situation in those States.

As was the case with Bulletin No. 403, Labor Legislation of 1925, and Bulletin No. 434, Labor Legislation of 1926, the current bulletin is essentially a supplement to Bulletin No. 370, entitled "Labor Laws of the United States with Decisions of Courts Relating Thereto," containing reprints, abridgments, digests, and references to all labor legislation, with the exception of workmen's compensation laws, up to the beginning of the year 1925. The classification of subjects and method of treatment found in Bulletin No. 370 are followed closely in this bulletin. The subject matter is divided into two parts, the first entitled "Digests and summaries of certain classes of laws affecting labor," which is of general interest to labor, and the second entitled "Text and abridgment of labor laws," containing laws which more directly affect labor. The laws in Part I are classified under appropriate subject headings while those of Part II are under State headings. The cumulative index provides a ready reference to the laws found in this as well as in preceding bulletins.

Workmen's compensation legislation has been considered of sufficient importance to receive separate treatment. Bulletin No. 423, entitled "Workmen's compensation legislation of the United States and Canada, as of July 1, 1926," contains an analysis, a comparison, and the text of the workmen's compensation laws in the United States and Canada. An article appearing in the Monthly Labor Review for January, 1928 (pp. 17-33), presents an analysis of legislation of this type for the year 1927.

<sup>1</sup> See also special sessions of New Jersey, Porto Rico, and Vermont.

## PART I.—DIGESTS AND SUMMARIES OF CERTAIN CLASSES OF LAWS AFFECTING LABOR

The introductory statements found in Part I of Bulletin No. 370 continue to be applicable and therefore are not here repeated.

### APPRENTICESHIP

*Maryland.*—Ch. 186. Repeals art. 6, Annotated Code.

*Michigan.*—Act 211, p. 431. Repeals act 126, Laws of 1883, being secs. 11491 to 11518, inclusive, C. L. 1915. Masters, apprentices, and servants.

*Pennsylvania.*—No. 310. Repeals secs. 575, 576, and 16952, Pa. Stats. Poor children.

No. 454. A general repealing act of all acts general, local, and special which provide for the indenture or binding out of minors, with certain exceptions.

### VOCATIONAL EDUCATION

*Arkansas.*—Act 145. Provides for the creation and maintenance of public schools of vocational training and for cooperation with Federal Government.

*Indiana.*—Ch. 82. Amends sec. 12, ch. 24, Acts of 1913. See also ch. 132, Acts of 1919, and ch. 173, Acts of 1921.

*North Dakota.*—Ch. 82. Merely repeals sec. 7, ch. 203, Acts of 1919, relative to appropriation.

*Washington.*—Ch. 181, sec. 3. Amends sec. 4923, Rem. Code (sec. 5, ch. 160, Acts of 1919). Relative to apportionment of school funds.

*Wisconsin.*—Ch. 425, sec. 119. Amends sec. 41.13.

### SCHOOLS FOR EMPLOYED CHILDREN

*Florida.*—Ch. 12205. Authorizes county boards of public instruction to establish public evening schools for those unable to attend any day public school.

*Michigan.*—Act 319, Part II, ch. 23. Act 15, Acts of 1921, first extra session, incorporated into a general school act.

*Nebraska.*—Ch. 82. Authorizes the local school board to establish classes in school buildings and in industrial establishments for instruction of foreign-born and native adults and minors over 16 years of age.

*Washington.*—Ch. 181, secs. 1 and 2. Amends secs. 4911, 4917, Rem. C. S. 1910 (secs. 6 and 12, ch. 151, Acts of 1919) relative to apportionment of funds.

### MOTHERS' PENSIONS

*Arkansas.*—Act 78. Amends sec. 12 of act 326, Acts of 1917 (sec. 8233, C. & M. Dig.), amended by sec. 1, act 56, Acts of 1923.

- Florida*.—Ch. 12000. Amends secs. 1 and 3, ch. 7920, Acts of 1919.
- Illinois*.—Pp. 196 and 197. Amends sec. 16, Acts of 1913. (R. S. ch. 23, sec. 313.)
- Iowa*.—Chs. 72 and 73. Amends sec. 3641, Code of 1924.
- Minnesota*.—Ch. 320. Amends sec. 8676, G. S., 1923, relating to investigators.
- Ch. 362. Repeals secs. 8684 and 8685, G. S., 1923, relating to the payments by the State to the counties.
- Missouri*.—P. 127. Amends sec. 12581, art. 24, ch. 111, R. S. 1919, relative to amount paid. A new section, 12590a, provides for co-operation with the State board of charities and corrections.
- Montana*.—Ch. 12. Amends sec. 10482, R. C. 1921, relative to conditions for allowances.
- Nebraska*.—Ch. 149. Amends secs. 3479 and 3481, C. S. 1922. Fixes 16 instead of 14 as limit for age of children.
- New Hampshire*.—Ch. 87. Amends secs. 40 and 44, ch. 116, P. L. 1926.
- New York*.—Ch. 684. Amends sub. 1, ch. 29, sec. 153, Acts of 1909, as added by ch. 228, Acts of 1915, and amended by ch. 458, Acts of 1924, and ch. 527, Acts of 1927, granting relief to mother whose husband is suffering from tuberculosis.
- North Dakota*.—Ch. 176. Amends sec. 2546a6, C. L. 1913.
- Oregon*.—Ch. 337. Amends sec. 3322 (amended by ch. 202, Acts of 1921) and sec. 3337, G. L., 1920.
- Washington*.—Ch. 20. Repeals ch. 179, Acts of 1913.
- Wisconsin*.—Ch. 273. Amends subsection (2) of sec. 48.33, Wis. Stats. (See, also, ch. 374, relative to use of term "aid for dependent children" instead of "mother's pensions.")

## EXAMINATION, LICENSING, ETC., OF WORKMEN

## AVIATORS

- Arkansas*.—Act 17, sec. 4. Provides for licensing of pilot—fee, \$10; commercial pilot, \$50. Licenses issued by State board of aviation.
- Colorado*.—Ch. 64 (new act). Provides for examination and licensing of airmen. Licenses are issued by the "commission of aeronautics."
- Connecticut*.—Ch. 324. New act concerning aviators. See also ch. 249, Acts of 1925.
- Hawaii*.—Act 238. Amends secs. 3894, 3900, and 3901, and repeals sec. 3902, ch. 214, R. L. 1925. Power of examination and licensing of commercial aeronauts invested in the territorial aeronautical commission.
- Michigan*.—Act 138. Requires pilots of aircraft to possess commercial pilot certificate issued by United States Department of Commerce.
- Pennsylvania*.—No. 250. Persons other than members of the State or United States service must have license from the department of internal affairs.

## BARBERS

*California*.—Ch. 853 (new act). Establishes a State board of barber examiners; all barbers to be registered. Fee for examination, \$10; apprentice fee, \$5.

*Idaho*.—Ch. 245 (new act). The department of law enforcement authorized to conduct examinations and grant certificates of registration. Applicant must be 18 years of age. Fee, \$10; apprentice, \$5. Licenses must be renewed annually.

*Illinois*.—P. 187. Act amends secs. 7 and 8 and adds sec. 8½, Acts of 1909. (R. S., ch. 16b, secs. 7 and 8.) Increasing qualifications for registration.

*Iowa*.—Ch. 48 (new act). Board of barber examiners of 3 members, appointed by the governor.

*Kansas*.—Ch. 244. Amends secs. 65-1803, 65-1804, 65-1806, 74-1801, 74-1803, and 74-1804, R. S. 1923, relative to fees and barber examiners.

*Michigan*.—Act 382. New act regulating barbering; repeals act 387, Acts of 1913, being secs. 6828 to 6849, C. L. 1915, as amended.

*Minnesota*.—Ch. 316. Repeals ch. 424, Laws 1921, ch. 252, Laws 1925, and secs. 5823 to 5846, G. S. 1923, and enacts a new law.

*Nebraska*.—Ch. 163 (new act). Establishes a board of barber examiners of three members. Fee for examination for registration, \$10; issuance of certificate, \$2. Apprentice fee, \$5; issuance of certificate, \$1. Preliminary education examination fee, \$3. Renewal of certificate to practice barbering, \$3; apprentice renewal, \$1.50.

*North Dakota*.—Ch. 101. Amends and reenacts secs. 560, 566, 567, and 571 of art. 22, C. L. 1913.

*Oregon*.—Ch. 365. Repeals secs. 8267 and 8269 to 8278 and extends the regulations relative to the business of barbering. Fees: For examination, \$10; issuance of certificate, \$2; renewal fee, \$2. Apprentice, \$5; certificate, \$1; renewal fee, \$1. Preliminary education examination, \$3.

*South Dakota*.—(New act) ch. 61. Applicant must be 18 years of age. Fees: For examination, \$10; certificate, \$2; renewal fee, \$5; apprentice, \$5; certificate, \$1; renewal fee, \$3.

*Utah*.—Ch. 72. Repeals ch. 122, Acts of 1925, and enacts a new act regulating the practice, examination, and licensing of barbers.

*Washington*.—Ch. 211. Amends secs. 1, 4, 6, 7, 10 to 14, and 17, ch. 75, Acts of 1923, and adds two new sections, 2A and 3A. Relative to qualifications.

*Wisconsin*.—Ch. 195. Amends subsec. (8) of sec. 20.43, secs. 158.01, 158.02, 158.04, 158.06, 158.08, 158.10, 158.11 and enacts subsec. (3) of sec. 158.07, and subsec. (2) of sec. 158.08, Wis. Stats.

## BEAUTY PARLORS

*California*.—Ch. 845 (new act). Licensing of shops and persons required. Applicants must be 18 years of age. Fee for examination for registration of hairdresser and cosmetician, \$15; permanent waver and electrologist, \$10; manicurist, \$5.

*Connecticut*.—Ch. 303 (new act). Repeals ch. 216, Acts of 1925.

*Iowa*.—Ch. 49. Providing for a board of 3 cosmetology examiners appointed by the governor.



*Kansas.*—Ch. 245. Providing for a board of examination and registration of cosmetologists.

*Minnesota.*—Ch. 245.—Applicants must be 16 years of age. Fee for license of operator, \$5; renewal fee, \$2. Manager-operator license, \$10; renewal fee, \$3. Fee for temporary license, \$1.

*Missouri.*—P. 272. Repeals law enacted in 1925, pp. 240-253, secs. 1-27.

*North Dakota.*—Ch. 157. Creates a board of three members appointed by the governor. Applicant must be 16 years of age. Examination fee, \$5. Fee for registration of instructors, \$10. Practitioners from other States may register without examination; fee, \$15.

*Oregon.*—Ch. 192 (new law). Age, 18; fee for certificate of registration for examination, \$5; certificate of school approval, \$25; registration by reciprocity, \$10; apprentice, \$1.

*Rhode Island.*—Ch. 1026. Amends secs. 3, 4, 6, 9, 12, 15, and 18, ch. 765, Acts of 1926, in minor details.

*South Dakota.*—Ch. 77 (new act). Registration required. Examination fee, \$10.

*Utah.*—Ch. 26. Amends ch. 123, Act of 1925.

*Washington.*—Ch. 281 (new act). Registration required. Fees—license as operator \$2, manager \$5, owner \$10; annual renewal license fee, \$1, \$2, \$5, respectively.

*Wisconsin.*—Ch. 150. Amends subsec. (1) of sec. 159.01 and secs. 159.02, 159.03, 159.05, par. (a), of sec. 159.08, and secs. 159.10, 159.12, 159.15, and 159.16 of Stats. of 1923, and ch. 68, Acts of 1925.

#### CHAUFFEURS

*Arkansas.*—Act 213. Amends par. K, sec. 36, act 5, Acts of 1923, by exempting persons delivering farm products by motor truck.

*California.*—Ch. 752, sec. 17. Amends ch. 239, sec. 63, Acts of 1925.

*Georgia.*—Act 358, p. 226. Amends act 262, Laws of 1921.

*Vermont.*—No. 74. Amends secs. 3, 38 to 40, 42 to 45, and 48, of No. 70, Acts of 1925. Increasing fee for operator's license.

No. 76. Amends sec. 3, par. 11, and sec. 65 of No. 70, Acts of 1925.

#### ELECTRICIANS

*North Dakota.*—Ch. 139. Amends secs. 2, 4, and 7 of ch. 123, Acts of 1919, relative to fees and penalties.

#### HOISTING-MACHINE OPERATORS

*Massachusetts.*—Ch. 298. Amends sec. 57, ch. 146, G. L. Fees increased to \$3.

#### OPERATORS OF MOVING-PICTURE MACHINES

*Maryland.*—Ch. 631. Amends art. 4, Code of Public Local Laws (1915) 691e; applicable to city of Baltimore. A restricted license granted, without original or renewal license fee, to operators desiring to work without compensation for State, religious, or charitable institutions exclusively.

*Massachusetts.*—Ch. 82. Amends sec. 85, ch. 143, G. L. Special licenses for operators in churches, schoolhouses, and public institutions. Fee, \$2.

*Pennsylvania.*—No. 299, sec. 7. Requires licensing of projectionists.

#### PLUMBERS

*Florida.*—Ch. 12196. Amends secs. 7, 10, and 12, ch. 10207, of the Laws of 1925. Empowers plumbing commissioners to revoke license for fraud, etc.

*Massachusetts.*—Ch. 154. Amends ch. 142, G. L., sec. 5 (amended by sec. 4, ch. 348, Acts of 1925). Fees: For masters' license, \$15; renewal, \$5; journeyman's license, \$5; renewal, \$2; for examination, \$5.

*Missouri.*—P. 383. Act amends sec. 1, p. 558, Acts of 1921. Provisions to apply to counties with 100,000 inhabitants instead of 80,000.

*South Carolina.*—Ch. 138. Merely restates provisions of Acts of 1914, ch. 386 (Am. extra sess. 1914, ch. 8), except that census of 1920 adopted in determining population of cities.

#### STATIONARY ENGINEERS

*Massachusetts.*—Ch. 296. Amends sec. 60, ch. 146, G. L. Fee, \$15 for inspectors of boilers for insurance company. Also sec. 63 is amended—provides for fee of \$15 on appeal.

Ch. 298. Amends sec. 57, ch. 146, G. L. Fees, first and second class engineer's license, \$7; for third, fourth, or portable class, or a steam fire engineer's license, \$3; for an extra first class, a first or second class fireman's license, \$2; and for a license for operating hoisting machinery not run by steam, \$3. No application to be made oftener than once in 90 days. Fee for examination on appeal, \$1.

*Minnesota.*—Ch. 378. Amends sec. 5474, ch. 31, G. S. 1923, relative to appointment of boiler inspectors and their duties.

#### EMPLOYEES ON VESSELS

*Florida.*—Ch. 12194. Amends ch. 10202, Acts of 1925, providing for the licensing of two pilots for the port of Palm Beach.

*Oregon.*—Ch. 295. Amends secs. 7731 and 7737, G. L. 1920. Relative to fees of pilots and pilot commissioners.

#### EMIGRANT AGENTS

*Georgia.*—Act 398, par. 51, p. 72. Bond must be given conditioned to pay any debt owing to State by person taken from State.

*West Virginia.*—Ch. 16. Amends ch. 32, sec. 109, Code (amended by ch. 36, Acts of 1923), by increasing license tax of labor agency to \$5,000.

#### MECHANICS' LIENS

*Alaska.*—Ch. 6. Amends sec. 6, ch. 13, Laws of 1915, as amended by ch. 8, Laws of 1925, by increasing the time limit within which claim of lien must be filed by laborers and miners from 60 to 90 days.

Ch. 7. Repeals sec. 4, ch. 42, Laws of 1925, limiting property affected by a lien.

*Arkansas*.—Act 24. Amends C. & M. Dig., sec. 2552. Vendor's title.

*California*.—Ch. 505, sec. 1. Amends sec. 3065, Civ. Code (Stat. 1905, p. 619). Logger's and lumbermen's lien.

*Connecticut*.—Ch. 198, sec. 1. Amends, sec. 5210, G. S. Procedure as to release of artificer's lien.

*Delaware*.—Ch. 184. Gives lien to owners of threshing machines upon grain threshed.

*Florida*.—Ch. 12079. Amends sec. 3519, R. G. S. 1920, relative to procedure.

*Georgia*.—Act 173, p. 218. Gives lien to jewelers, for repairs of watches, jewelry, and similar articles.

*Idaho*.—Ch. 182. Amends sec. 7373, ch. 267, C. S. (as amended by ch. 33, Laws of 1923). Must file claim within 90 days.

*Illinois*.—P. 597. Amends sec. 23, act of 1903 (R. S., ch. 82, sec. 37). Lien against public funds.

P. 598. Adds sec. 50a to act of 1874, as amended. Lien on crops for services.

*Indiana*.—Ch. 189. Lien for storage, labor, etc., of motor vehicles.

*Massachusetts*.—Ch. 210. Amends ch. 255, G. L., by adding sec. 31c. Gives a lien to person performing work on watches, jewelry, and similar articles.

*Michigan*.—Act 380. Amends sec. 2, act 312, Acts of 1915, relative to liens protecting garage keepers.

*Minnesota*.—Ch. 343. Amends sec. 8529, G. S. 1923. Liens on logs and timber.

*Montana*.—Ch. 130. Amends sec. 8385, R. C. 1921, relating to agistors' liens.

*New Hampshire*.—Ch. 88. Amends sec. 12, ch. 217, P. L. 1926, relative to State public words.

*New Jersey*.—Ch. 241. Permits the filing of a bond.

*Oklahoma*.—Ch. 42. Amends sec. 7464, C. S. 1921, in minor detail. Oil and gas well liens,

*South Dakota*.—Ch. 160. Creates a lien in favor of garage keepers, etc., for repairs, care, and housing of motor vehicles.

*Tennessee*.—Ch. 35. Amends sec. 1, ch. 103, Acts of 1889, so as to effect the extent and purpose of ch. 144, Acts of 1925. Extension of time and scope of liens enlarged.

*Washington*.—Ch. 256. Liens upon crops. Certain statutes and ch. 176, Acts of 1919, are repealed.

*Wisconsin*.—Ch. 320. Creates subsec. (3) of sec. 289.50, Wis. Stats. 1923, relative to liens for threshing.

*Wyoming*.—Ch. 77. Amends secs. 1 and 2, ch. 16, Acts of 1925. Thresher men's liens.

#### PROTECTION OF WAGES OF EMPLOYEES, ETC., OF CONTRACTORS

*Alabama*.—Act 39. Requires a bond be given for the protection of labor on the construction of public works. See Act 347. Requires bonds for labor on public roads.

*California*.—Ch. 146. Amends sec. 1, ch. 321, Acts of 1925. Public works.

Ch. 388, sec. 1. Amends sec. 19, ch. 297, Acts of 1919.

Ch. 482. Amends sec. 8, ch. 496, Acts of 1911.

Ch. 690, sec. 3. Contractor's bond required on county and municipal highways.

Ch. 705. Amends sec. 9, ch. 566, Acts of 1913.

Ch. 741, sec. 1. Amends sec. 6½, ch. 298, Acts of 1919. Filing of bond.

*Connecticut*.—Ch. 121. Amends sec. 5221, G. S. Public works.

*Michigan*.—Act 167. Amends sec. 2, Act 187, Laws of 1905 (C. L. 14828), amended by Act 384, Laws of 1925. Relative to notice required by subcontractors.

*North Carolina*.—Ch. 151. Amends sec. 2445, C. S. 1919. Public works.

*Pennsylvania*.—Ch. 336, p. 580. Bonds from contractors engaged on borough work required.

*Texas*.—Ch. 39 (first called session). Amends art. 5160, R. C. S. 1925. Contracts for public buildings and works.

*Washington*.—Ch. 220. Provides for liability over a longer time in certain cases in which claim for wages and material may be filed.

#### LIABILITY OF STOCKHOLDERS OF CORPORATIONS FOR WAGE DEBTS DUE EMPLOYEES

*Wisconsin*.—Ch. 534, sec. 55a. Amends sec. 182.23, Wis. Stats. Makes more definite the amount of liability.

#### ASSIGNMENT OF WAGES—WAGE BROKERS

*Alabama*.—Act 268. Small loans act, for loans \$100 and less.

*Connecticut*.—Ch. 100. Provisions of ch. 219, Acts of 1919 (amended ch. 223, Acts of 1923), relative to small loans not to apply to corporations organized as industrial banks under ch. 196, Acts of 1919, and ch. 57, Acts of 1923.

Ch. 233. Amends sec. 14, ch. 219, Acts of 1919. Small loans.

*Missouri*.—P. 252. Licensing and regulating business of small loans. Also repeals sec. 3349, art. 5, ch. 24, R. S. 1919.

*Rhode Island*.—Ch. 1060. Amends ch. 427, Acts of 1923, by adding sec. 24, relative to business of making small loans.

*Texas*.—Ch. 17 (first called session). Amends arts. 6162 to 6165, tit. 107, R. C. S. of 1925, relative to loan brokers.

*Wisconsin*.—Ch. 540. Creates ch. 214 and subsec. (1a) of sec. 20.53, Wis. Stats., relating to the regulation of the business of making small loans.

#### SUNDAY LABOR

*New Jersey*.—Ch. 116. Prohibits engaging in the business of barbering.

#### LEGAL HOLIDAYS IN THE STATES AND TERRITORIES

The following States designated November 11th a legal holiday to be known as Armistice Day:

Connecticut, ch. 23.

Maryland, ch. 289.

- Ohio (p. 64). Sec. 5977 of Code amended.  
 Washington, ch. 51.  
 West Virginia, ch. 59.  
 May 30 is made a legal holiday in Florida (ch. 12101), to be known as "National Memorial Day."  
 June 20 is made a legal holiday in West Virginia (ch. 59), to be known as "West Virginia Day."  
 February 12, Lincoln's Birthday, and October 12, Columbus Day, were declared holidays in Oregon, ch. 252.

#### RAILROADS—SAFETY APPLIANCES, ETC.

*Michigan.*—Act 102. Provides that all snowplows, or other cars equipped with devices for clearing the tracks of snow coupled ahead of the locomotive or motor, must be equipped with a proper signaling and air-braking device.

#### BAKERIES AND THE PREPARATION AND DISTRIBUTION OF FOOD PRODUCTS

- Idaho.*—Ch. 116. Amends ch. 91, Laws of 1925. Provisions of ch. 91 made applicable to bakeries and candy makers.  
*Pennsylvania.*—No. 283 (new act). (See No. 169, Acts of 1921.) Regulates public eating and drinking places.  
*Wisconsin.*—Ch. 272. Amends sec. 98.19, Wis. Stats.

#### REGULATIONS GOVERNING LAUNDRIES

*Maryland.*—Ch. 510. (Provisions apply only to Baltimore City and County.)

#### RIGHT OF ACTION FOR INJURIES CAUSING DEATH BY WRONGFUL ACT

*Massachusetts.*—Ch. 213. Amends sec. 9, ch. 229, G. L., by increasing the maximum amount of damages recoverable to \$10,000.

#### VOCATIONAL REHABILITATION—STATE AND FEDERAL COOPERATION

- Florida.*—Ch. 11834. Original acceptance and appropriation to carry out the act of Congress.  
*Montana.*—Ch. 1. Amends ch. 20, Laws of 1925 (R. C. secs. 3044-3051).  
*New York.*—Ch. 487. Amends ch. 21, sec. 602, Laws of 1909 (amended by ch. 531, Acts of 1919).  
*Rhode Island.*—Ch. 1039. Amends G. L., ch. 79, by adding sec. 7, relative to a provision for maintenance during the period of rehabilitation, and making an appropriation therefor.  
*South Carolina.*—Ch. 130. Original acceptance.  
*Wisconsin.*—Ch. 363. Amends subsec. (4), sec. 20.33, Wis. Stats. Increases annual appropriation to \$38,000 as State aid.  
 Ch. 425, sec. 162. Renumbers sec. 41.215 as sec. 41.71 and also amends it.

## OLD-AGE PENSIONS

*Arkansas.*—S. Con. Res. No. 10. See under "Investigative commissions."

*Colorado.*—Ch. 143. County boards by two-thirds vote may establish a system of old-age pensions. The plan may be abandoned after one year or more. Pension shall not exceed \$1 per day. Payments granted to persons 70 years of age or over, who have been citizens of the United States continuously for 15 years, and resided in the State and county or city and county for 15 years; who are not at the time of making application inmates of any jail, asylum, correctional or charitable institution, or have not been imprisoned for a felony 10 years immediately preceding such date, or have not deserted wife or husband for 6 months or more during the preceding 15 years, or been an habitual vagrant or beggar, or who do not themselves or jointly with a wife or husband own property exceeding \$3,000, or who has deprived himself of property for the purpose of qualifying for a pension, or has a child or other person responsible for and able to give support. On the death of any person pensioned, the amount paid may be deducted from the estate he may leave, with 3 per cent interest annually.

*Maryland.*—Ch. 538. County commissioners of any county (also the mayor and council of the city of Baltimore) authorized to establish an old-age pension system which may be abandoned after one year's operation. Pensioner must be 65 years of age, a citizen of the United States 15 years, and resident of State and county 15 years immediately prior to date of application. Other conditions very similar to the provisions of the Colorado law above.

## RETIREMENT OF PUBLIC EMPLOYEES

Only acts of a general nature applicable to employees of State, county, or municipality are included. Laws relating to retirement of special classes of employees are omitted.

*Alabama.*—Act 365. Employees of cities of 50,000 and not more than 150,000 except the police and fire departments. Contributory. See also acts 364, 534.

*Florida.*—Ch. 12293. Retirement of State officials and State employees after 45 years of service and 65 years of age. Receives one-half the annual or monthly salary received prior to such retirement. Noncontributory.

*Georgia.*—Act 207, p. 268. Retirement of certain municipal officers in cities of over 150,000 after 25 years' service on half pay. Contributory.

Act 218, p. 262. Retirement of employees of counties of over 200,000 after 25 years of service, or those totally disabled. Receive one-half salary received at time of retirement. Contributory. Provides also for payments to widow or dependents upon death of pensioner.

Act 318, p. 265. Retirement of city employees in cities of over 150,000 after 25 years' service on half pay. Contributory.

*Hawaii.*—Act 223. Amends secs. 3 and 4, act 55, Laws of 1925. Territorial employees.

Act 251. Retirement system for city and county employees. Contributory.

*Illinois.*—P. 261. Amends sec. 11, p. 211, Acts of 1921. Municipal employees in cities exceeding 200,000 population.

P. 265. Amends sec. 1, Acts of 1911 (R. S., ch. 24, sec. 741), as subsequently amended. Municipal employees in cities exceeding 100,000 population.

Pp. 373, 374. Amend secs. 11 and 19, Acts of 1925. County employees in counties exceeding 500,000 population.

P. 375. Amends sec. 1, Acts of 1915 (R. S., ch. 34, sec. 157). County employees in counties exceeding 150,000 population.

*Massachusetts.*—Ch. 101. Amends sec. 5, G. L. 32, by adding a new paragraph (2) C (d) concerning crediting of interest.

*Minnesota.*—Ch. 190. Relates to the payment of retirement allowance to employees in certain cities.

*New Jersey.*—Ch. 18. Extends retirement benefits to those reentering State service. Supplements ch. 109, Acts of 1921.

Ch. 256. Amends ch. 127, Acts of 1922. Reduces period of employment for county employees to 25 years.

*New York.*—Ch. 171. Amends ch. 15, sec. 52, subd. 1, par. d, Acts of 1909 (amended ch. 280, Acts of 1926). State hospital service.

Ch. 174. Amends ch. 15, sec. 53, subd. 5, Acts of 1909 (amended ch. 318, Acts of 1926). Prior service under retirement act.

Ch. 578. Amends ch. 15, sec. 50, subd. 8, Acts of 1909 (amended by ch. 669, Acts of 1925). Civil service retirement law.

Ch. 707. Amends ch. 466, sec. 1700, subd. 9, Acts of 1901 (amended by ch. 427, Acts of 1920). New York City employees' retirement system.

*Pennsylvania.*—No. 55. Amends par. 9, sec. 1, No. 331, Acts of 1923. State employees.

No. 64. Amends No. 259, secs. 4 and 5, Acts of 1915 (amended by No. 404, Acts of 1925). Employees of cities of the second class.

No. 164, secs. 30 and 42. Amends secs. 443 and 808, No. 274, Acts of 1923, Administrative Code, relative to the personnel, powers, and duties of the State employees' retirement board.

No. 214. Amends sec. 3, No. 331, Acts of 1923, eliminating certain State officers from the provisions of the retirement act.

No. 249. Amends par. 6, sec. 1, No. 331, Acts of 1923. Provisions of act include employees in office of a register of wills.

*Philippine Islands.*—No. 3233. Amends sec. 5, No. 2589, relative to reappointment of persons retired. (Effective November 27, 1925.)

No. 3304. Amends sec. 1, No. 2589, relative to gratuities. (Effective December 2, 1926.)

*United States.*—Ch. 346 (44 Stat. 1380). Amends act of May 22, 1920 (41 Stat. 614). Time requirement for certificate omitted.

#### COOPERATIVE ASSOCIATIONS

*Minnesota.*—Ch. 15. Relative to renewal of corporate existence.

Ch. 23. Relative to issuance of stock.

Ch. 25. Authorizes the holding, etc., of capital stock of other corporations.

Ch. 66. Amends ch. 192, Acts of 1925, repeals part of ch. 326, G. L. 1923, and provides for the sale of securities of cooperative associations.

*Nebraska*.—Ch. 50. Amends secs. 650, 651, and 655, C. S. 1922, relative to filing articles of association.

*Wisconsin*.—Ch. 75. Amends subsec. (1), sec. 185.16, relating to the distribution of net proceeds.

Ch. 166. Creates subsec. (5), sec. 185.16, relating to the dissolution of cooperative associations.

Ch. 167. Provides for the renumbering of subsec. (7), sec. 185.08, to be subsec. (8), and the creation of subsec. (7), sec. 185.08, relating to contracts with cooperative associations.

#### CREDIT UNIONS

*Alabama*.—Act 597. Provides for organization, etc., of credit unions.

*California*.—Ch. 36. Relates to incorporation, powers, and management of credit unions.

*Missouri*.—P. 164. Provides for the organization of credit unions in the State.

*Wisconsin*.—Ch. 284. Amends sec. 186.12, Wis. Stat. Compensation of officers.

#### PREFERENCE FOR LOCAL LABOR AND DOMESTIC MATERIALS ON PUBLIC WORKS

*Arizona*.—Ch. 2, sec. 18(c) (fourth special session). All labor on State work shall be done by citizens of the State, who have been residents thereof not less than one year.

Ch. 95, sec. 3. Provision of appropriation act; only citizens or wards of United States to be employed; resident citizens of State preferred.

*Arkansas*.—Act 103. Specifying that materials produced in the State be used in highway construction.

*Connecticut*.—Ch. 264, sec. 19. Veterans to have preference for employment in public service.

*Iowa*.—Ch. 27. Preference for products made within the State.

*Montana*.—Ch. 133. Amends sec. 5653, R. C. of 1921. Adds preference to any disabled civilian recommended by the State rehabilitation bureau.

H. J. Res. No. 4, p. 589. Requests that repairs on railroad equipment be done in shops by workmen employed in the State.

#### RATE OF WAGES OF EMPLOYEES ON PUBLIC WORKS

*New York*.—Ch. 563. Repeals ch. 50, sec. 220, subd. 5, Acts of 1921, and creates new subd. 5, defining the "prevailing rate of wage" and "locality," and adds four new subdivisions. This act was probably passed because of *Cennally v. General Construction Co.*, 269 U. S. 385, holding Oklahoma rate of wage law void for uncertainty.

#### LIABILITY OF EMPLOYERS FOR TAXES OF EMPLOYEES

*Idaho*.—Ch. 16. Amends sec. 1527, ch. 66, C. S. Exemption of certain employees.

#### INDUSTRIAL POLICE

*Indiana*.—Ch. 18. Repeals ch. 159, Acts of 1925. New act provides for the appointment and commissioning of railroad policemen.



*Ohio.*—P. 236 (secs. 9150 and 5191) of code amended. Extends act to banks. Fee for commission, \$5; for certified copy, 50 cents.

*Oregon.*—Ch. 13. Amends sec. 5969, G. L. (amended by ch. 69, Acts of 1921), by omitting number of persons to be designated as policemen by railroad or steamboat company.

#### TRADE-MARKS OF TRADE-UNIONS

*New York.*—Ch. 166. Amends ch. 50, sec. 208, Acts of 1921, so as to require registration with the department of state instead of the secretary of state.

#### TIME TO VOTE TO BE ALLOWED EMPLOYEES

*Illinois.*—P. 459, par. 7. Consent of employer requisite for person to absent himself for purpose of voting.

*New Mexico.*—Ch. 41, sec. 705. Two hours allowed for voting on election day. Secs. 2015, 2016, G. S. 1915, repealed.

#### ABSENT VOTERS

*Arizona.*—Ch. 80. Amends ch. 8, tit. 11, Civil Code of 1913 and ch. 75, secs. 1, 2, and 13, Acts of 1925 by extending law to school elections. See also ch. 87, sec. 23.

*Arkansas.*—Act 98. See sec. 3810-17, C. & M. Dig. Extends provisions to voters out of the State.

*California.*—Ch. 362. Amends ch. 283, Laws of 1923. Liberalizes absent voting law.

*Colorado.*—Ch. 96. Amends secs. 7728, 7729, 7732, 7733, ch. 157, C. L. 1921. Miscellaneous changes in law.

*Florida.*—Ch. 11824. New act. Apparently limited to the State.

*Indiana.*—Ch. 29. Repeals absent voters law, ch. 100, Acts of 1917, and amendments, ch. 156, Acts of 1919, and ch. 170, Acts of 1919.

*Iowa.*—Ch. 21, sec. 12. Relative to the registration of absent voters.

*Minnesota.*—Ch. 77. Amends secs. 497 and 499, G. S. 1923, relative to application for ballot.

*Missouri.*—P. 198. Registration in counties of 100,000 inhabitants.

*Nevada.*—Ch. 113. Amends ch. 90, Acts of 1921, as amended, ch. 117, Acts of 1923.

*New Mexico.*—Ch. 41, sec. 333. Repeals sec. 14, ch. 89, Acts of 1917. Absentee voting still limited to voters within the State.

*New York.*—P. 1778 (Con. Res.). Proposes an amendment to the constitution.

*North Carolina.*—Ch. 260. Amends sec. 5960, ch. 97, C. S.

*South Carolina.*—Ch. 210. Amends ch. 540, Acts of 1924.

*Utah.*—Ch. 24. Amends sec. 2120X, ch. 76, Acts of 1925, relative to registration.

Ch. 25. Amends sec. 3, ch. 42, Acts of 1919. Absent-voter ballot.

*Vermont.*—No. 1. Amends sec. 3, No. 7, Acts of 1919, as last amended by No. 4, Acts of 1925, and sec. 3, No. 5, Acts of 1925 (repealed by No. 2).

No. 2. New absent voting law. Repeals No. 7, Acts of 1919 as amended and No. 5, Acts of 1925, as amended.

*Wisconsin.*—Ch. 239. Amends sec. 11.62, Wis. Stats. Slight changes.

Ch. 271. Amends sec. 11.57, Wis. Stats. Slight changes.

#### CONVICT LABOR

*Alabama.*—Acts 70, 72. Prohibit the employment of convicts in coal mines, and the hiring or leasing of them.

Act 347, sec. 37. Amends sec. 1337, Code 1923, relating to charge for labor of convicts worked on roads. Sec. 1359 is not reenacted. The State highway department is not now limited to working State convicts but may apparently use county convicts also.

*Arizona.*—Ch. 58. Amends ch. 9, tit. 50, Civil Code of 1913, relating to the employment on public highways of persons convicted of crime. See also ch. 2, fourth special session, p. 21.

*Arkansas.*—Act 170. Amends sec. 2, act 152, Acts of 1925. State convicts on farm lands.

*California.*—Ch. 479. Prison labor on highways. See also ch. 655.

Ch. 637. Fixes price of jute goods.

Ch. 653. Amends ch. 316, Acts of 1923, by adding secs. 9 and 10, relative to civil rights of convicts, and making an appropriation for paying of convicts on State highways.

*Colorado.*—Ch. 63. Amends sec. 3, ch. 141, p. 405, Laws of 1925, relative to manufacture of automobile license plates.

Ch. 142. Amends sec. 783, C. L. 1921. Prohibits sale of its convict-made goods in the State in competition with free labor. Provides a fine of \$300 to \$1,000, or imprisonment of 3 months to 2 years, or both.

*Connecticut.*—Ch. 88. Amends sec. 1933, G. S., relative to employment of convicts outside the prison walls.

*Idaho.*—Ch. 74. Amends sec. 9431 of ch. 337, C. S., relative to payment of county convicts for labor on public works. Twenty-five per cent of the proceeds of such labor to be paid unmarried convict, 75 per cent to be paid to the family of a married convict.

*Iowa.*—Ch. 78. Amends sec. 3757, Code of 1924, by striking out the figures "1927" in line 19, and inserting in lieu thereof the figures "1929." Trustees may be employed in the repair and construction of bridges and roads and in the construction of walks, etc., within State parks.

*Kansas.*—Ch. 46, sec. 8. Provides for use of material and labor from State penitentiary.

Ch. 238. Relates to employment of county prisoners.

Ch. 811. Authorizes sale of surplus coal and brick to State institutions. Sec. 76-2440, R. S. of 1923, is repealed.

Ch. 312. Manufacture of automobile license tags and road markers for the State.

Chs. 313, 314. Amend secs. 76-2321 and 76-2426, R. S. 1923, relative to the payment of wages to convicts.

Ch. 315. Authorizes use of prison labor on construction and repair of public buildings.

*Maryland.*—Ch. 655. Adds four new sections to art. 12, Pub. Local Laws; viz, secs. 254A, 254B, 254C and 254D. Employment of persons committed to jail. Limited to Garrett County.

*Massachusetts.*—Ch. 289. Amends ch. 125, G. L., by adding secs. 41A, 41B, 41C, 41D and 41E. Also amends secs. 2, 3 (as amended by sec. 76, ch. 362, Acts of 1923), sec. 4 and sec. 49 of ch. 125, G. L., and sec. 51 of ch. 127, G. L., relative to establishment of State prison colony.

*Michigan.*—Act 316. Amends act 181, Pub. Acts 1911 (C. L. 1915, secs. 1814-1817), relative to employment of convicts upon public highways.

*Minnesota.*—Ch. 142. Authorizes the establishment of county work farms in connection with certain county poor farms.

Ch. 172. Amends sec. 10615, G. S. 1923, relative to manufacture of hay loaders in State prison.

*Missouri.*—P. 363. Relates to the employment of incorrigibles.

P. 365. Relates to the establishment of an intermediate reformatory and the hours, wages and work of convicts.

P. 382. Authorizes use of prisoners to quarry limestone.

*Montana.*—H. B. No. 124, p. 526. Manufacture of auto license number plates, road markers and street markers, etc.

Ch. 152. Authorizes the manufacture of wearing apparel. State use.

*New Hampshire.*—Ch. 112. Amends sec. 22, ch. 397, P. L. 1926, authorizing the county commissioners exclusively, instead of sheriffs, to work county prisoners.

*New Jersey.*—Ch. 319, sec. 112. Provides for convict labor on the construction of roads taken over as State highways.

*New York.*—Ch. 87. Amends ch. 268, sec. 117a, Acts of 1924, and is renumbered sec. 112, relative to marketing prison-made goods.

Ch. 285. Amends ch. 47, sec. 46, Acts of 1909 (as amended ch. 454, Acts of 1925), relative to powers of commission of correction.

*North Carolina.*—Ch. 219, sec. 4. Use of convict labor on construction of buildings at industrial farm colony for women.

*North Dakota.*—Ch. 119. Relative to employment of county convicts.

*Ohio.*—P. 474. Sec. 1205, Gen. Code, amended (highway act). Authorizes use of prisoners on road work and preparation of road material.

P. 502. Sec. 1224-1, Gen. Code, amended, relative to use of prison-made material.

*Oklahoma.*—Ch. 64. Provides for the erection of a new cell house at State penitentiary by labor of inmates.

Ch. 115. Amends secs. 1 and 2, ch. 108, Acts of 1923-24, relative to harness and shoe factory at the reformatory.

Ch. 234. H. J. R. No. 30 authorizes the manufacture of bagging and ties for cotton at two penal institutions.

*Oregon.*—Ch. 7. Amends sec. 1, ch. 56, Acts of 1921. Authorizes the executive head of the State penitentiary, under the direction of State board of control, to employ paroled convicts at any wood camp.

Ch. 8. Amends sec. 1, ch. 275, G. L. 1921, on disposition of convict's wages.

Ch. 10. Amends sec. 1, ch. 224, Acts of 1921, giving State board of control authority to equip, etc., plants for employment of convicts.

*Pennsylvania.*—No. 13, sec. 5, relative to employment of woman inmates.

No. 164, sec. 62. Amends sec. 2012, Acts of 1923, authorizing the establishment of a printing industry for prison labor.

No. 399. Relative to employment of convicts on construction at the Eastern State Penitentiary.

No. 440. Amends No. 136, Acts of 1925, relative to sale of surplus prison-made products.

*South Dakota*.—Ch. 203. Amends secs. 5380, 5381 and 5382, Code of 1919, relative to sale of twine.

*Tennessee*.—Ch. 48. State printing to be done at the Tennessee Industrial School.

*Texas*.—Ch. 212. Repeals arts. 6166 to 6202, tit. 108, R. C. S. 1925. Creates a prison board. Provides that prisoners be worked within the prison walls and farms owned or leased by the State contract system forbidden.

Ch. 251. Provides that contracts for prison-made goods are invalid in the State unless the goods are marked "prison-made merchandise."

*Washington*.—Ch. 27. Repeals sec. 2, ch. 107, Acts of 1891; secs. 4 and 5, ch. 86, Acts of 1893; ch. 132, Acts of 1895; ch. 135, Acts of 1907; and ch. 13, Acts of 1909, relative to manufactures at State penitentiary.

Ch. 125. Repeals secs. 4062, 4063, 4064, Rem. C. S., 1910, concerning employment of prisoners in county jails.

Ch. 212. Repeals ch. 167, Acts of 1907, and enacts new law relative to employment of prisoners and the forbidding of contract system in State reformatory.

Ch. 249. Prohibits contract system at new State reformatory for women. Repeals ch. 186, Acts of 1919.

Ch. 294. Prohibits the sale of convict-made goods unless disinfected and labeled "These goods are convict made."

Ch. 305. Provides for the payment of prisoners in State penitentiary.

*Wisconsin*.—Ch. 34. Amends subsec. (1) of sec. 56.08, Wis. Stats., employment of county prisoners.

*Wyoming*.—Ch. 74. Repeals secs. 7694 and 7695, C. S. 1920. Provides for convict labor in county jails.

#### INVESTIGATIVE COMMISSIONS

*Arkansas*.—S. Con. Res. No. 10. Governor to appoint three persons to investigate the cost in each of the counties maintaining almshouses, the number of inmates, and per capita cost of maintenance. To file report with the next general assembly of their findings, and a bill creating an old-age pension fund.

*California*.—Ch. 431. A commission of five members appointed to inquire into the subject of retirement pensions for State employees. To report to the governor and legislature on or before July 1, 1928. Appropriation of \$6,000.

Ch. 452. The State department of public welfare is authorized to make an investigation of old-age pension laws and to render its report and recommendations to the next session of the legislature. Appropriation, \$6,000.

Ch. 76, S. C. R. No. 29. A committee of five members of the legislature appointed to investigate the advisability of a more extended employment of convicts in all penal institutions and report its findings to the legislative meeting in 1929. Appropriation of \$1,000.

*Connecticut.*—Ch. 326. The State department of health is authorized to investigate and to make recommendations for the elimination or prevention of occupational diseases. Appropriation of \$17,500.

*Illinois.*—P. 69. Governor to appoint commission of nine members to investigate the methods and conditions of mining in the State of Illinois with special reference to the safety of human lives and property and the conservation of coal deposits. Said commission to report to the governor and to the general assembly at its next regular session. Appropriation of \$7,000.

*Massachusetts.*—Ch. 26, p. 478. Resolution provides that a special unpaid commission of seven members be appointed to consider the policy the Commonwealth should pursue with regard to aviation and report to the general court its findings and recommendations. Appropriation of \$1,000.

*Oklahoma.*—Ch. 215, S. J. R. No. 13. Resolution provides for a board of five members appointed by the governor to revise and codify the statutes relating to coal and metal mining. Appropriation, \$2,500.

*Pennsylvania.*—No. 393. Governor to appoint a commission of seven citizens to investigate the geologic formation and strength of bituminous coal, for the purpose of recommending legislation to safeguard the health and lives of persons employed in bituminous coal mines of the State. Commission to report on or before February 1, 1929. Appropriation, \$1,000.

*Tennessee.*—H. J. R. No. 1 (p. 357). A committee of five members is appointed, three by the speaker of the House and two by the speaker of the Senate, to examine the laws of all mining States with a view of framing the best possible bill to safeguard the lives of the miners of the State.

H. J. R. No. 21 (p. 364). A committee of five members is appointed by the speakers of the senate and the house to visit a mine where recent explosion occurred, for the purpose of investigating explosions, their causes if possible, examine witnesses, and make a report of the findings to the respective bodies and the governor, with recommendations as to the future operations of such dangerous mines within the State.

*Texas.*—A senate concurrent resolution, No. 8 (first called session), provides that a committee of five members be appointed, three by the speaker of the house and two by the lieutenant governor, to make an investigation into the necessity for any additional laws to eliminate loan sharks from the State, and to make suggestions for the passage of a law establishing loan companies to operate in the State for the lending of money to salaried employees. Committee to report at the next succeeding special or regular session of the legislature.

*Wisconsin.*—Ch. 354. A committee of five members appointed to investigate prison labor conditions. Findings to be made, with draft of bills, to the legislature of 1929. Appropriation, \$5,000.

#### CHILD-LABOR AMENDMENT TO THE UNITED STATES CONSTITUTION

*Maryland.*—J. R. No. 8 (p. 1642), approved March 18, 1927. Rejects Federal amendment.

*Montana.*—H. J. Res. No. 2 (p. 588). Ratifies Federal amendment.

## PART II.—TEXT AND ABRIDGMENT OF LABOR LAWS

[The text of the laws has been punctuated in accordance with the rules for punctuation laid down by the Government Printing Office for Government publications, and does not follow, in all cases, the punctuation of the official State editions.]

### ALABAMA

#### ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Protection of wages of employees, etc., of contractors, act 39; Assignment of wages—wage brokers, act 288; Retirement of public employees, act 365; Credit unions, act 597; Convict labor, acts 70, 72, 347, sec. 37.]

### ALASKA

#### LAWS OF 1927

##### CHAPTER 50.—*Private employment agencies*

SECTION 1, par. 7. [Amends ch. 70, Laws 1925, by continuing a license fee of \$500 on employment agencies "operating for hire and collecting a fee for service" instead of services.]

Approved May 5, 1927.

##### CHAPTER 63.—*Mining investigations*

SECTION 1. *Suspension*.—[Ch. 44, Laws of 1921, suspended from March 31, 1927, to March 31, 1929.]

SEC. 2. *Cooperation*.—That the governor be and he is hereby empowered on behalf of the Territory to cooperate with the heads of any executive departments of the United States in making investigations and in disseminating information with a view to improving conditions in the mining, quarrying, and metallurgical industries and to provide for the inspection of mines and the protection of the lives of miners in the Territory of Alaska; the work contemplated herein to be carried on under the supervising mining engineer of the United States Geological Survey and Bureau of Mines for Alaska, and to come within the scope of his duties as fixed by Federal statutes.

SEC. 3. *Appropriation*.—[\$20,000 appropriated to carry out provisions of act.]  
Approved May 6, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the heading: Mechanics' lens, chs. 6, 7.]

### ARIZONA

#### ACTS OF 1927

##### CHAPTER 44.—*Employment of women—Hours of labor*

[This act amends sec. 717, Pen. Code of 1913, so as to read as follows:]

SECTION 717. *Eight hours' work*.—No employer, employing females in any manufacturing or mercantile establishment, confectionery, store, bakery, laundry, place of amusement, hotel, restaurant, telephone or telegraph office or exchange or other establishments excepting what is known as domestic work, shall employ or suffer or permit any female to work more than 8 hours in any one day or more than 48 hours in any one week. Said 8 hours must be performed in a

period not to exceed 13 consecutive hours. Every employer, employing women or female minors in the establishments named, shall provide for one full day of rest a week for every female. The provisions of this act shall not apply to an adult woman who has in any given week been employed for six hours a day or less, from being employed for seven days in such week, and further that the provisions of this section shall not apply to females employed in such telephone or telegraph office or exchange, in which not more than three females are employed; or to female nurses: *And provided further*, That the provisions of this section in relation to hours of employment shall not apply to or affect females engaged in the harvesting, curing, canning, or drying any variety of perishable fruit or vegetables, during such periods as may be necessary to harvest, cure, can or dry said fruit or vegetables in order to save the same from spoiling.

Approved March 9, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Preference for local labor and domestic materials on public works, chs. 2, 95; Absent voters, ch. 80; Convict labor, ch. 58.]

## ARKANSAS

### ACTS OF 1927

#### CHAPTER 58.—*Provisions for safety in mines*

[This act amends sec. 7260 by requiring a map to be filed with county clerk and mine inspector, showing the progress of the workings of the mine from the date of the last survey.]

Became law March 2, 1927.

#### CHAPTER 228.—*Inspection of steam boilers*

[This act amends secs. 1 and 5, act 369, of Acts of 1923.]

SECTION 1. *Inspectors*.—[The chief inspector of the boiler inspection department, at a salary of \$2,100, is authorized to employ, subject to the approval of the commissioner of labor, four deputy inspectors of boilers (formerly only two) at annual salaries not to exceed \$1,800, and a clerk at a salary of not more than \$1,500 per annum.]

SEC. 5. *Fees*.—[The fees for inspection are \$3 for one boiler of 5 horsepower and less, and \$2 for each additional boiler of like size in the same plant; \$4 for one boiler over 5 horsepower and up to 10 horsepower inclusive, and \$3 for each additional boiler; \$5 for one boiler over 10 horsepower and up to 20 horsepower inclusive, and \$4 for each additional boiler; \$7.50 for one boiler over 20 horsepower, and \$5 for each additional boiler of like size in the same plant.

The prosecuting attorney of each judicial district is empowered to collect all delinquent fees for inspection.]

Approved March 23, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Vocational education, act 145; Mothers' pensions, act 73; Examination, etc., of aviators, act 17; Examination, etc., of chauffeurs, act 213; Mechanics' liens, act 24; Old-age pensions, S. Con. Res. No. 10; Preference for local labor and domestic materials on public works, act 103; Absent voters, act 98; Convict labor, act 170; Investigative commissions, S. Con. Res. No. 10.]

## CALIFORNIA

### ACTS OF 1927

#### CHAPTER 199.—*Exemption of wages from execution*

[Section 690, subsec. 10, Code Civ. Proc. (as amended 1907, ch. 51), is amended by reducing by one-half the exemption of debts of judgment debtor incurred for personal services rendered by an employee or former employee.]

Approved April 20, 1927.

CHAPTER 205.—*Sanitary provisions of employees in moving-picture theaters.*

[This act amplifies ch. 897, Acts of 1921, requiring sanitary facilities in operating rooms of theaters.]

Approved April 20, 1927.

CHAPTER 217.—*Payment of wages*

[This act amends sec. 4, ch. 202, Acts of 1919 (as amended by ch. 76, Acts of 1925), so as to read as follows:]

SECTION 4. *Act to be posted; penalties.*—Every employer shall post and keep posted conspicuously at the place of work, if practicable, or otherwise where it can be seen as employees come or go to their places of work, or at the office or nearest agency for payment kept by the employer, a notice specifying the regular pay days and the time and place of payment, in accordance with the provisions of section 2 of this act, also any changes in those regards occurring from time to time. Every employee who is discharged shall be paid at the place of discharge, and every employee who quits or resigns shall be paid at the office or agency of the employer in the county or city and county where such employee has been performing the labor or service for the employer. All payments of money or compensation shall be made in the manner provided by law. In the happening of any strike, the unpaid wages or compensation earned by such striking employees shall become due and payable on the employer's next regular pay day, and the payment or settlement shall include all amounts due such striking employees without abatement or reduction, and the employer shall return to each such striking employee any deposit or money or other guaranty required by him from such employee for the faithful performance of the duties of the employment. Any person, firm, association, or corporation, or agent, manager, superintendent, or officer thereof, who shall violate any of the provisions of this section or of section 2 of this act shall be guilty of a misdemeanor, and any failure to post and keep posted any notice as in this section prescribed shall be deemed prima facie evidence of a violation of this section and of section 2 of this act.

In addition to, and entirely independent and apart from, any other penalty provided, every person, firm, association or corporation who shall fail to pay the wages of each of his or its employees as in section 2 of this act provided, shall forfeit to the people of the State the sum of \$10 for each such failure to pay each employee, to be recovered by the commissioner of the bureau of labor statistics in a civil action. Such action shall be brought in the name of "The people of the State of California" and the said commissioner is hereby delegated the authority to so proceed in the name of the people and his attorneys are hereby delegated the authority to act for and on behalf of the people in bringing such actions. All money recovered therein shall be forwarded to the State treasurer to become a part of the general fund of the State. When action to recover such penalties is brought, no court costs of any nature shall be payable by the State or the said commissioner in connection with the same and any sheriff or constable requested by the said commissioner to serve the summons in the said action upon any defendant within his jurisdiction, shall do so without cost to the said commissioner: *Provided, however,* That he must specify, when he returns the summons, what costs he would ordinarily have been entitled to for such service, and such costs and the other regular court costs that would have accrued were the said action not an official action shall be made a part of any judgment recovered by the plaintiff and shall be paid out of the first money recovered on said judgment, before any money collected is sent to the State treasurer. Several causes of action for the said penalties may be united in the same action without being separately stated and a demand shall be necessary as a prerequisite to the bringing of any action for such penalties, the commissioner being hereby given full power on behalf of the State to accept and receipt for any penalties so paid, with or without suit.

Approved April 20, 1927.

CHAPTER 248.—*Industrial welfare commission*

[This act amends sec. 3, ch. 324, Acts of 1913, and sec. 6, as amended by ch. 279, Acts of 1921, and adds a new sec. 11a, so as to read as follows:]

SECTION 3. *Duties of commission.*—(a) It shall be the continuing duty of the commission to ascertain the wages paid, the hours and conditions of labor



and employment in the various occupations, trades and industries in which women and minors are employed in the State of California, and to make investigations into the comfort, health, safety and welfare of such women and minors.

(b) It shall be the duty of every person, firm or corporation employing labor in this State:

1. To furnish to the commission, at its request, any and all reports or information which the commission may require to carry out any of the purposes of this act, such reports and information to be verified by the oath of the person, or a member of the firm, or the president, secretary, or manager of the corporation furnishing the same, if and when so requested by the commission or any member thereof.

2. To allow any member of the commission, its secretary or any of its duly authorized experts or employees, free access to the place of business or employment of such person, firm or corporation for the purpose of securing any information which the commission is authorized by this act to ascertain, or to make any investigation authorized by this act, or to make inspection of, or excerpts from the books, reports, contracts, pay rolls, documents or papers of such person, firm or corporation relating to the employment of women and minors, the conditions under which their labor is performed, or the payment of such labor by such person, firm or corporation.

3. To keep a record of the ages of all minors employed, and the names, residence addresses, hours of work daily and wages paid to all women and minors employed.

(c) For the purposes of this act, a minor is defined to be a person of either sex under the age of 18 years.

Sec. 6. *Fixing wages.*—(a) The commission shall have further power after a public hearing had upon its own motion or upon petition, to fix:

1. A minimum wage to be paid to women and minors engaged in any occupation, trade or industry in this State, which shall not be less than a wage adequate to supply to such women and minors the necessary cost of proper living and to maintain the health and welfare of such women and minors.

2. The maximum hours of work consistent with the health and welfare of women and minors engaged in any occupation, trade or industry in this State: *Provided*, That the hours so fixed shall not be more than the maximum now or hereafter fixed by law.

3. The standard conditions of labor demanded by the health and welfare of the women and minors engaged in any occupation, trade or industry in this State.

(b) Upon the fixing of the time and place for the holding of a hearing for the purpose of considering and acting upon any matters referred to it in subsection (a) hereof, the commission shall give public notice by advertisement in at least one newspaper published in each of the cities of Los Angeles, Oakland, Sacramento, San Jose, Fresno and in the city and county of San Francisco, and shall give due notice in at least one newspaper published in each of the cities of Fresno, San Jose, Eureka, San Diego, Long Beach, Alameda, Berkeley and Stockton, and by mailing a copy of said notice to the county clerk of each county in the State to be posted at the courthouse of each county, or city and county, and also to each association of employers or employees and to any employer within the State of California filing with the commission a written request for such notice of such hearing and the purpose thereof, which notice shall state the time and place fixed for such hearing, which shall not be earlier than 14 days from the date of publication and mailing of such notices.

(c) After such public hearing, the commission may, in its discretion, make a mandatory order to be effective in 60 days from the publication of such order, specifying the minimum wage for women or minors in the occupation, trade or industry in question, the maximum hours: *Provided*, That the hours specified shall not be more than the maximum for women or minors in California and the standard conditions of labor for said women or minors. Such order shall be published in at least one newspaper in each of the cities of Los Angeles, Sacramento, Oakland, San Jose, Fresno and in the city and County of San Francisco, and a copy thereof be mailed to the county clerk of each county in the State, and such copies shall be filed without charge. The commission shall send by mail, so far as practicable, to each employer in the occupation in question, a copy of the order, and each employer shall be required to post a copy of such order in the building in which women or minors affected by the order are employed; and it shall be the duty of the commission to send a copy of such order to each employer registering his name with the commission and requesting such order to be mailed, but failure to mail such order or notice

thereof to any employer affected thereby shall not relieve such employer from the duty to comply with such order, and finding by the commission that there has been the publication and mailing to county clerks as herein provided shall be conclusive as to service.

**SEC. 11a. Maximum hours.**—The maximum hours of work and the standard conditions of labor fixed by the commission as herein provided shall be the maximum hours of work and the standard conditions of labor for such women and minors, and the employment of any woman or minor for longer hours than those fixed by such order or under conditions of labor prohibited by such order shall be unlawful, and every employer or other person who, either individually or as an officer, agent or employee of a corporation or other person, requires or causes to be required any such employee to work for longer hours than those fixed by said order or under conditions of labor prohibited by said order, shall be guilty of a misdemeanor and upon conviction thereof he shall be punished by a fine of not less than \$50 or by imprisonment for not less than 30 days, or by both such fine and imprisonment; and every employer or other person who, individually or as an officer, agent or employee of a corporation or other persons, violates or refuses or neglects to comply with the provisions of this section or any order or rulings of this commission, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 or by imprisonment of not less than 30 days or by both such fine and imprisonment.

Approved April 25, 1927.

#### CHAPTER 267.—Hours of labor on public works

[This act amends sec. 653c, Pen. Code, so as to read as follows:]

**SECTION 653c. Limits of eight hours a day.**—The time of service of any laborer, workman, or mechanic employed upon any of the public works of the State of California, or of any political subdivision thereof, or upon work done for said State, or any political subdivision thereof, is hereby limited and restricted to 8 hours during any one calendar day; and it shall be unlawful for any officer or agent of said State, or of any political subdivision thereof, or for any contractor or subcontractor doing work under contract upon any public works aforesaid, who employs, or who directs or controls, the work of any laborer, workman, or mechanic, employed as herein aforesaid, to require or permit such laborer, workman, or mechanic, to labor more than eight hours during any one calendar day, except in cases of extraordinary emergency, caused by fire, flood, or danger to life or property, or except to work upon public military or naval defenses or works in time of war: *Provided, however,* That within 30 days after any employee is permitted to work over 8 hours in one calendar day due to such an extraordinary emergency, the contractor doing the work, or his duly authorized agent, shall file with the officer, board or commission awarding the contract a verified report as to the nature of the said emergency together with the name of the said worker and the hours worked by him on the said day, and failure to file the said report within the said time shall be prima facie evidence that no extraordinary emergency existed. Any officer or agent of the State of California, or of any political subdivision thereof, making or awarding, as such officer or agent, any contract, the execution of which involves or may involve the employment of any laborer, workman, or mechanic upon any of the public works, or upon any work, hereinbefore mentioned, shall cause to be inserted therein a stipulation which shall provide that the contractor to whom said contract is awarded shall forfeit, as a penalty, to the State or political subdivision in whose behalf the contract is made and awarded, \$10 for each laborer, workman, or mechanic employed, in the execution of said contract, by him, or by any subcontractor under him, upon any of the public works, or upon any work hereinbefore mentioned, for each calendar day during which such laborer, workman, or mechanic is required or permitted to labor more than 8 hours in violation of the provisions of this act; and it shall be the duty of such officer or agent to take cognizance of all violations of the provisions of said act committed in the course of the execution of said contract, and to report the same to the representative of the State or political subdivision, party to the contract, authorized to pay to said contractor moneys becoming due to him under the said contract, and said representative, when making payments of moneys thus due, shall withhold and retain therefrom all sums and amounts which shall have been forfeited pursuant to the herein said stipulation. Any officer, agent, or representative of the State of California, or of any political subdivision thereof, or any contractor or subcontractor, or their agents, who

shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and shall upon conviction be punished by fine not exceeding \$500, or by imprisonment, not exceeding six months, or by both such fine and imprisonment, in the discretion of the court.

Approved April 27, 1927.

**CHAPTER 263.—Private employment agencies**

[This act amends sec. 7, ch. 282, Acts of 1913, as amended by ch. 551, Acts of 1915.]

**SECTION 7. License fee.**—[License fee to apply annually at the time the license is issued or renewed.]

Approved April 28, 1927.

**CHAPTER 264.—Private employment agencies**

[This act amends sec. 18, ch. 282, Acts of 1913.]

**SECTION 18. Violations.**—[The minimum penalty for violation was reduced to \$25 and penalties were extended to apply to officers of corporations.]

Approved April 28, 1927.

**CHAPTER 268.—Employment of labor—False representations**

[This act amends ch. 262, Acts of 1923.]

**SECTION 1. Acts forbidden.**—It shall be unlawful for any person, partnership, company, corporation, association, or organization of any kind, directly or through any agent or attorney, to induce, influence, persuade or engage any person to change from one place to another in this State or to change from any place in any State, Territory or country to any place in this State, or to change from any place in this State to any place in any State, Territory or country, to work in any branch of labor, through or by means of knowingly false representations, whether spoken, written, or advertised in printed form, concerning the kind or character of such work, the existence of such work, the length of time such work will last, the compensation therefor, the sanitary or housing conditions relating to or surrounding it, or the existence or nonexistence of any strike, lockout, or other labor dispute affecting it and pending between the proposed employer or employers and the persons then or last theretofore engaged in the performance of the labor for which the employee is sought.

**SEC. 2. Violation.**—[Violators may be fined not less than \$25 nor more than \$500, or imprisoned not more than six months, or both. In addition, a civil action may be brought for double the damages resulting from such misrepresentation, and such action may be brought without first establishing any criminal liability under the act.]

Approved April 28, 1927.

**CHAPTER 314.—Strikes, etc.—Notice in advertisements for labor**

[This act amends ch. 333, Acts of 1913, so as to read as follows:]

**SECTION 1. Notice of labor disturbances to be given.**—If any person, firm, association or corporation, acting either for himself or itself, or as the agent of another person, firm, association or corporation, during the continuance of a strike, lockout or other labor trouble among his, or its employees, or among the employees of the person, firm, association, or corporation for whom he, or it is acting, advertises for employees in the newspapers, or by posters, or otherwise, or solicits persons to work for him, or the persons, firm, association or corporation for whom he is acting, in the place of the strikers, he shall plainly and explicitly mention in such advertisements, or oral or written solicitations, that a strike, lockout or other labor disturbance exists. The person inserting any such advertisement in a newspaper or on a poster, or otherwise, shall insert in such advertisement his own name and, if he is representing any other person, firm, association or corporation, the name of the person, firm, association or corporation he is representing and at whose direction and under whose authority he is inserting the advertisement, and the appearance of this name or names in connection with such advertisement shall be prima facie evidence as to the person, firm, association or corporation responsible for the advertisement.

**SEC. 2. Penalty.**—Any person, firm, association or corporation, or agent or officer thereof, who shall violate or omit to comply with any of the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than \$25 and not exceeding \$250 for each offense.

Approved May 2, 1927.

#### CHAPTER 333.—*Private employment agencies*

[This act amends sec. 1-4, ch. 282, Acts of 1913, as amended by ch. 551, Acts of 1915, sec. 1, by adding motion-picture employment agency; and organizations that shall by advertisement or otherwise offer to secure employment. Sec. 2. License is forfeited on sale of ownership. Sec. 3. Names of owners necessary in application for license. Sec. 4. Power of commissioner strengthened.]

Approved May 6, 1927.

#### CHAPTER 334.—*Private employment agencies*

[This act amends sec. 12, ch. 282, Acts of 1913, as amended by ch. 551, Acts of 1915, that no licensed person shall accept a registration fee. If no employment is secured the fee must be returned within 48 hours after demand.]

Approved May 6, 1927.

#### CHAPTER 347.—*Employees' bonds and photographs—Costs*

[This act amends secs. 1 and 2 of ch. 108, Acts of 1917, so as to read as follows:]

**SECTION 1. Employer to pay cost.**—Whenever a bond or photograph of an employee or applicant for employment is required by any employer of labor, said employer shall pay the cost of such bond or photograph, and no employer shall demand, exact or accept any cash bond from any employee or applicant for employment unless the said employee or applicant for employment is intrusted with money, goods or other property of an equivalent value, or unless the said employer advances regularly to his or its employee goods, wares or merchandise to be delivered or sold by said employee, for which goods, wares or merchandise the said employer is reimbursed by said employee at regular periodic intervals, and limits said cash bond to an amount sufficient to cover the value of the goods, wares, or merchandise so advanced during the period prior to the payment therefor, or unless that the said cash received as a bond is deposited in a savings account in a bank authorized to do business in this State, to be drawn out only upon the joint signatures of the said employer and the said employee or applicant for employment, and, further, unless the said cash put up as a bond is, in any case, accompanied by an agreement or contract in writing entered into by and between said employer and said employee or applicant for employment setting forth the conditions under which said bond is given. Any money put up as a bond under this section shall be subject to garnishment, attachment or execution by the said employer and employee or applicant for employment, their successors and assigns, only, and must be returned to the said employee or applicant for employment, together with such interest that may have accrued thereon, immediately upon the return of the money, goods or other property intrusted to the said employee or applicant for employment and the fulfillment of the contract or agreement, or the fulfillment of the contract or agreement in cases where no money, goods or other property is intrusted to the employee or applicant for employment, subject only to such deduction as may be necessary to balance accounts between said employer and said employee or applicant for employment.

**SEC. 2. Violations.**—Any person, firm, association or corporation, or agent or officer thereof, violating any provision of this act shall be guilty of a misdemeanor, punishable by fine of not less than \$25 nor exceeding \$500, or by imprisonment for not exceeding six months, or by both such fine and imprisonment. All fines imposed and collected under the provisions of this act shall be paid into the State treasury and credited to the general fund.

Approved May 6, 1927.

CHAPTER 440.—*Department of industrial relations*

[This act amends secs. 364, 364a, 364b, 364c, and 364d, Acts of 1921, and adds new secs. 364e to 364j, relating to a department of industrial relations. These sections now read as follows:]

**SECTION 364. Creation of.**—A department of the government of the State of California to be known as the department of industrial relations is hereby created. The department shall be conducted under the control of an executive officer to be known as director of industrial relations, which office is hereby created. The chairman of the industrial accident commission shall be ex officio director of industrial relations. The governor shall designate the chairman of the industrial accident commission from the membership of said commission, the person so designated to hold the office or position of such chairman at the pleasure of the governor. The director of industrial relations shall receive a salary of \$8,000 per annum: *Provided, however,* That during the period of his service as director he shall receive no salary as a member of the industrial accident commission.

Except as otherwise in this article prescribed, the provisions of Article II of this chapter, title and part of the Political Code as the same now exists and as the same may be amended from time to time shall govern and apply to the conduct of the department of industrial relations in every respect the same as if such provisions were herein set forth at length.

Whenever in said Article II the term "head of the department," "head of a department" or similar designation occurs the same shall for the purposes of this article mean the director of industrial relations, except that in respect to matters which by the express provisions of this article are committed to or retained under the jurisdiction of the division of industrial accidents and safety, such term or designation shall mean said division of industrial accidents and safety: *Except, further,* That in respect to matters which by the express provisions of this article are committed to or retained under the jurisdiction of the industrial welfare commission such terms or designation shall mean said industrial welfare commission.

**SEC. 364a. Agencies created.**—For the purpose of administration, the department shall be forthwith organized by the director, subject to the approval of the governor, in such manner as he shall deem necessary properly to segregate and conduct the work of the department. The work of the department is hereby divided into at least five divisions to be known respectively as the division of industrial accidents and safety, the division of housing and sanitation, the division of State employment agencies, the division of labor statistics and law enforcement, and the division of industrial welfare. Each division, except as otherwise expressly provided by law, shall be in charge of a chief, who shall be appointed by, and hold office at the pleasure of the governor and shall receive such salary as may be fixed by the governor, not to exceed \$5,000 per annum. The chief of each division before entering upon the duties of his office shall execute an official bond to the State of California in the penal sum of \$10,000 conditioned upon the faithful performance of his duties.

**SEC. 364b. Division of industrial accidents and safety.**—The division of industrial accidents and safety shall be under the control of a governing body composed of the industrial accident commission which commission is hereby continued in existence. The members of the industrial accident commission shall be appointed by the governor. Each member shall hold office for a term of four years and until his successor has been appointed and qualified: *Except,* that the members in office at the time this act takes effect shall continue to serve for the respective terms for which they have been appointed except as in this article otherwise provided, each member shall receive a salary of \$5,000 per annum. The department of industrial relations shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the industrial accident commission and of the division of workmen's compensation, insurance and safety of the department of labor and industrial relations and of the several members, officers, deputies, and employees of such commission and of such division which pertain to the administration or enforcement of the compensation provisions of the workmen's compensation, insurance and safety act of 1917 and of all acts amendatory thereof or supplemental thereto, including the power, duty, and jurisdiction to ascertain, determine, award, adjudge or disallow compensation under the workmen's

compensation, insurance and safety acts of any or either thereof, and all such thereof which pertain to the administration or enforcement of the safety provisions of the workmen's compensation, insurance and safety act of 1917 and of all acts amendatory thereof or supplemental thereto, including the power, duty and jurisdiction, at any time and from time to time, to adopt, amend or repeal orders, rules, regulations, directions, requirements or standards of safety, and such duties, powers, purposes, responsibilities and jurisdiction shall be administered through the division of industrial accidents and safety.

SEC. 364c. *Division of industrial welfare.*—In the division of industrial welfare there is hereby created a commission to be known as the industrial welfare commission to consist of five members, at least one of whom shall be a woman. The members of said commission shall be appointed by the governor and each shall serve for a term of four years and until his successor is appointed and qualified: *Provided*, That the members of the industrial welfare commission in office at the time this act takes effect shall be and become members of the industrial welfare commission hereby established to serve for the remainder of their respective terms. One of the members may be appointed chief of the division of industrial welfare. The members shall receive no compensation for their services as members but shall receive their actual necessary expenses incurred in the performance of their duties. The department of industrial relations shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction heretofore vested in the division of industrial welfare of the department of labor and industrial relations or in the industrial welfare commission which was established by an act entitled "An act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including the minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, in so far as such duties, powers, purposes, responsibilities and jurisdiction pertain to the fixing of minimum wages or the maximum hours of work or the standard conditions of labor for women or minors, and such duties shall be administered through the division of industrial welfare.

SEC. 364d. *Commission of immigration and housing.*—There is hereby created a commission to be known as the commission of immigration and housing to consist of five members. The members of said commission shall be appointed by the governor and shall serve at the pleasure of the governor and not otherwise: *Provided*, That the members of the commission of immigration and housing in office at the time this act takes effect shall be and become members of the commission of immigration and housing hereby established to serve until their successors are appointed and qualified. The commission hereby established shall have power to determine policies for guidance of the department of industrial relations in all matters concerning the functions heretofore vested in the division of immigration and housing of the department of labor and industrial relations or in the commission of immigration and housing of California which was established by an act entitled "An act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913.

SEC. 364e. *Director of industrial relations.*—The director of industrial relations, as head of the department of industrial relations, shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities and carry out and effect all purposes now or hereafter vested by law in the department of industrial relations, except as otherwise expressly provided by law.

SEC. 364f. *Duties.*—Except as in this article otherwise provided, the department of industrial relations shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the industrial accident commission, commission of immigration and housing, bureau of labor statistics, commissioner of the bureau of labor statistics, the industrial welfare commission heretofore established, the department of labor and industrial relations and of the several divisions of said department of labor and industrial

relations and of the several officers, deputies, and employees of such bodies and offices; and

Except as herein otherwise provided, whenever by the provisions of any statute or law now in force or that may hereinafter be enacted, a duty or jurisdiction is imposed or authority conferred upon any of said bodies, offices, officers, deputies or employees, or upon any other person by any statute the administration or enforcement of which is transferred to the department of industrial relations, such duty, jurisdiction and authority are hereby imposed upon and transferred to the department of industrial relations and the appropriate officers thereof with the same force and effect as though the title of said department of industrial relations had been specifically set forth and named therein, in lieu of the name of any such board, commission, office, officer, deputy or employee thereof as the case may be.

For the purposes of this article, except as herein otherwise provided, the terms "industrial accident commission," "member of the industrial accident commission," "commission of immigration and housing," "member of the commission of immigration and housing," "bureau of labor statistics," "commissioner of the bureau of labor statistics," "industrial welfare commission," "member of the industrial welfare commission," "department of labor and industrial relations," and the title of any of the divisions of said department is used, the same shall be construed to mean and refer to the department of industrial relations and the appropriate officers thereof; and the following named bodies and the positions of all deputies, officers and employees, are and each of them is hereby abolished and shall have no further legal existence: Commission of immigration and housing, bureau of labor statistics, commissioner of the bureau of labor statistics, the industrial welfare commission and the positions of all deputies, officers and employees under the industrial accident commission: *Provided, however,* That the statutes and laws under which they existed and all laws prescribing their duties, powers, purposes, responsibilities and jurisdiction together with all lawful rules and regulations established thereunder, are hereby expressly continued in force. All other bodies, offices and officers mentioned in this section shall continue in existence with the duties, powers, purposes, responsibilities and jurisdiction elsewhere in this article prescribed.

**Sec. 364g. Property, funds, etc.**—The department of industrial relations shall also be in possession and control of all records, books, papers, offices, equipment, supplies, moneys, funds, appropriations, land and other property, real or personal, now or hereafter held for the benefit or use of all of said bodies, offices and officers mentioned in this article, and the title to all property now or hereafter held by any of said bodies, offices or officers, for the use and benefit of the State is hereby transferred to the State of California to be held in the possession of said department.

**Sec. 364h. Powers.**—Except as in this article otherwise provided, the department of industrial relations is hereby invested with the power and is charged with the duty of administering and enforcing all laws now or hereafter imposing any duty, power or function upon any of the offices, officers, deputies or employees herein transferred to the department.

**Sec. 364i. Expenditures.**—From and after the date upon which this act takes effect, the department of industrial relations shall be and is hereby authorized and empowered to expend the moneys in any appropriation or in any special fund in the State treasury now remaining or made available by law for the administration of the provisions of any of the statutes the enforcement of which provisions is committed to the department or for the use, support, or maintenance of any board, commission, office or officer, that is abolished by the provisions of this article or whose duties, powers and functions are, by the provisions of this article transferred to and conferred upon the department of industrial relations. Such expenditures by the department shall be made in accordance with law in carrying on the work for which such appropriations were made or such special funds created.

**Sec. 364j. Compensation insurance fund.**—All duties, powers, purposes, responsibilities and jurisdiction heretofore vested in the industrial accident commission in so far as the same relate to the administration of the State compensation insurance fund shall continue to be vested in the industrial accident commission.

Approved May 12, 1927.

CHAPTER 532.—*Payment of wages of employees on public works*

[This act amends sec. 653d, Pen. Code, so as to read as follows:]

SECTION 653d. *Retaining wages.*—Every person who employs laborers upon public works, and who takes, keeps, or receives for his own use any part or portion of the wages due to any such laborer or laborers from the State or municipal corporation or district for which such work is done is guilty of a felony.

Approved May 16, 1927.

CHAPTER 545.—*Bureau of labor statistics*

[This act adds a new section (sec. 13) to Acts of 1883, p. 27 (see G. L., act 1828), as amended] which reads as follows:]

SECTION 13. *Duties.*—The commissioner shall collect statistics of the deaf, ascertain what trades or occupations are most suitable for them and best adapted to promote their interests, and he shall use his best efforts through the State free employment service to aid them in securing such employment as they may be fitted to engage in. He shall cooperate with other agencies as directed by the governor in keeping a census of the deaf and obtaining facts, information and statistics as to their condition in life with a view to the betterment of their lot. He shall endeavor to obtain statistics and information of the condition of labor and employment and education of the deaf in other States with a view to promoting the general welfare of the deaf in this State.

Approved May 16, 1927.

CHAPTER 553.—*Mutual benefit associations*

SECTION 452a. *Formation of.*—Associations of any number of persons may be formed for the purpose of paying the nominee of any member a sum, upon the death of the member, not exceeding \$3 for each member of the association, but not exceeding, in any case, the sum of \$3,000. Such association may be formed by filing articles of incorporation and certified copies thereof in the manner prescribed by, and subject to the conditions set forth in section 296 of this code. Such articles must state the name of the corporation, its general purposes, its principal place of business, its term of existence, not exceeding 50 years, the number of its directors and the names and residences of the directors selected or appointed to serve for the first year. The articles of incorporation must be signed by not less than 25 members of such association and must be acknowledged by them as required by section 292.

Approved May 16, 1927.

CHAPTER 743.—*Labor camps*

[This act provides for the organization of public service districts, relative to the sanitation of public labor camps.]

Approved May 24, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of barbers, ch. 853; Examination, etc., of beauty parlors, ch. 845; Examination, etc., of chauffeurs, ch. 752; Mechanics' liens, ch. 505; Protection of wages of employees, etc., of contractors, chs. 146, 388, 482, 690, 705, 741; Credit unions, ch. 36; Absent voters, ch. 362; Convict labor, chs. 479, 637, 653; Investigative commissions, chs. 76, 481, 452.]

## COLORADO

## ACTS OF 1927

CHAPTER 69.—*Inspection of steam boilers*

[This act amends secs. 5481, 5482, and 5485, C. L. 1921, limiting type of boilers to be inspected, and authorizing inspector to close down boilers operating without certificate.]

Approved March 17, 1927.



CHAPTER 87.—*Hours of labor in cement and plaster plants*

SECTION 2. *Eight-hour day established.*—That the period of employment of men working in and about cement manufacturing plants and plaster manufacturing plants shall not exceed 8 hours within any 24 hours, except in cases of emergency where life or property is in imminent danger. *Provided, however,* That in case of monthly, semimonthly or weekly change of shifts the employee may be employed for not more than two periods of not more than 8 hours each in one space of 24 hours, if at least 8 hours be allowed to intervene between said two periods of work in a single space of 24 hours.

SEC. 3. *Violations.*—[Entail fines of \$250 to \$500, or imprisonment not less than 90 days nor more than 6 months, or both.]

Approved May 14, 1927.

CHAPTER 112.—*Garnishment of wages*

[This act provides for the garnishment of all salaries, wages, etc., of employees of the State or municipal or quasi municipal corporations except that salaries or fees due any officer which are fixed by the provisions of the State constitution shall not be subject to garnishment.]

Approved March 25, 1927.

CHAPTER 129.—*Mine regulations*

[This act amends sec. 8482 and 3558, C. L., and ch. 134, Acts of 1925, relating to mine ventilation.]

Approved March 31, 1927.

CHAPTER 130.—*Mine regulations*

[This act amends sec. 3548, C. L., and ch. 134, Acts of 1925, by striking out the word "intentionally".]

Approved April 4, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of aviators, ch. 64; Old-age pensions, ch. 143; Absent voters, ch. 96; Convict labor, chs. 63, 142.]

## CONNECTICUT

## ACTS OF 1927

CHAPTER 16.—*Factory, etc., regulations—Inspectors*

[This act amends sec. 2343, G. S. 1918, ch. 13, Acts of 1925, by increasing the number of deputy inspectors from 15 to 17, of whom 6 may be women, instead of 4 as formerly.]

Approved March 18, 1927.

CHAPTER 25.—*Factory, etc., regulations*

[This act amends sec. 2342, G. S. 1918, so as to read as follows:]

SECTION 2342. *Duties of department.*—The commissioner of labor and factory inspection shall cause to be examined all elevators, whether in factories, mercantile establishments, storehouses, workhouses, dwellings or other buildings, and may order hoistways, hatchways, elevator wells and well holes to be protected by trapdoors, self-closing hatches, safety catches or such other safeguards as will insure the safety of all persons therein. Due diligence shall be used to keep such trapdoors closed at all times, except when in actual use by an occupant of the building having the use and control of the same. All elevator cabs or cars, whether used for freight or passengers, shall be provided with some suitable mechanical device, if considered necessary by said commissioner, whereby the cab or car will be security held in the event of accident to the shipper rope or hoisting machinery or from any similar cause, and said mechanical device shall at all times be kept in good working order. Each

person, firm or corporation owning, controlling or maintaining an elevator subject to inspection under the provisions of this act shall, if requested by said commissioner or his duly authorized agent, furnish a competent person to operate any elevator while the same is being inspected.

Approved March 30, 1927.

**CHAPTER 72.—Employment of children—School attendance**

**SECTION 1. Certificate.**—Any child between 14 and 16 years of age, in good physical condition, on application in person to the secretary or an agent of the State board of education for a part-time certificate of employment, shall be granted a part-time certificate, permitting the employment of such child in vacations, and on Saturdays and out of school hours on school days. No such part-time certificate shall be required of such child for giving assistance at home out of school hours.

**SEC. 2. Repeal.**—No provision of this act shall be construed as repealing any statutory provision relating to the employment of children under 16 years of age.

Approved April 19, 1927.

**CHAPTER 144.—Employment of women and children—Night work**

[This act amends sec. 5303, G. S. 1918, ch. 156, Acts of 1925, so as to read as follows:]

**SECTION 5303. Night work.**—No minor under 16 years of age shall be employed or permitted to work in any mercantile establishment after 6 o'clock in the afternoon on more than one day in each calendar week, except during the period from the 17th to the 25th day of December of each year, and no such minor shall be employed or permitted to work in any such establishment between the hours of 10 o'clock in the evening and 6 o'clock in the morning; and no female over 16 years of age shall be employed in any manufacturing, mechanical or mercantile establishment between the hours of 10 o'clock in the evening and 6 o'clock in the morning: *Provided*, In event of war or other serious emergency, the governor may suspend the limitations upon night work contained in this act as to any industries or occupations as he may find such emergency shall demand.

Approved April 29, 1927.

**CHAPTER 269.—Bribery, etc., of employees**

**SECTION 1. Penalty.**—Any person who shall fraudulently procure or attempt to procure, for himself or another, from any employee of the State or any department thereof, the benefit of any labor which the State or any department thereof, is entitled to receive from such employee during his hours of employment, or who shall fraudulently aid or assist in procuring or attempting to procure the benefit of any such labor shall be fined not more than \$1,000 or imprisoned not more than 6 months or both.

Approved June 8, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of aviators, ch. 324; Examination, etc., of beauty parlors, ch. 303; Mechanics' liens, ch. 198; Protection of wages of employees, etc., of contractors, ch. 121; Assignment of wages—wage brokers, chs. 100, 233; Legal holidays in the States and Territories, ch. 23; Preference for local labor and domestic materials on public works, ch. 264; Convict labor, ch. 88; Investigative commissions, ch. 326.]

**DELAWARE**

**ACTS OF 1927**

[The only labor legislation of this State for 1927 is noted in Part I, under the heading: Mechanics' liens, ch. 184.]

**FLORIDA**

**ACTS OF 1927**

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Schools for employed children, ch. 12206; Mothers' pensions, ch. 12000; Examination, etc., of plumbers, ch. 12196; Examination, etc., of employees

on vessels, ch. 12194; Mechanics' liens, ch. 12079; Legal holidays in the States and Territories, ch. 12101; Vocational rehabilitation.—State and Federal cooperation, ch. 11834; Retirement of public employees, ch. 12293; Absent voters, ch. 11824.]

## GEORGIA

### ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Examination, etc., of chauffeurs, act 358; Emigrant agents, act 393; Mechanics' liens, act 173; Retirement of public employees, acts 207, 218, 318.]

## HAWAII

### ACTS OF 1927

#### No. 96.—*Garnishment of wages*

[This act amends secs. 2826, 2827, 2828, R. L. 1925 (amended by act 262, Laws of 1925), and secs. 2829, 2830, and 2831, R. L. 1925, by inserting the word "commissions" after the word "stipend."]  
Approved April 22, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of aviators, act 238; Retirement of public employees, acts 223, 251.]

## IDAHO

### ACTS OF 1927

#### CHAPTER 131.—*Mines—Inspector—Regulations*

[This act amends sec. 5470 of C. S. 1919 (as amended by ch. 24, Laws of 1921), by increasing the salary of inspector of mines to \$3,000.]  
Approved March 2, 1927.

#### CHAPTER 226.—*Inspection of steam vessels and boilers—Regulations*

SECTIONS 1-4. *Inspections required.*—[Annual inspections must be made of boilers and steam gauges on all boats carrying passengers for hire. Inspection is to be made either by State inspector of mines, or by any casualty insurance company authorized to do business in the State. Certificate of inspection is to be issued where boilers and gauges are in good order, and it shall be unlawful to operate a boiler without obtaining and displaying a certificate. State inspector of mines shall charge a fee of \$25, and if inspection is made by an inspector of a casualty insurance company, he shall certify the result of such inspection under oath, to the State inspector of mines within 20 days. Violations of any of the provisions shall constitute a misdemeanor.]

Approved March 12, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of barbers, ch. 245; Mechanics' liens, ch. 182; Bakeries and the preparation and distribution of food products, ch. 116; Liability of employers for taxes of employees, ch. 16; Convict labor, ch. 74.]

## ILLINOIS

### ACTS OF 1927

#### *Mine regulations—Rescue stations*

(Page 45)

[This act establishes mine rescue station at Belleville.]

Approved June 1, 1927.

[This act establishes mine rescue station at Johnson City.]

Approved July 6, 1927.

*Mine regulations—Black powder*

(Page 600)

[This act amends secs. 70-82, ch. 93, R. S. 1917, relative to specifications for black powder sold for blasting purposes.]

Approved June 29, 1927.

*Mine regulations—Shot firers*

(Page 602)

[This act amends sec. 44, ch. 93, R. S. 1917, relative to the firing of shots.]

Approved June 29, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mothers' pensions, pp. 196, 197; Examinations, etc., of barbers, p. 187; Mechanics' lien, pp. 597, 598; Retirement of public employees, pp. 261, 265, 373, 374, 375; Time to vote to be allowed employees, p. 459; Investigative commissions, p. 69.]

## INDIANA

## ACTS OF 1927

CHAPTER 25.—*Private employment agencies*

[This act is a new private employment agency law and the act of March 5, 1909, entitled "An act concerning employment agencies and all acts amendatory thereof," is repealed.]

SECTION 1. *License*.—[License must be procured from the industrial board. No advertisement similar to name, "Indiana Free Employment Service" is permitted. All advertisements, etc., must contain the words, "licensed employment agency."]

SEC. 2. *Bond*.—[A bond of \$1,000 is required.]

SEC. 3. *License Fee*.—[An annual license fee of \$50 is required.]

SEC. 4. *Renewal*.—[After expiration of one year license and bond must be renewed.]

SEC. 5. *Application*.—[Formality of securing license.]

SECS. 6-8, 10, and 11. *Fees*.—[Schedule of fees to be charged by the agency must be filed. Agency must first obtain a bona fide order for employment; no fee to be accepted until a position has been secured for the applicant; fee to be returned on demand if no position is secured; but if the employee abandons employment without cause, no return of fee can be demanded; a receipt must be given for all payments by the applicant. Approved charitable and benevolent organizations are exempt from the act, except that they must secure a permit.]

SEC. 9. *Registers, etc.*—[Registers of applicants placed for employment must be kept. Copy to be furnished industrial board each month.]

SECS. 12-16. *Acts forbidden*.—[Sending persons to places of bad repute, procuring discharges for purpose of securing positions for applicants, informing applicant of position where a strike or lockout is known to exist, or publishing false information or making false entries are forbidden.]

SEC. 17. *Inspection*.—[Records open to inspection of industrial board.]

SEC. 18. *Violations*.—[Penalty, fine of \$50 to \$100, to which may be added imprisonment not more than 6 months.]

Approved February 24, 1927.

CHAPTER 90.—*Mine regulations*

SECTION 1. [This act amends sec. 10, ch. 177, Acts of 1923, by changing punctuation marks, viz, in the sixth line, par. (C), before the word "provided" is inserted a colon instead of a period; in the fourth line, par. (E), a comma after the word "see" is omitted; in the first line, par. (M), a comma after the word "abandoned" is omitted; in the seventh line, par. (M), a comma after the word "thereof" is omitted.]

SEC. 2. [This act also amends sec. 19, ch. 177, Acts of 1923, as amended by ch. 171, Acts of 1925, so as to read as follows:]

**SECTION 19 (N). *Mine and fire bosses.***—Every mine boss must be a certified fire boss, and every room boss must be a certified fire boss and mine boss in the mines that generate explosive gas.

Approved March 7, 1927.

**CHAPTER 99.—*Mine regulations***

[Coal mines employing more than 10 men are required to use rock dust, unless dust on the floor, ribs, roof and timbers of such mine is maintained in a wet condition. Penalty, a fine \$50 to \$500, or imprisonment 60 days to one year, or both.]

Approved March 8, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Vocational education, ch. 82; Mechanics' liens, ch. 189; Industrial police, ch. 18; Absent voters, ch. 29.]

**IOWA**

**ACTS OF 1927**

**CHAPTER 30.—*Mine regulations—Coal mines***

[This act amends sec. 1288, Code of 1924, by increasing number of days from 30 to 60 in which to secure services of a certified person.]

Approved April 12, 1927.

**CHAPTER 31.—*Mine regulations—Coal mines***

[This act requires the operator of every coal mine to furnish each shot fireman with a gas mask.]

Approved April 7, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mothers' pensions, chs. 72, 73; Examination, etc., of barbers, ch. 48; Examination, etc., of beauty parlors, ch. 49; Preference for local labor and domestic materials on public works, ch. 27; Absent voters, ch. 21; Convict labor, ch. 78.]

**KANSAS**

**ACTS OF 1927**

**CHAPTER 220.—*Factory, etc., regulations—Provisions for safety***

[This act amends sec. 44-103, R. S. 1923, by substituting "doors" instead of "windows" in line 10; and in line 13 substituting "fire escapes" instead of "stairs."]

Approved March 22, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of barbers, ch. 244; Examination, etc., of beauty parlors, ch. 245; Convict labor, chs. 46, 238, 311, 312, 313, 314, 315.]

**MAINE**

**ACTS OF 1927**

**CHAPTER 87.—*Employment of children***

[This act amends sec. 66, ch. 16, R. S., as amended, by requiring the completion of the eighth grade of school work, instead of the sixth, and a subnormal child between 14 and 16 years of age may be excused from tests required to obtain a work permit under certain conditions.]

Approved April 6, 1927.

CHAPTER 187.—*Employment of children—Certificates*

[This act amends sec. 21, ch. 49, R. S., as amended by ch. 190, Acts of 1919, by incorporating the same provisions contained in ch. 87 relative to school work and subnormal children.]

Approved April 12, 1927.

CHAPTER 171.—*Employment of children*

[This act amends sec. 20, ch. 49, R. S., as amended by ch. 190, Acts of 1919, by prohibiting the employment of children under 14 in bowling alleys or pool rooms and under 16 as ushers in any theater or moving-picture house.

Section 2 amends sec. 20, ch. 49, R. S., as amended by ch. 190, Acts of 1919, by requiring a child to complete eighth-grade studies before given a work permit.

Section 3 of this act amends sec. 33, ch. 49, R. S., so as to read as follows:]

SECTION 33. *Age, etc.*—No person, firm or corporation shall employ or permit any person under 15 years of age to have the care, custody, management or operation of any elevator, or shall employ a person under 16 years of age to have the care, custody, management or operation of any elevator running at a speed of over 200 feet a minute, or shall employ any minor under 16 years of age to have the care, custody, management or operation of any elevator in any hotel, lodging house or apartment house. Whoever violates this section shall be punished by a fine of not less than \$25, nor more than \$100, for each offense.

Approved April 15, 1927.

## MARYLAND

## ACTS OF 1927

CHAPTER 561.—*Hours of labor of employees on street railways*

[This act repeals secs. 274, 275, 276, art. 27, Code of 1924, relative to hours of labor of horse-car employees.]

Approved April 5, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Apprenticeship, ch. 186; Examination, etc., of operators of moving-picture machines, ch. 631; Legal holidays in the States and Territories, ch. 239; Regulations governing laundries, ch. 519; Old-age pensions, ch. 538; Convict labor, ch. 655; Child-labor amendment to the United States Constitution, J. R. No. 8.]

## MASSACHUSETTS

## ACTS OF 1927

CHAPTER 275.—*Department of labor and industries*

[This act amends sec. 1, ch. 258, Acts of 1924, so as to read as follows:]

SECTION 4. *Appointees.*—The commissioner, assistant commissioner and associate commissioners may, with the approval of the governor and council, appoint, and fix the salaries of, not more than five directors, and may, with like approval, remove them. One of them, to be known as the director of standards, shall have charge of the division of standards, and each of the others shall be assigned to take charge of a division. The commissioner may employ, for periods not exceeding 90 days, such experts as may be necessary to assist the department in the performance of any duty imposed upon it by law, and such employment shall be exempt from chapter 31. Except as otherwise provided in section 11, the commissioner may employ and remove such inspectors, investigators, clerks and other assistants as the work of the department may require, and fix their compensation. Such number of inspectors as the commissioner may deem necessary shall be men who, before their employment as such, have had at least three years' experience as building construction workmen. The commissioner may require that certain inspectors in the department, not more than seven in number, shall be persons qualified by training and experience in matters relating to health and sanitation.

Approved April 18, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of hoisting-machine operators, ch. 298; Examination, etc., of operators of moving-picture machines, ch. 82; Examination, etc., of plumbers, ch. 154; Examination, etc., of stationary engineers, chs. 296, 298; Mechanics' liens, ch. 210; Right of action for injuries causing death by wrongful act, ch. 213; Retirement of public employees, ch. 101; Convict labor, ch. 289; Investigative commissions, ch. 26.]

## MICHIGAN

## ACTS OF 1927

*Act No. 20.—Free public employment offices*

[This act amends sec. 5356, C. L. 1915 (was sec. 35, No. 285, Acts of 1909), as amended 1923, No. 206, by requiring a fee of one dollar for the employment service, which fee entitles such person to further service for one year. The act also adds the following section:]

**SECTION 35a. Registration fund.**—All moneys received by the department of labor and industry under the provisions of section 35 of this act shall be set aside and shall be known as the Michigan public employment bureau registration fund, and shall be held and retained in the State treasury as a separate fund and shall be used and disbursed under the direction of said department of labor and industry, subject to the consent and approval of the State administrative board for the purpose of conducting, maintaining and improving said Michigan public employment bureaus and the balance of said fund, if any, shall be used for such purposes as said department of labor and industry, subject to the approval of the said State administrative board, shall see fit.

Approved April 2, 1927.

*Act No. 21.—Employment of women and children*

[This act amends sec. 5330, C. L. 1915 (was sec. 9, No. 285, Acts of 1909), as amended by act 206, Acts of 1923, by excepting from the provision of this section, in relation to the hours of employment, corporations and associations (as well as persons) engaged in shipping (as well as preserving) perishable goods in canning or fruit packing (as well as fruit and vegetable canning) establishments, but "such employment shall be approved by the commission, or any duly authorized representative, as not being injurious to the health of the person or persons so engaged."]

Approved April 6, 1927.

*Act No. 31.—Malicious injury to mine property*

[This act amends sec. 1, act 2, Laws of 1889 (sec. 15422, C. L. 1915), so as to read as follows:]

**SECTION 1. Constituting felony.**—That every person who shall willfully and maliciously cut, break, obstruct, injure or destroy or cause to be cut, broken, obstructed, injured or destroyed, any pump, pump rod, man engine, ladder, ladderway, skip, skip track, car, car track, bell, signal, rope, cable, cage, air compressor, steam boiler, electric generator, or any other appliance or thing, whether herein particularly mentioned or not, the same being above ground or underground in any mine, used for or connected with the hoisting or pumping apparatus, or means of conveyance or escape from any mine; or any stull, timber, plank, platform or other appliance or other thing, whether herein particularly mentioned or not, used for or connected with securing or upholding rock, or used for or connected with the purpose of securing the safety of workmen, the same being underground in any mine; or shall do the like to any engine house, boiler house, electrical generator house, shaft house or any other structure above ground containing machinery or appliances used for or connected with the pumping, signaling or hoisting of men or materials, or with securing the safety of workmen underground, such mine not being then and there an abandoned mine shall be deemed guilty of felony and be punished by imprisonment in the State prison not more than 20 years, or by fine not exceeding \$5,000, in the discretion of the court.

Approved April 11, 1927.

ACT No. 176.—*Provisions for accidents—Railroads*

[This act repeals act 342 of Acts of 1919.]

SECTION 1. *First-aid kits*.—On and after the 1st day of November, 1927, every railroad company owning and operating any steam railroad or any inter-urban electric railway wholly or partly within this State, shall provide and carry on each train operated by said company, one first-aid kit, which shall be placed near the door of one of the coaches on passenger trains, and near the door of the caboose on freight trains, so as to be readily accessible to passengers and employees for use in emergencies: *Providing*, This act shall not apply to trains in switching operations nor to electric street cars operated wholly within cities for local traffic.

SEC. 2. *Supplies*.—The first-aid kit shall at all times be equipped with and contain the following contents in a clean and sanitary condition:

- (1) One-half dozen 4 inch by 4 inch, gauze squares.
- (2) One-half dozen 3½ inch by 3½ inch, bandage compress with bandage attached 3½ inches by 72 inches.
- (3) One-half dozen 2½ inch by 2½ inch, bandage compress with bandage attached 2½ inches by 36 inches.
- (4) One-fourth dozen rolls 3 inch by 10 yards gauze bandage, plain.
- (5) One first-aid packet.
- (6) One tourniquet.
- (7) One-third dozen 8-inch wood splints.
- (8) One copy first-aid instructions.
- (9) One roll adhesive tape.

SEC. 3. *Removal*.—Any person or employee of any railroad company or inter-urban railway company who shall remove or carry away from their proper place, except in case of accident or emergency, any of the contents specified in section 2 shall be deemed guilty of an offense, and upon conviction thereof may be punished by a fine not exceeding \$50, or imprisonment in the county jail not exceeding 30 days or both such fine and imprisonment in the discretion of the court.

SEC. 4. *Violations*.—[Violations are punishable by fine not exceeding \$100 for each offense.]

SEC. 5. *Enforcement*.—The provisions of this act shall be enforced by the State commissioner of health.

Approved May 14, 1927.

ACT No. 211, PAGE 424.—*Employment of women and children*

[Act 152, Laws of 1887 (secs. 5600 to 5603, C. L. 1915), is repealed.]

[Act 265, Laws of 1889 (secs. 5592 to 5599, C. L., 1915), is repealed.]

Approved May 20, 1927.

ACT No. 335.—*Sale of stock to employees of corporations*

[This act amends sec. 14, ch. 2, of part 2 of act 84, Acts of 1921, regarding the sale of stock to employees.]

Approved June 1, 1927.

ACT No. 366.—*Stock for employees of corporations—Railroads*

[This act (sec. 1, art. II, No. 366) amends sec. 1, No. 42, Acts of 1925, authorizing board of directors of railroad companies to issue and sell unissued capital stock to their employees.]

Approved June 2, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Apprenticeship, act 211; Schools for employed children, act 319; Examination, etc., of aviators, act 138; Examination, etc., of barbers, act 382; Mechanics' liens, act 380; Protection of wages of employees, etc., of contractors, act 167; Railroads—safety appliances, etc., act 102; Convict labor, act 316.]



MINNESOTA  
ACTS OF 1927

CHAPTER 177.—*Factory, etc., regulations—Canneries—Inspection*

[This act amends secs. 3835, 3837, 3839, 3842, 3843, and 3844, G. S. 1923 (amended by ch. 385, Laws of 1925). License must be secured to operate a commercial cannery; fee \$1. A certificate of inspection is to be furnished each cannery. Commissioner is authorized to collect an assessment for inspection, not to exceed one-half cent per case packed. Penalties provided are a fine of \$25 to \$100, or imprisonment 30 days to 3 months.]

Approved April 13, 1927.

CHAPTER 349.—*Employment of women—Hours of labor*

[This act amends ch. 499, Laws of 1909, ch. 581, Laws of 1913, and ch. 422, Laws of 1923, by exempting from the provisions of the act employees engaged in the seasonal occupation of preserving perishable fruits, grains, or vegetables, provided the employment does not continue over 75 days in any one year.]

Approved April 20, 1927.

CHAPTER 388.—*Employment of children—General provisions*

[This act repeals sec. 10152, G. S., making certain prohibited employment of children a misdemeanor and amends sec. 4103, G. S., 1923, to read as follows:—]

SECTION 4103. *Employment under 16 and 18 years.*—No person shall employ or permit any child under the age of 16 years to serve or work as an employee of such person in any of the following occupations: Sewing or adjusting belts used on machinery; oiling or assisting in oiling, wiping, or cleaning machinery; operating or assisting in operating circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines in sheet-metal and tin-ware manufacture, stamping machines in washer and nut factories; operating corrugating rolls used in roofing factories; operating a steam boiler, steam machinery, or other steam-generating apparatus; setting pins in bowling alleys; operating or assisting in operating dough grates or cracker machinery; operating wire or iron straightening machinery; operating or assisting in operating rolling-mill machinery, punches or shears, washing, grinding or mixing mill; operating calender rolls in rubber manufacturing; operating or assisting in operating laundry machinery; preparing or assisting in preparing any composition in which dangerous or poisonous acids are used; operating or assisting in operating any passenger or freight elevator; manufacturing of goods for immoral purposes; nor in any other employment or occupation dangerous to the life, limb, health or morals of such child. No female under 16 years of age shall be employed where such employment requires such female to stand constantly during such employment. No child under the age of 18 years shall be employed as a rope or wire walker, contortionist, or at flying rings, horizontal bars, trapeze or other aerial acts, pyramiding, weight lifting, balancing, or casting acts, or in any practice or exhibition dangerous or injurious to the life, limb, health or morals of such child: *Provided*, That any child under 16 years of age may be employed or engaged in a theatrical exhibition only with the written permit of the mayor of the city or the president of the council of a village where such exhibition takes place. Such permit shall not be given for any child, local or transient, under 10 years of age, nor in any case unless written application be made to the officer empowered to give such permit. Such application and the permit based thereon shall specify the name of the child, its age, and the names and residence of its parents or guardian, the nature, kind, date when such performance will commence, duration and number of performances desired or permitted, together with the place and character of the exhibition. The mayor of the city or president of the council of the village, upon granting such permit, shall forthwith forward to the Industrial Commission of Minnesota a copy of such permit, and no such permit shall be granted unless there is a reasonable time for the copy of such permit to be received by the industrial commission and for investigation by said commission prior to the date when such performance will commence. If it shall appear

to such industrial commission that such permit is in violation of any existing law, or that the character of a performance is such as to be dangerous to the life or limb, or injurious to the health or morals of such child, then the industrial commission shall have power to suspend the operation of such permit. The applicant shall be promptly notified of any suspension or revocation of such permit: *Provided further*, That this section shall not apply to any child appearing as a singer, dancer, or musician in any church, school, or academy, or in any other place under the auspices of any church, school or academy, and any child under 10 years of age may appear as a singer, dancer, musician or actor in a theatrical exhibition with the written permit only of the industrial commission, after application for such appearance has been made to said commission, and such application and the permit based thereon shall specify the name of the child, its age, and the names and residence of its parents or guardian, the nature, kind and date of such appearance, the duration and number of appearances desired or permitted, together with the place and character of such appearances. Application for such permit shall be made sufficiently in time prior to the date when such appearance will commence, to permit the industrial commission to investigate such application. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Approved April 22, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mothers' pensions, chs. 320, 362; Examination, etc., of barbers, ch. 316; Examination, etc., of beauty parlors, ch. 245; Examination, etc., of stationary engineers, ch. 378; Mechanics' liens, ch. 343; Retirement of public employees, ch. 190; Cooperative associations, chs. 15, 23, 25, 66; Absent voters, ch. 77; Convict labor, chs. 142, 172.]

## MISSOURI

### ACTS OF 1927

#### *Protection of employees on buildings*

(Page 276)

**SECTION 1. Scaffolds, etc.**—That all scaffolds, hoists, stays, ladders, supports, or other mechanical contrivances, erected or constructed by any person, firm or corporation, in this State, for the use in the erection, repairing, alteration, painting, tuckpointing, removal or any work whatsoever of any house, building, bridge, viaduct, or other structure, shall be erected and constructed, in a safe, suitable and proper manner, and shall be so erected and constructed, placed and operated, as to give proper and adequate protection to the life and limb of any person or persons, employed or engaged thereof, or passing under or by the same, and in such manner as to prevent the falling of any material that may be used or deposited thereon. Scaffolding or staging, swung or suspended from an overhead support, more than 20 feet from the ground or floor, shall have where practicable a safety rail properly bolted, secured and braced rising at least 34 inches above the floor, or main portion of such scaffolding or staging, and extending along the entire length of the outside and ends thereof, and properly attached thereto, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.

**Sec. 2. Outside ladder.**—No outside ladder shall be used in connection with the construction, repairing, alteration, removal, or any work whatsoever on any building more than two stories in height, as a stairway.

**Sec. 3. Stairways.**—All stairways used in connection with the construction, repairing, alteration, removal, or any work whatsoever, on any building more than two stories in height, shall be kept lighted at all times during their use and shall have a handrail running the entire length of said stairway.

**Sec. 4. Supports.**—If in any house, building or structure in process of erection or construction in this State (except a private house, used exclusively as a private residence), the distance between the inclosing walls is more than 24 feet, in the clear, there shall be built, kept and maintained, proper intermediate supports for the joists, which supports shall be either brick walls, or iron or steel columns, beams, trussels, (trusses) or girders, and the floors in all such houses, buildings, or structures, in process of erection and construction, shall

be designed and constructed in such manner as to be capable of bearing in all their parts, in addition to the weight of the floor construction, partitions and permanent fixtures, and mechanisms that may be set upon the same, a live load of 50 pounds for every square foot of surface in such floors, and it is hereby made the duty of the owner, lessee, builder or contractor or subcontractor of such house, building or structure, or the superintendent or agent of either, to see that all the provisions of this section are complied with.

**Sec. 5. Inspection.**—Whenever it shall come to the notice of the State industrial inspector, or the local authority in any city, town or village in this State, charged with the duty of enforcing the building laws, that the scaffolding or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or ropes of any swinging or stationary scaffolding, platforms or other similar device, used in the construction, alteration, repairing, removing, cleaning or painting of buildings, bridges or viaducts, within this State are unsafe or liable to prove dangerous to the life or limb of any person the State industrial inspector, or such local authority or authorities shall immediately cause an inspection to be made of such scaffolding, platform or device, or the slings, hangers, blocks, pulleys, stays, braces, ladders, iron or other parts connected therewith. If after examination such scaffolding, platform or device or any of such parts, is found to be dangerous to the life or limb of any person, the State industrial inspector, or such local authority shall at once notify the person responsible for its erection or maintenance, of such fact, and warn him against the use, maintenance or operation thereof, and prohibit the use thereof, and require the same to be altered, and reconstructed so as to avoid such danger. Such notice may be served personally upon the person responsible for its erection or maintenance or by conspicuously affixing it to the scaffolding, platform, or other such device, or the part thereof declared to be unsafe. After such notice has been so served or affixed, the person responsible thereof shall cease using and immediately remove such scaffolding, platform or other device, or part thereof, and alter or strengthen it in such manner as to render it safe. The State industrial inspector, or any of his deputies, or such local authority, whose duty it is, under the terms of this act, to examine or test any scaffolding, platform or other similar device, or part thereof, required to be erected and maintained by this section, shall have free access at all reasonable hours, to any building, or structures, or premises containing such scaffolding, platform or other similar device, or parts thereof, or where they may be in use. All swinging and stationary scaffolding, platforms, and other devices shall be so constructed as to bear four times the maximum weight required to be depended therein, or placed thereon, when in use, and such swinging, scaffolding, platform or other device, shall not be so overloaded or overcrowded as to render the same unsafe or dangerous.

**Sec. 6. Duty of contractors.**—All contractors and owners when constructing buildings in cities, where the plans and specifications require the floors to be arched between the beams thereof or where the floors of [or] filling in between the floors are fireproof material or brick work, shall complete the flooring or filling in as the building progresses, to not less than within three tiers or beams below that on which the iron work is being erected. If the plans and specifications of such buildings do not require filling in between the beams of floors with brick or fireproof material, all contractors for carpenter work in course of construction shall lay the under flooring thereof or a safe temporary floor on each story as the building progresses to not less than within two stories, or floors below the one to which such building has been erected. Where double floors are not to be used, such owner or contractor shall keep planks over the floor, two stories or floors below where the work is being performed. If the floor beams are of iron or steel the contractor for the iron or steel work of buildings in the course of construction or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work and the raising and lowering of materials, to be used in the construction of such building, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts.

**Sec. 7. Shafts to be inclosed.**—If the elevating machines or hoisting apparatus are used within a building in the course of constructing for the purpose of lifting material to be used in such construction, the contractor or owner shall cause the shafts or openings on floor where material is loaded to be completely inclosed on all sides; except opening not over 8 feet high and the

width of the elevating machines for loading purposes. On the other floors the shafts and all other openings shall be enclosed or fenced in on all sides by a substantial barrier or railing at least 3 feet in height: *Provided, however,* That nothing in this act shall apply to railroad corporations or companies who are using their own employees in the construction or repairing of any structure mentioned herein.

Sec. 8. *Enforcement of act.*—The chief officer in any city, town or village charged with the enforcement of local building laws, and the State industrial inspector are hereby charged with enforcing the provisions of this act: *Provided,* That in all cities in this State, where a local building commissioner is provided for by law, such officer shall be charged with the duty of enforcing the provisions of this act, and in case of his failure, neglect or refusal so to do, the State industrial inspector shall, pursuant to the terms of this act, enforce the provisions thereof.

Sec. 9. *Act applicable to certain cities.*—The provisions of this act shall apply only to cities that now have or may hereafter have a population of 50,000 or more inhabitants.

Sec. 10. *Violations.*—Any owner, contractor, subcontractor, foreman or other person, having charge of the erection, construction, repairing, alteration, removal, or painting of any building, bridge, viaduct or other structure within the provisions of this act, shall comply with all the terms thereof and any such owner, contractor, subcontractor, foreman or other person violating any of the provisions of this act shall upon conviction thereof be fined not less than \$25 or more than \$500 or imprisoned for not less than three months or more than six months, or both fined and imprisoned in the discretion of the court.

Approved March 25, 1927.

*Department of labor and industrial inspection*

(Page 292)

[This act creates a department of labor and industrial inspection, repealing secs. 6737, 6739 and 6744 of Article I, and sec. 6781 of Article V, and sec. 6851 of Article X, all of ch. 54, R. S. 1919. The law reads as follows:]

SECTION 1. *Department established.*—There shall be and is hereby created and established a department, to be known as the "department of labor and industrial inspection," which shall be a body corporate, having perpetual succession, with power to complain and defend in all courts, and with power to have, and use a common seal and to alter the same at pleasure.

Sec. 2. *Powers and duties.*—All the powers now conferred upon the commissioner of labor statistics, and the industrial inspector, as provided for in chapter 54 of the Revised Statutes of 1919, and acts amendatory thereof (except Article III of said chapter), Revised Statutes of 1919 and acts amendatory thereof, are hereby transferred to the department of labor and industrial inspection, and conferred upon the commissioner of labor and industrial inspection herein provided for, and said commissioner shall be chargeable with all the duties of enforcing the provisions of said chapters, with the exception of Article III of chapter 54, and shall be liable to all the penalties to which any of the commissioners, boards or bureaus, stand amenable under said chapter 54, subject to the exception of Article III of chapter 54, it being the declared purpose of the general assembly to effect a consolidation, under the single department created by this act, the departments of labor statistics, and industrial inspection, as provided for by chapter 54, Revised Statutes of 1919, and to transfer the powers, duties and functions of these departments, commissions, boards and bureaus to the department hereby created in order to bring about a more orderly and economical administration of the laws pertaining thereto.

Sec. 3. *Salary of commissioner.*—Said department of labor and industrial inspection shall be under the control, management, and supervision of a commissioner to be known as the commissioner of labor and industrial inspection, who shall be entitled to a salary of \$3,500 per annum, the same to be paid monthly out of the general revenues of the State, as other officers are paid. The term of office of such commissioner of labor and industrial inspection shall be four years from the date of his appointment, and until his successor shall be appointed and qualified, unless sooner removed, and he shall devote his full time to the duties of the office.

Sec. 4. *Oath of officer.*—Before said commissioner of labor and industrial inspection shall enter upon the duties of his office, he and the deputy com-

missioners provided for by this act shall be required to take and subscribe to an oath of office and the commissioner shall give a good and sufficient bond to the State of Missouri in the penal sum of \$20,000, to be approved by the attorney general as to form, and by the governor as to sufficiency, conditioned upon the faithful performance of the duties of his office, and that he will render an honest and accurate accounting of all funds which may come into his hands through the performance of his official duties, and said commissioner shall be held liable on his official bond for any defalcations of any of his deputies, agents, assistants, or other employees.

**Sec. 5. Location of offices.**—The principal office of the commissioner of labor and industrial inspection shall be kept and maintained in Jefferson City, Mo., and it shall be the duty of the board of permanent seat of government to furnish suitable rooms therefor in the State capitol. In addition to the principal office in Jefferson City there shall be kept and maintained one branch office in the city of St. Louis, Mo., and one branch office in Kansas City, Mo., each of which branch offices shall be in charge of a deputy commissioner of labor and industrial inspection, which said deputy commissioners shall perform such duties as may be prescribed by the commissioner of labor and industrial inspection, and shall at all times be under his direction and supervision. Said deputy commissioners shall be empowered to do and perform in the name of the commissioner any act which the commissioner himself might perform, subject, however, to the approval of said commissioner of labor and industrial inspection.

**Sec. 6. Traveling expenses.**—The commissioner of labor and industrial inspection, his deputies, inspectors and other assistants and appointees shall be entitled to their actual traveling expenses when traveling within the State of Missouri on necessary business of the department of labor and industrial inspection, which said expenses shall be paid on itemized accounts, approved by the commissioner as other departmental expenses are approved and paid.

**Sec. 7. Appointment of commissioner.**—The commissioner of labor and industrial inspection shall be appointed by the governor, by and with the advice and consent of the senate, and shall be removable from office by the governor for inefficiency, incompetency, neglect of duty, or misconduct in office, as may be deemed by the governor to have been sufficiently proved. Before any order of removal shall be made the governor shall first give said commissioner 15 days' notice in writing of any charges preferred against him, together with a copy of the charges, and said commissioner shall have the right to a public hearing, in person as well as by counsel, on such charges: *Provided*, That notice of the hearing, provided for by this section shall be dated, and given under the hand of the governor and the great seal of the State, and may be served by any of the usual methods of serving notices, or by registered mail. The 15-day period provided for herein shall commence on the date on which such notice shall be issued, and the same shall be served immediately upon its issuance: *Provided*, That in case charges are preferred against such commissioner, it shall be the duty of the governor to keep and preserve a complete record of the proceedings had thereunder before him.

**Sec. 8. Other appointments.**—The commissioner of labor and industrial inspection is hereby empowered, subject to the approval of the governor, to appoint the following subordinate officials, assistants and helpers, to wit: 2 deputy commissioners of labor and industrial inspection, who shall be in charge of the branch offices of the department; 1 chief clerk who shall be a competent book-keeper and shall have supervision, under the direction of the commissioner, of the principal office of said department at Jefferson City, and shall perform such other duties as the commissioner may require; also 1 statistician, and such inspectors, not exceeding 11, as may be necessary to carry on the inspection work of the consolidated departments; 4 stenographers, and 1 janitor for the principal office at Jefferson City.

**Sec. 9. Salaries.**—The salaries and compensation of the subordinate officials and employees, provided for in section 8 of this act, shall be paid in like manner and from the same source as the salary of the commissioner of labor and industrial inspection, and upon vouchers approved by said commissioner. Said salaries and compensation shall be as follows: Deputy commissioners of labor and industrial inspection, not exceeding \$1,800 per annum each; chief clerk[s], not exceeding \$2,800 per annum each, statistician not exceeding \$2,400 per annum, inspectors \$150 per month for the time actually employed, and stenographers \$1,200 per annum. Such compensation shall be paid the janitor

as may be fixed by the commissioner, not to exceed, however, the sum of \$75 per month for the time employed. All persons appointed or employed under the provisions of section 8 of this act shall serve at the pleasure of the commissioner of labor and industrial inspection, and shall perform such duties as may be prescribed by him.

[Sections 10-14 relate to definitions of the terms of the act, title to property, duties transferred to new department, payment of fees, and for the repeal of certain inconsistent sections.]

Approved April 8, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mothers' pensions, p. 127; Examination, etc., of beauty parlors, p. 272; Examination, etc., of plumbers, p. 363; Assignment of wages—wage brokers, p. 252; Credit unions, p. 164; Absent voters, p. 198; Convict labor, pp. 363, 365, 382.]

**MONTANA**

**ACTS OF 1927**

**CHAPTER 27.—*Mine regulations—Coal mines***

[This act amends sec. 3524, R. C. 1921, by providing for the firing of shots, where the coal is loaded by any mechanical means, more than once per shift.]

Approved February 21, 1927.

**CHAPTER 28.—*Mine regulations—Coal mines***

[This act amends sec. 3504, R. C. 1921, by increasing the maximum distance between crosscuts where mechanical means of loading coal and ventilation are used, so that a man at the face may receive twice the amount of air as previously required; and that all smoke be cleared before the men are required to work therein.]

Approved February 21, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mothers' pensions, ch. 12; Mechanics' liens, ch. 130; Vocational rehabilitation—State and Federal cooperation, ch. 1; Preference for local labor and domestic materials on public works, ch. 133, and H. J. Res. No. 4, p. 589; Convict labor, H. B. No. 124, p. 528, and ch. 152; Child-labor amendment to the United States Constitution, H. J. Res. No. 2.]

**NEBRASKA**

**ACTS OF 1927**

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Schools for employed children, ch. 82; Mothers' pensions, ch. 149; Examinations, etc., of barbers, ch. 163; Cooperative associations, ch. 50.]

**NEVADA**

**ACTS OF 1927**

**CHAPTER 105.—*Hours of labor at mines—Underground employees***

[This act amends sec. 289, Laws of 1911, to read as follows:]

**SECTION 289. *Eight-hour day***—The period of employment for all persons who are employed, occupied, or engaged in work or labor of any kind or nature in underground mines or underground workings in search for or in the extraction of minerals, whether base or precious, or who are engaged in such underground mines, underground workings, or who are employed, engaged, or occupied in other underground workings of any kind or nature, for the purpose of tunneling, making excavations, or to accomplish any other purpose or design, shall not exceed 8 hours within any 24 hours, and the said 8 hours shall include the time employed, occupied, or consumed from the

time of reaching the point of employment or place of work in any underground mine, and in returning to the surface from said point or place of work, and that it is the intent and purpose of this act that the period of time between arriving at the point or place of work, in any underground working, and returning to the surface from such point of work shall not exceed 8 hours within any 24 hours: *Provided*, That in case of emergency, where life or property is in danger, the period may be prolonged during the continuance of such emergency: *And provided further*, That nothing in this section contained shall be deemed to prevent change in the hours of employment from one part of the day to another at stated periods, nor to prevent the employment from one part of the day to another at stated periods, nor to prevent the employment of any of the persons mentioned in this section for more than 8 hours during the day in which change is made: *And provided, however*, That such change in the hours of employment shall not occur more than once in any two weeks.

Approved March 23, 1927.

#### CHAPTER 151.—*Employment of children*

[This act amends sec. 6823, R. L. 1912, by adding as a forbidden occupation that of any minor under 18 in public dance halls.]

Approved March 25, 1927.

#### *Digests, etc.*

[Other legislation is noted in Part I, under the heading: Absent voters, ch. 113.]

### NEW HAMPSHIRE

#### ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Mothers' pensions, ch. 87; Mechanics' liens, ch. 88; Convict labor, ch. 112.]

### NEW JERSEY

#### ACTS OF 1927

#### CHAPTER 92.—*Department of labor*

[This act directs the commissioner of labor to prepare and promulgate a building code for the erection of buildings used for public-entertainment purposes in cities which have no local building supervision.]

Approved March 19, 1927.

#### *Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics' liens, ch. 241; Sunday labor, ch. 116; Retirement of public employees, chs. 18, 256; Convict labor, ch. 319.]

### NEW MEXICO

#### ACTS OF 1927

#### CHAPTER 41.—*Protection of employees as voters*

[This act repeals A. S., secs. 2050 and 2053, Code of 1915, and ch. 132, Laws of 1921. The new 1927 election code reads as follows:]

SECTION 515. *Discharging or threatening discharge*.—Any officer or agent of any corporation, company or association, or any person having under his control or in his employ persons entitled to vote at any election, who shall directly or indirectly discharge or threaten to discharge any such employee on account of his political opinions or belief, or who shall by any corrupt or unlawful means procure or attempt to procure or induce any such employee to vote or refrain from voting for any candidate, proposition, question or constitutional amendment, shall be punished by a fine of not less than \$100, nor more than \$1,000,

or by imprisonment for not more than six months, or by both such fine and imprisonment.

Sec. 516. *Restrictions by employers.*—Any employer who makes or enforces or attempts to enforce any order, rule or regulation, or who adopts any other device or method to prevent an employee from engaging in political activities, accepting candidacy for nomination or election to or the holding of political office, or from holding a position as a member of any political committee, or from soliciting or receiving funds for political purposes, or from acting as chairman of or participating in a political convention, or assuming the conduct of any political campaign, shall be punished by a fine of not less than \$100 nor more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment, and if such employer is a corporation, association, company or partnership, the officer, agent or other person promulgating or issuing such order, rule or regulation, or adopting any other such device or method, shall be deemed the principal in the commission of such crime; but nothing herein contained shall prevent any employer from making and enforcing any rule regulating the conduct of employees while on duty on his or its own premises.

Sec. 517. *Bribery, threats, etc.*—Any person who shall in any manner intimidate or attempt to intimidate, or who shall use violence toward any judge or clerk of election, counting judge or counting clerk, poll clerk, challenger or watcher; or who shall directly or indirectly use any force, violence or restraint, or inflict or threaten to inflict by himself or any other person, any injury, damage, harm or loss, upon any person in order to induce or compel such person or any other person to vote or refrain from voting any party ticket, or for any candidate, question or constitutional amendment at any election; or who shall by abduction, or duress, or by any device, contrivance or scheme, impede or prevent the free exercise of the franchise by any elector, shall be guilty of a felony and upon conviction thereof shall be punished by a fine of not less than \$500 nor more than \$1,000 or by imprisonment in the penitentiary for not less than one year nor more than five years or by both such fine and imprisonment.

Approved March 10, 1927.

#### CHAPTER 115.—*Mine regulations—Department of mines*

SECTION 1. *Office created.*—[A bureau of mines and mineral resources is established, which is to be a department of the New Mexico School of Mines and under the direction of its board of regents. This board is authorized to appoint a director of the bureau and such assistants and employees as is necessary.]

Approved March 14, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Time to vote to be allowed employees, ch. 41, sec. 705; Absent voters, ch. 41, sec. 333.]

### NEW YORK

#### ACTS OF 1927

##### CHAPTER 82.—*Inspection of steam vessels and boilers*

[This act amends secs. 3 and 4, ch. 87, C. L. 1909, so as to conform to the State department's law in relation to the inspection of steamboats.]

Approved February 17, 1927.

##### CHAPTER 166.—*Labor law*

[This act repeals ch. 343, secs. 282 to 295, Laws of 1926, as added by ch. 427, Laws of 1926, and amends ch. 50, Acts of 1921, secs. 10, 10a, 12, 13, 14, 16, 17, 27, 29, 30, 31, 33, sec. 111, subd. 3, sec. 204, subd. 5, sec. 208, sec. 220, subd. 4, to read as follows:]

SECTION 10. *Department of labor.*—There shall continue to be in the State government a department of labor. The head of the department shall be the industrial commissioner. The industrial commissioner shall be appointed by the governor, by and with the advice and consent of the senate and hold office until the end of the term of the governor by whom he was appointed, and until his successor is appointed and has qualified. The present industrial commissioner shall be the head of such department and shall hold office until



the expiration of his present term and until his successor is appointed and has qualified, subject to the provisions of the State departments law.

**SEC. 10a. Industrial council.**—1. To advise the commissioner, there shall continue to be in the department an industrial council composed of 10 members appointed by the governor. Five members of the council shall be persons known to represent the interests of employees, and, five shall be persons known to represent the interests of employers. The governor may remove any member of the council when such member ceases to represent the interests in whose behalf he was appointed.

2. The commissioner shall be an additional member of such council and act as chairman thereof. The chairman of the industrial board shall also be an additional member of such council and shall be vice chairman thereof, to act in the absence of the commissioner. The commissioner shall designate an employee of the department to act as secretary to the council and shall detail from time to time to the assistance of the council such employees as may be necessary.

3. The members of the council shall be entitled to compensation at the rate of not exceeding \$10 per day for each meeting attended by them, or each day actually spent in the work of the council. They shall also be paid their reasonable and necessary traveling and other expenses while engaged in the performance of their duties.

4. The council shall (a) consider all matters submitted to it by the industrial commissioner and advise him with respect thereto; (b) on its own initiative recommend to the commissioner such changes of administration as, after consideration, may be deemed important and necessary; (c) cooperate with the civil service commission in conducting examinations and in preparing lists of eligibles for positions, the duties of which require special knowledge or training, and advise the commissioner in the selection and appointment of employees to such positions.

5. The council shall adopt rules and regulations to govern its own proceedings. The secretary shall keep a complete record of all its proceedings which shall show the names of the members present at each meeting and every matter submitted to the council by the commissioner and the action of the council thereon. The record shall be filed in the office of the department. All records and other documents of the department shall be subject to inspection by the members of the council.

6. The duties and powers of the council shall not extend to any matters affecting the administration of the State insurance fund.

**SEC. 12. Industrial board.**—There shall continue to be in the department an industrial board consisting of five members, at least one of whom shall be an attorney and counsellor at law duly admitted to practice in this State. The members of such board shall be appointed by the governor, by and with the advice and consent of the senate, one of whom shall be designated by the governor as chairman. Upon the appointment of a successor to the chairman, the governor shall designate such successor or other member of the board as chairman. The term of office of a member of such board shall be six years. The present members of the board shall continue in office until the expiration of their present terms, and until their successors are appointed and have qualified.

**SEC. 13. Oaths.**—The industrial commissioner, members of the industrial board and the deputy commissioner shall, before entering upon the duties of their office, take and subscribe the constitutional oath of office. Such oaths shall be filed in the office of the department of state.

**SEC. 14. Offices.**—The principal office of the department shall be in the city of Albany in rooms designated by the superintendent of public works as provided by law. There shall be a branch office in the city of New York and in such other cities of the State as the commissioner may determine.

**SEC. 16. Vacancies and removals.**—If a vacancy shall occur or exist in the office of the industrial commissioner it shall be filled by appointment by the governor, by and with the advice and consent of the senate, for a term expiring with that of the governor by whom the appointment was made. If a vacancy occurs otherwise than by expiration of term in the membership of the industrial board, it shall be filled by appointment for the unexpired term. The governor may remove the commissioner in the manner provided by the State departments law. He may remove a member of the industrial board for inefficiency, neglect of duty or misconduct in office after giving him a copy of the charges

and an opportunity of being publicly heard in person or by counsel on not less than 10 days' notice. If a member of the industrial board be removed the governor shall file with the department of state a record of his proceedings in respect of such removal and his findings thereon.

**SEC. 17. Salaries and expenses.**—The commissioner and members of the industrial board shall devote their entire time to the duties of their respective offices. The commissioner shall receive an annual salary of \$12,000; each member of the industrial board shall receive an annual salary of \$8,500, and the deputy commissioner shall receive an annual salary of \$7,000. The reasonable and necessary expenses of the department and the reasonable and necessary traveling and other expenses of the commissioner, deputy commissioner, members of the industrial board and other officers and employees of the department, while actually engaged in the performance of their duties, outside of the city of Albany, or if any such officer or employee be in charge or actually employed at a branch-office of the department, the reasonable and necessary traveling and other expenses outside of the place in which such branch office is located, shall be paid from the State treasury upon the audit and warrant of the comptroller, upon vouchers approved by the commissioner.

**SEC. 21. Powers and duties of industrial board.**—The industrial board shall have power, subject to the provisions of section 29 of this chapter, to make, amend and repeal rules for carrying into effect the provisions of this chapter, applying such provisions to specific conditions and prescribing means, methods and practices to effectuate such provisions. It shall have power to hear and determine all claims for compensation under the workmen's compensation law in the manner provided by this chapter or the workmen's compensation law; to require medical service for injured employees as provided by the workmen's compensation law; to approve claims for medical service or attorney's fees, to excuse failure to give notice either of injury or death of an employee, to approve agreements, to modify or rescind awards, to make conclusions of fact and rulings of law, to certify questions to the appellate division of the supreme court, to enter orders in appealed cases, to determine the time for the payment of compensation, to order the reimbursement of employers for amounts advanced, to assess penalties, to commute awards, to compromise actions for the collection of awards, to require or permit employers to deposit the present value of awards in the aggregate trust fund of the State fund, to determine by rule the assignment of a minor's right to sue a third party, to require guardianship for minor dependents, to hear and determine claims under the occupational disease act, to order physical examinations, to take testimony by depositions; and to have and exercise all other powers and duties, exclusive of purely administrative functions, originally conferred or imposed upon the workmen's compensation commission by the workmen's compensation law or any other statute, and by chapter 674 of the Laws of 1915 conferred and imposed upon the State industrial commission. For the purpose of exercising such powers and performing such duties, the industrial board shall be deemed to be a continuation of the State industrial commission; and all proceedings under the workmen's compensation law pending before such commission are hereby transferred to the industrial board without prejudice to the rights of any party to such proceeding. Any hearing, inquiry or investigation required or authorized to be conducted or made by the industrial board may be conducted or made by any individual member thereof, and the order, decision or determination of such member shall be deemed the order, decision or determination of the board from the date of filing thereof in the department, unless the board on its own motion or on application duly made to it modify or rescind such order, decision or determination.

**SEC. 29. Industrial code.**—The rules of the board shall constitute the industrial code, and the rules which now constitute the industrial code shall continue in force and shall constitute such code until amended or repealed in the manner hereinafter provided. At least three affirmative votes shall be necessary for the adoption, amendment or repeal of any rule: *Provided, however,* That hereafter a new rule or an amendment or repeal of a rule shall not be effective unless and until approved by the industrial commissioner, notwithstanding any provision of this chapter relative to rules of such board. Before any rule is adopted, amended or repealed there shall be a public hearing thereon, notice of which shall be published at least once, not less than 10 days prior thereto, in such newspaper or newspapers as the board may prescribe, and where it affects premises in the city of New York in the City Record of the city of New York. The commissioner may appoint committees composed of employers, employees and experts to suggest rules or changes therein. Every rule adopted and every

amendment or repeal thereof shall be promptly published in the bulletins of the department and where it affects premises in the city of New York in the City Record in the city of New York. The rules and all amendments and repeals thereof shall, unless otherwise prescribed by the board, take effect 20 days after the first publication thereof and certified copies thereof shall be filed in the office of the department of state.

**SEC. 80. Variations.**—If there shall be practical difficulties or unnecessary hardship in carrying out a provision of this chapter or a rule of the board thereunder affecting the construction or alteration of buildings, exits therefrom, the installation of fixtures and apparatus or the safeguarding of machinery and prevention of accidents, the board may make a variation from such requirements if the spirit of the provision or rule shall be observed and public safety secured. Any person affected by such provision or rule, or his agent, may petition the board for such variation stating the grounds therefor. The board shall fix a day for a hearing on such petition and give notice thereof to the petitioner. If the board shall permit such variation it shall be in the form of a resolution adopted by at least three votes, and the variation shall apply to all buildings, installations or conditions where the facts are substantially the same as those stated in the petition. The resolution shall describe the conditions under which the variation shall be permitted and shall be published in the bulletin of the department. Where the variation affects premises or conditions in the city of New York it shall also be published in the City Record of New York City. A properly indexed record of all variation shall be kept in the office of the department and open to public inspection.

**SEC. 31. Information to be given.**—The owner, operator, manager or lessee of any place affected by the provisions of this chapter or his agent, superintendent, subordinate or employee, and any person employing or directing any labor affected by such provision shall, when requested by the commissioner or board, furnish any information in his possession or under his control which the commissioner or board is authorized to require; shall answer truthfully all questions authorized to be put to him; shall admit the commissioner, a deputy commissioner, or other officer or employee of the department, to any place which is affected by the provisions of this chapter for the purpose of making inspection or enforcing the provisions thereof and the industrial code, and shall render assistance necessary for a proper inspection.

**SEC. 83. Notice.**—Whenever the commissioner or board or any person affected by the provisions of this chapter is required to give notice in writing to any person, such notice may be given by mailing it in a letter addressed to such person at his last known place of business or by delivering it to him personally. Notice to a partnership may be given to any of the partners and notice to a corporation may be given to any officer or agent thereof upon whom a summons may be served as provided by the civil practice act. Whenever an order or demand of the department is required to be served it shall be served in the manner hereinbefore provided for the service of a notice or by delivering it to any person of suitable age and discretion in charge of the premises affected by such order, or if no person is found in charge by affixing a copy thereof conspicuously upon the premises.

**SEC. 111 (subd. 3). Review by courts.**—The court may refer any issue arising in such action to the board for further consideration. At any time during such action the party appealing may apply to the court without notice for an order directing any question of fact arising upon any issue to be tried and determined by a jury, and the court shall thereupon cause such question to be stated for trial accordingly and the findings of the jury upon such question shall be conclusive. Appeals may be taken from the supreme court to the appellate division of the supreme court and to the court of appeals in such cases, subject to the limitations provided in the civil practice act.

**SEC. 204 (subd. 5). Inspection of boilers.**—The provisions of this section shall not apply in cities where boilers are regularly inspected by competent inspectors acting under the authority of local laws or ordinances. Such cities shall enforce the boiler code as adopted by the board.

Boilers subject to inspection by the department of public service, and by inspectors of steam vessels under the department of public works and the United States Government are exempted.

**SEC. 220 (subd. 4 c). Eight-hour day.**—Engineers, electricians, and elevator men in the division of public buildings of the department of public works during the annual session of the legislature.

Approved March 17, 1927.

CHAPTER 320.—*Private employment agencies*

[This act amends secs. 170, 171, and 181, ch. 25, Acts of 1909 (as amended ch. 700, Acts of 1910), to make registries conducted by associations of registered nurses subject to the employment agencies law.]

Approved March 26, 1927.

CHAPTER 453.—*Hours of labor—Females*

[This act amends secs. 172 and 181, ch. 50, Acts of 1921, so as to read as follows:]

SECTION 172. *Females over sixteen.*—1. No female over 16 years of age shall be employed in a factory, except as provided in section 173:

a. More than 6 days or 48 hours in any week, except as provided in subdivisions b and c of this section;

b. More than 8 hours in any day, except that she may be employed 9 hours a day to make a shorter workday or holiday on any one day of the week, in which event she may be employed on 5 days of the week at not to exceed 9 hours on each of such days and not more than 4½ hours on such shorter work day and not in excess altogether of 49½ hours in any such week;

c. Notwithstanding the provisions of paragraphs a and b and in addition to the hours of work therein authorized, she may be employed for not to exceed an additional 78 hours in any calendar year. In the distribution of such overtime herein authorized, no female shall be required, permitted or suffered to work more than 10 hours on any day, and in no case shall she be employed for more than 6 days nor more than 54 hours in any week. Before the commencement of such additional or overtime employment, the employer shall post a notice on a form furnished by the commissioner, stating the amount of overtime which shall be required, in each room where the employees are employed or report for duty, and in cases where less than all the employees are to be employed on overtime the names of the employees to work during such overtime shall be posted also. A copy of such notice shall be forthwith mailed to the commissioner.

2. In no case shall a female under 21 years of age be employed in any factory between the hours of 9 o'clock in the evening and 6 o'clock in the morning, or a female over 21 years of age between the hours of 10 o'clock in the evening and 6 o'clock in the morning.

SEC. 181. *Females over sixteen.*—Except from the 18th day of December to the following 24th of December, inclusive, no female over 16 years of age shall be employed in or in connection with any mercantile establishment:

a. More than 6 days or 48 hours in any week, except as provided in subdivision b and c of this section;

b. More than 8 hours in any day, except that she may be employed 9 hours on one day of each week, in order to make one or more shorter workdays in the week, in which event she may be employed on 5 days of the week at not to exceed 9 hours on each of such days and not more than 4½ hours on such shorter workday and not in excess altogether of 49½ hours in each week;

c. Notwithstanding the provisions of paragraphs a and b and in addition to the hours of work therein authorized, she may be employed for not to exceed an additional 78 hours in any calendar year. In the distribution of such overtime herein authorized, no female shall be required, permitted or suffered to work more than 10 hours on any day, except on one day of the week, but in no case shall she be employed including overtime for more than 6 days nor more than 54 hours in any week. Before the commencement of such overtime employment, the employer shall post a notice on a form furnished by the commissioner stating the amount of overtime which shall be required, in each room where the employees are employed or report for duty, and in cases where less than all the employees are to be employed on overtime the names of the employees to work during such overtime shall be posted also. A copy of such notice shall be forthwith mailed to the commissioner;

d. Between the hours of 10 o'clock in the evening and 7 o'clock in the morning.

The provisions of this section prohibiting employment more than 6 days a week and between the hours of 10 o'clock in the evening and 7 o'clock in the morning shall not apply to female writers or reporters employed in newspaper offices.

Approved March 30, 1927.

CHAPTER 495.—*Safety and sanitation*

[This act amends secs. 290 and 291, ch. 50, Acts of 1921, by adding the following sentence at the end of each section: "The walls and ceiling of the rooms and hallways in every factory shall be kept in a clean condition."]

Approved March 31, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mothers' pensions, ch. 684; Vocational rehabilitation—State and Federal cooperation, ch. 487; Retirement of public employees, chs. 171, 174, 573, 707; Rate of wages of employees on public works, ch. 563; Trade-marks of trade-unions, ch. 166; Absent voters, Con. Res., p. 1778; Convict labor, chs. 87, 285.]

## NORTH CAROLINA

## ACTS OF 1927

CHAPTER 55.—*Factory, etc., regulations—Fire escapes, etc.*

[This act amends sec. 6085, C. S. 1919, so as to include office buildings.]  
Approved February 26, 1927.

CHAPTER 72.—*Assignment of wages*

[This act amends sec. 4509, C. S. 1919, by making it unlawful for anyone to charge a higher rate of interest than six per cent upon any assignment or sale of wages, earned or to be earned.]

Approved March 3, 1927.

CHAPTER 251.—*Employment of children*

[This act amends sec. 5033, C. S., 1919, by striking out all of the section, and inserting the following:]

Sec. 5033. *Working hours.*—No person under 16 years of age shall be employed or permitted to work in any of the places of occupations referred to in the preceding section for more than 8 hours in any one day or 48 hours or 6 days in any one week, or after the hours of 7 p. m. or before the hours of 6 a. m., and no person under 16 years of age shall be employed or permitted to work in or about or in connection with any quarry or mine: *Provided*, This section shall not prevent any child over 14 years of age working between the hours of 6 a. m. and 7 p. m. in any of said industries, except a quarry or mine, if the child has completed the fourth grade in school.

Approved March 9, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Protection of wages of employees, etc., of contractors, ch. 151; Absent voters, ch. 260; Convict labor, ch. 219.]

## NORTH DAKOTA

## ACTS OF 1927

CHAPTER 88.—*Minimum wages for women and minors*

[This act repeals sec. 17, ch. 174, Acts of 1919, making an annual appropriation for the purpose of carrying out the minimum wage law.]

Approved February 28, 1927.

CHAPTER 142.—*Hours of labor of women*

[This act amends sec. 10246 a 1, C. L. 1913 (as amended 1923, ch. 346) so as to read as follows:]

SECTION 1. *Work time.*—No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, or telephone or telegraph establishment or office, or in any express or transportation

company, in the State of North Dakota more than 8¼ hours in any one day, or more than 6 days or more than 48 hours in any one week: *Provided, however*, That this act shall not apply to females working in rural telephone exchanges or in villages or towns of less than 500 population, nor to cases of employees in small telephone exchanges, and in telegraph offices where the workmen's compensation bureau after a hearing has determined that the condition of work is so light that it does not justify the application of this act. In such cases the workmen's compensation bureau shall make reasonable rules and regulations under which females may be employed in such small exchanges: *Provided, further*, That the above law shall not apply in case of emergency; that at such time female help may be employed 10 hours in one day and 7 days in one week, but not to exceed 48 hours in any one week. An emergency, as herein referred to, is defined to exist in the case of sickness of more than one female employe, in which case a doctor's certificate must be furnished, for the protection of human life, in the case of the holding of banquets, conventions, celebrations, session of the legislature in any city wherein such session is held and during the time such body is in session, or where a female is employed as reporter in any of the courts of the State of North Dakota.

**Sec. 2. Violations.**—Any person violating any provision of this act, shall upon conviction thereof, be punished by a fine of not less than \$25 nor more than \$100.

Approved March 5, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Vocational education, ch. 82; Mothers' pensions, ch. 176; Examination, etc., of barbers, ch. 101; Examination, etc., of beauty parlors, ch. 157; Examination, etc., of electricians, ch. 139; Convict labor, ch. 119.]

## OHIO

### ACTS OF 1927

#### *Mine regulations*

(Page 144)

[This act amends secs. 922, 925, 929, 931, 944, 948, 956, 959, 961, 973, and 974-1, Code of 1910, relating to installation of fans; duties of fire bosses; provisions applicable to shafts of 50 feet; proper marking of escape shafts; use of electrical power; provision for rock dusting; operation of hoist to enforce capacity rule; oil-lamp regulation omitted from section; maps showing oil and gas wells, etc., and conditions for use of acetylene gas lamps. It also enacts secs. 925-1 to 925-14, 931-1, 937-1, 947-1, and 948-1 providing for the qualifications, fees, and examinations of mine foremen and fire bosses, and the issuing, filing, revocation, and exhibiting of certificates; track clearances; sealing of abandoned workings; and grounding of machines.]

Approved April 26, 1927.

#### *Railroads—Safety*

(Page 512)

[This act adds sec. 8976-1 providing that structures, etc., be cleared 8 feet from the center of the track, measured horizontally, and such clearance be maintained vertically upward a distance of 21 feet from the top of the rail.]

Approved May 23, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Legal holidays in the States and Territories, p. 64; Industrial police, p. 236; Convict labor, pp. 474, 502.]

## OKLAHOMA

### ACTS OF 1927

#### CHAPTER 86.—*Mine regulations*

[This act amends sec. 7552, C. S. 1921, by increasing the number of mining districts and mining inspectors from three to four.]

Approved April 4, 1927.

CHAPTER 106.—*Wages as preferred claims—In insolvency*

**SECTION 1. *Insolvency.***—When any corporation, formed under the provisions of the laws of the State of Oklahoma, or any corporation doing business within this State shall become insolvent, the employees performing labor or services of whatever character in the regular employ of such corporation, shall have a lien upon the assets of such corporation for the amount of salary or wages due them, not exceeding four months' salary or wages which shall have accrued prior to the adjudication of the insolvency of such corporation. Which lien shall be paid prior to any other debts, charges or claims against said corporation, except taxes due the United States Government or the State of Oklahoma. The word "employees" shall not be construed to include any of the officers of such corporation.

**SEC. 2. *Enforcement.***—The lien, herein provided, shall be enforced in the manner now provided by law for the enforcement of other liens for labor.

Approved March 28, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics' liens, ch. 42; Convict labor, chs. 64, 115, 234; Investigative commissions, ch. 215.]

## OREGON

## ACTS OF 1927

CHAPTER 449.—*Bureau of labor statistics*

[This act amends the following sections of the Oregon Laws: Sec. 6667, by increasing the amount of the bond required from \$3,000 to \$5,000, and providing for the payment of the premium from funds of the bureau; sec. 6747, by requiring inspection fee be paid to the labor commissioner instead of to the State treasurer; sec. 6749, receipts, etc., to be made by labor commissioner instead of State treasurer; sec. 6750 (as amended by ch. 55, Acts of 1925), by increasing the number of clerks authorized from two to three.]

Approved March 4, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mothers' pensions, ch. 337; Examination, etc., of barbers, ch. 365; Examination, etc., of beauty parlors, ch. 192; Examination, etc., of employees on vessels, ch. 295; Legal holidays in the States and Territories, ch. 252; Industrial police, ch. 13; Convict labor, chs. 7, 8, 10.]

## PENNSYLVANIA

## ACTS OF 1927

No. 183.—*Mine regulations—Anthracite mines—Safety*

[This act repeals P. L. 55, act of June 1, 1888, relative to furnishing of props and timbers to miners.]

Approved April 20, 1927.

No. 186.—*Mine regulations—Anthracite mines—Safety*

[This act repeals P. L. 45, act of May 25, 1883, providing means of conveyance of injured miners.]

Approved April 20, 1927.

No. 207.—*Mine regulations—Anthracite mines—Safety*

[This act repeals P. L. 218, act of June 30, 1885, No. 170, relative to health and safety of miners.]

Approved April 21, 1927.

No. 220.—*Mine regulations—Bituminous mines—Safety*

[This act repeals P. L. 205, act of June 30, 1885, No. 169, relative to health and safety of miners.]

Approved April 22, 1927.

No. 251.—*Mine regulations—Bituminous mines*

[This act amends P. L. 756, act of June 9, 1911 (sec. 15404, Pa. Stats.), relative to regulations for cut-throughs in "room and pillar" system of mining, and when the "room and pillar" system is not used.]

Approved April 27, 1927.

No. 286.—*Employment of children—School attendance*

[This act merely amends sec. 3, P. L. 286, act of May 13, 1915, No. 177, providing that school districts may enter into agreements relative to continuation schools.]

Approved April 27, 1927.

No. 299.—*Factory, etc., regulations—Fire escapes*

[This act is a safety code for the prevention of fire hazards in buildings in cities not of the first class, second class, and second class A, and provides for the enforcement of the act by the department of labor. The act applies to factories of more than one story and other buildings and structures.]

Approved April 27, 1927.

No. 312.—*Payment of wages*

[This act repeals P. L. 147, act of June 29, 1881 (sec. 21506, Pa. Stats.), relative to payment of wages.]

Approved April 28, 1927.

No. 359.—*Mine regulations—Anthracite mines*

[This act repeals P. L. 17, act of May 10, 1881 (sec. 15199, Pa. Stats.), relative to injured miners.]

Approved May 4, 1927.

No. 360.—*Mine regulations—Bituminous mines*

[This act merely repeals P. L. 47, act of June 8, 1881, No. 54, relative to safety and health of miners.]

Approved May 4, 1927.

No. 363.—*Mine regulations—Bituminous mines*

[This act merely repeals P. L. 101, act of June 13, 1883, No. 97, relative to safety and health of miners.]

Approved May 4, 1927.

No. 403.—*Badges, etc., of labor organizations*

[This act provides for the registration of names, badges, etc., of labor unions and other organizations, and penalties for unauthorized use.]

Approved May 5, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Apprenticeship, Nos. 310, 454; Examination, etc., of aviators, No. 250; Examination, etc., of operators of moving-picture machines, No. 299; Bakeries and the preparation and distribution of food products, No. 283; Retirement of public employees, Nos. 55, 64, 164, 214, 249; Convict labor, Nos. 13, 164, 399, 440; Investigate commissions, No. 398.]

## PHILIPPINE ISLANDS

## ACTS OF 1927

[The only labor legislation of this jurisdiction for 1927 is noted in Part I, under the heading: Retirement of public employees, Nos. 3233, 3304.]



## PORTO RICO

## ACTS OF 1927

No. 32.—*Mediation and conciliation—Insular commission*

[This act amends sec. 3 of act No. 36, Laws of 1919, by increasing the per diem from \$5 to \$10 for each meeting which the members of the commission attend, and providing that no member of the commission shall receive the per diem for more than eight meetings within any month. Section 12 of the same act is amended by reducing the annual appropriation to carry out the provisions of the act from \$15,000 to \$8,750, and providing for the manner in which the funds are to be expended.]

Approved April 26, 1927.

## RHODE ISLAND

## ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Examination, etc., of beauty parlors, ch. 1026; Assignment of wages—wage brokers, ch. 1060; Vocational rehabilitation—State and Federal cooperation, ch. 1039.]

## SOUTH CAROLINA

## ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Examination, etc., of plumbers, ch. 138; Vocational rehabilitation—State and Federal cooperation, ch. 130; Absent voters, ch. 210.]

## SOUTH DAKOTA

## ACTS OF 1927

CHAPTERS 115 AND 142.—*Exemption of wages from execution*

[These acts amend secs. 2669 and 455, R. C. 1919, by providing that no exemption from execution shall be allowed for labor performed in the original construction of buildings.]

Approved February 24, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Examination, etc., of barbers, ch. 61; Examination, etc., of beauty parlors, ch. 77; Mechanics' liens, ch. 160; Convict labor, ch. 203.]

## TENNESSEE

## ACTS OF 1927

CHAPTER 59.—*Protection of employees as voters*

SECTION 1. *Coercion of employee.*—That it shall be unlawful for any corporation, copartnership, officer or person, to coerce or direct any employee to vote for any measure, party or person, who may be a candidate for any office in this State, or for any person who may be a candidate for a nomination for any office to threaten the discharge of such employee if he votes or does not vote for any candidate for such nomination or public office or measure; that it shall be unlawful to discharge any employee on account of his exercise or failure to exercise the suffrage, or to give out or circulate any statement or report calculated to intimidate or coerce any employee to vote or not to vote for any candidate or candidates or measures. The penalty for the violation of this provision shall be a fine of not less than \$1,000 or more than \$5,000, or im-

prisonment in the county jail for not more than six months, or both fine and imprisonment.

[Sections 2 to 12 relate to nominations and elections for public office.]  
Approved April 27, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics' liens, ch. 35; Convict labor, ch. 48; Investigative commissions, H. J. R. No. 1, H. J. R. No. 21.]

## TEXAS

### ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Protection of wages of employees, etc., of contractors, ch. 39 (first called session); Assignment of wages—wage brokers, ch. 17 (first called session); Convict labor, chs. 212, 251; Investigative commissions, S. Con. Res. No. 8 (first called session).]

## UTAH

### ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Examination, etc., of barbers, ch. 72; Examination, etc., of beauty parlors, ch. 26; Absent voters, chs. 24, 25.]

## VERMONT

### ACTS OF 1927

[The only labor legislation of this State for 1927 is noted in Part I, under the headings: Examination, etc., of chauffeurs, Nos. 74, 76; Absent voters, Nos. 1, 2.]

## WASHINGTON

### ACTS OF 1927

#### CHAPTER 71.—*Private employment offices*

[This act repeals ch. 1, Acts of 1915, relative to the collection of fees for securing employment which was held unconstitutional in the case of Adams et al. v. Tanner, 244 U. S. 590.]

Approved February 3, 1927.

#### CHAPTER 287.—*Suits for wages—Exemptions*

[This act amends sec. 703, Rem. C. S. 1910, so as to read as follows:]

SECTION 23. *Garnishment.*—Twenty dollars out of each week's wages or salary for personal services, rendered by any person having a family dependent upon him for support, shall be exempt from garnishment, whether such wages or salary are paid, or to be paid, weekly, biweekly, monthly, or at other intervals, and whether there be due the defendant wages for one week or a longer period: *Provided*, That no money due or earned as wages or salary shall be exempt from garnishment in lieu of any other property.

Approved March 19, 1927..

#### CHAPTER 300.—*Group life insurance*

[This act amends the general insurance code, Art. III, Title XLV, Rem. C. S., by adding five new sections, 7242-1 to 7242-5, so as to read as follows:]

SECTION 7242-1. *Definition.*—Group life insurance is hereby declared to be that form of life insurance covering not less than 25 employees with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and the employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, for

amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than employer: *Provided, however*, That when the premium is to be paid by the employer and employees jointly and the benefits of the policy are offered to all eligible employees, not less than 75 per centum of such employees may be so insured.

Sec. 7242-2. *Approval by insurance commissioner.*—No policy of group life insurance shall be issued or delivered in this State unless and until a copy of the form thereof has been filed with the State insurance commissioner and, formally approved by him; nor shall such policy be so issued or delivered unless it contains in substance the following provisions:

(1) A provision that the policy shall be incontestable after two years from its date of issue, except for nonpayment of premiums and except for violation of the conditions of the policy relating to military or naval service in time of war.

(2) A provision that the policy, the application of the employer and the individual applicants, if any, of the employees insured, shall constitute the entire contract between the parties, and that all statements made by the employer or by the individual employees shall, in the absence of fraud, be deemed representations and not warranties, and that no such statement shall be used in defense to a claim under the policy, unless it is contained in a written application.

(3) A provision for the equitable adjustment of the premium or the amount of insurance payable in the event of a misstatement of the age of an employee.

(4) A provision that the company will issue to the employer for delivery to the employee, whose life is insured under such policy, an individual certificate setting forth a statement as to the insurance protection to which he is entitled, to whom payable, together with provisions to the effect that in case of the termination of the employment for any reason whatsoever the employee shall be entitled to have issued to him by the company, without evidence of insurability, and upon application made to the company within 31 days after such termination, and upon the payment of the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age, a policy of life insurance in any one of the forms customarily issued by the company, except term insurance, in an amount equal to the amount of his protection under such group insurance policy at the time of such termination.

(5) A provision that to the group or class thereof originally insured shall be added from time to time all new employees of the employer eligible to insurance in such group or class. Except as provided in this act it shall be unlawful to make a contract of life insurance covering a group in this State.

Policies of group life insurance when issued in this State by any company not organized under the laws of this State, may contain, when issued, any provision required by the laws of the state, or territory, or District of the United States under which the company is organized; and policies issued in other States or countries by companies organized in this State, may contain any provision required by the laws of the State, Territory, District or country, in which the same are issued, anything in this section to the contrary notwithstanding. Any such policy may be issued or delivered in this State which in the opinion of the State insurance commissioner contains provisions on any one or more of the several foregoing requirements more favorable to the employer or to the employee than hereinbefore required.

Sec. 7242-3. *Premium.*—No domestic life insurance company shall issue any policy of group life insurance, the premium for which shall be less than the net premium based on the American Men Ultimate Table of Mortality, with interest at three and one-half per centum per annum, plus a loading, the formula for the computation of which shall be approved by the insurance commissioner. A foreign life insurance company which shall not conduct its business in accordance with this requirement shall not be permitted to do business in this State. Any such policy may, however, anything in this act to the contrary notwithstanding, provide for a readjustment of the rate based on experience at the end of the first or any subsequent year of insurance, which readjustment may be made retroactive for such policy year only.

Sec. 7242-4. *Rates.*—The legal minimum standard for the valuation of group term insurance policies under which premium rates are not guaranteed for a period in excess of five years shall be the American Men Ultimate Table or [of] Mortality with interest at three and one-half per centum per annum.

SEC. 7252-5. *Policyholder*.—In every group policy issued by a domestic life insurance company, the employer shall be deemed to be the policyholder for all purposes within the meaning of this act, and, if entitled to vote at meetings of the company, shall be entitled to one vote thereat.

Approved March 19, 1927.

#### CHAPTER 306.—*Mine regulations—Safety*

[This act amends secs. 2, 3, 4, 6, 7, 10, 12, 15 and 16, and repeals sec. 17, ch. 36, Laws of 1917, and amends said ch. 36, Laws of 1917, by adding new secs. 222 to 228 and also repeals secs. 9 to 19, 28 to 33, ch. 130, Acts of 1919. Provisions as to the appointment, qualifications, examinations, duties, etc., of mining officials are contained in sections amended. The new sections added relate to the personnel of the general safety committee, their duties, qualifications, etc.]

#### CHAPTER 307.—*Employees' funds*

SECTION 1. *Trust fund*.—All moneys collected by any employer from his or its employees for furnishing, either directly, or through contract, or arrangement with a hospital association, corporation, firm or individual, of medicine, medical or surgical treatment, nursing, hospital service, ambulance service, dental service, burial service, or any or all of the above-enumerated services, or any other necessary service, contingent upon sickness, accident or death, are hereby declared to be a trust fund for the purposes for which the same are collected.

SEC. 2. *Lien on fund*.—In case any employer collecting moneys from his employees for any or all of the purposes specified in the preceding section, shall enter into a contract or arrangement with any hospital association, corporation, firm or individual, to furnish any such service to its employees, the association, corporation, firm or individual contracting to furnish such services, shall have a lien upon such trust fund prior to all other liens except taxes. The lien hereby created shall attach from the date of the arrangement or contract to furnish such services and may be foreclosed in the manner provided by law for the foreclosure of other liens on personal property.

Approved March 19, 1927.

#### *Digests, etc.*

[Other legislation is noted in Part I, under the headings: Vocational education, ch. 181; Schools for employed children, ch. 181; Mothers' pensions, ch. 20; Examination, etc., of barbers, ch. 211; Examination, etc., of beauty parlors, ch. 231; Mechanics' liens, ch. 256; Protection of wages of employees, etc., of contractors, ch. 220; Legal holidays in the States and Territories, ch. 51; Convict labor, chs. 27, 125, 212, 249, 294, 305.]

### WEST VIRGINIA

#### ACTS OF 1927

##### CHAPTER 23.—*Mine regulations*

SECTIONS 1-3. *Mine rescue work*.—[The chief of the State department of mines is authorized to train and employ at each of the mine rescue stations, two rescue crews of six members each. Each member shall devote four hours twice each month for training purposes, and shall be available at all times to assist in rescue work at explosions and mine fires. Compensation at the rate of \$5 a month, and such other amounts to be paid by the operating company when engaged in rescue work. Chief of the department of mines is empowered to remove members for neglect of duty and insubordination.]

Passed April 27, 1927.

##### CHAPTER 24.—*Mine regulations*

[This act amends and reenacts sec. 36, ch. 88, Acts of 1925, by authorizing the department of mines to make special rulings to cover local conditions relative to electric haulage in mines.]

Passed April 21, 1927.

CHAPTER 37.—*Payment of wages in scrip*

[This act amends sec. 80, ch. 15h, Code of 1923, as amended by ch. 87, Acts of 1925, so as to read as follows:]

SECTION 80. *Payment*.—Any person, firm or corporation engaged in any trade or business, either directly or indirectly, may issue, sell, give or deliver, upon the request of any employee of such person, firm or corporation, to such employee as a medium of credit, in payment for labor performed or for labor to be performed, nontransferable scrip, tokens, drafts, orders or coupons, payable and redeemable in merchandise only by the employee to whom issued: *Provided*, That the issuance of any such nontransferable scrip, tokens, drafts, orders or coupons by any such person, firm or corporation, shall be construed, taken and held in all courts and places to be a promise to pay, by the person, firm or corporation issuing same, to the employee to whom issued, in lawful money of the United States or check, upon demand and surrender by said employee of such scrip or any unused portion thereof, at such regular settlement day or pay day when the same would have been due in cash had not the said order, scrip or token been issued.

Any person, firm or corporation failing and refusing to pay the employee to whom is issued such nontransferable scrip, tokens, drafts, orders or coupons, or any unused portion of the same, for which labor has been performed on their regular settlement day or pay day, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$20 nor more than \$50, and for a second or a subsequent offense shall be fined not less than \$25 nor more than \$100.

Passed April 25, 1927.

CHAPTER 38.—*Employment of children*

[This act amends sec. 73, ch. 15h, Code of 1923, by requiring the written consent of the parent or guardian before a work permit will be issued.]

Passed April 4, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Emigrant agents, ch. 16; Legal holidays in the States and Territories, ch. 59.]

## WISCONSIN

## ACTS OF 1927

CHAPTER 112.—*Garnishment of wages of public employees*

[This act amends sec. 304.21 (sec. 3716a, Wis. Stats. 1923) by creating a subsection (3) to read as follows:]

SECTION 304.21 (Subsec. 3) *Priority of judgment*.—Notwithstanding priority of filing, a judgment filed under this section shall have precedence over an assignment, filed subsequent to the commencement of suit upon which such judgment is obtained.

Approved May 12, 1927.

CHAPTER 203.—*Railroads—Safety provisions*

[This act amends sec. 192.28, Wis. Stats. 1923, to require railroads to erect and maintain safety clamps on other devices at all mainline switches.]

Approved June 6, 1927.

CHAPTER 253.—*Weekly day of rest*

[This act amends sec. 851.60, 4595f, Wis. Stats. 1923, by creating a new subsection (3m) and also amends subsection (4), by authorizing the industrial commission to make exceptions in cases where hardships will result in carrying out the provisions of the act and providing penalties for violations.]

Approved June 21, 1927.

CHAPTER 308.—*Employment offices, free public*

[This act amends par. (a) of subsection (9a) of sec. 101.10, Wis. Stats. 1923, so as to read as follows:]

SECTION 101.10 (subsec. 9a (a)) *Establishment of*—Any county, city, town or village may enter into an agreement with the Wisconsin Industrial Commission for such period of time as may be deemed desirable for the purpose of establishing and maintaining local free employment offices, and it shall be lawful for any county, city, town or village to appropriate and expend the necessary money and to permit the use of public property for the joint establishment and maintenance of such offices as may be agreed upon, or in counties containing 250,000 inhabitants or more in any city, town or village therein to purchase a site and construct necessary buildings: *Provided, however,* That no local free employment office shall be established by the industrial commission in any county containing 250,000 inhabitants or more, or in any city, town or village, to be maintained in whole or in part by public funds unless such county, city, town or village, shall jointly or severally agree to furnish as a minimum in the joint enterprise, suitable quarters for such office, which must be approved by the industrial commission and to pay all expenses for such quarters such as rent, heat, light, furniture, telephone rental and janitor service. The industrial commission may defray all other expenses in connection with such office: *Provided further,* That in any county, city, village or town therein, wherein there is a citizens' committee on unemployment, such committee shall have the power to rent, lease, purchase or construct necessary buildings for the joint establishment and maintenance of such free employment office.

Approved June 30, 1927.

CHAPTER 380.—*Exemption of wages from execution*

[This act repeals subsection (15) of sec. 272.18 (sec. 2982, Wis. Stats., 1923) and creates a new subsection (15) providing that 60 per cent of the earnings of a person having a family dependent upon him, plus the earnings of any minor child or children contributing to the support of the family, not exceeding \$60 for the month preceding the issue of the writ of attachment, etc., and \$180 for the three months preceding such writ, etc., and an additional amount of \$10, for such preceding month and \$30 for such preceding three months, for each child under 16 years of age dependent upon him for support, are exempt from execution.]

Approved July 14, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Vocational education, ch. 425; Mothers' pensions, ch. 273; Examination, etc., of barbers, ch. 195; Examination, etc., of beauty parlors, ch. 150; Mechanics' liens, ch. 320; Liability of stockholders of corporations for wage debts due employees, ch. 534; Assignment of wages—wage brokers, ch. 540; Bakeries and the preparation and distribution of food products, ch. 272; Vocational rehabilitation—State and Federal corporation, chs. 363, 425; Cooperative associations, chs. 75, 166, 187; Credit unions, ch. 284; Absent voters, chs. 239, 271; Convict labor, ch. 34; Investigative commissions, ch. 354.]

## WYOMING

## ACTS OF 1927

CHAPTER 41.—*Mine regulations—Weighing devices*

SECTION 1. *Office of inspector*.—The State inspector of coal mines is hereby made the legal examiner of all scales, measures or other mechanical devices by which coal is weighed or measured for the purpose of ascertaining or determining the compensation which shall be paid coal mine employees, and shall examine and balance said scales, measures or devices at any time he may consider it necessary in his official visits to the mines.

Approved February 23, 1927.

CHAPTER 42.—*Mine regulations—Loaders*

[This act repeals sec. 4494, C. S. 1920, thereby excluding loaders from provisions relating to weighing of coal.]

Approved February 23, 1927.

CHAPTER 51.—*Mine regulations—Maps*

[This act amends sec. 4428 C. S. 1920. The maps shall be prepared with reference to the legal subdivision in which the mine is located and shall show the lines of such subdivision on the map.]

Approved February 23, 1927.

CHAPTER 52.—*Mine regulations—Use of explosives*

[This act amends sec. 3656, C. S. 1920, as amended by ch. 75, Laws of 1925, relative to the use of tamping bar, by providing that no instrument other than an all-wood tamping bar may be used for tamping any explosive charge when the hole containing the same also contains a blasting cap or detonator and by otherwise making more strict the tamping requirements.]

Approved February 23, 1927.

CHAPTER 53.—*Mine regulations—Fire bosses, etc.*

[This act amends sec. 4447, C. S. 1920, as amended by ch. 69, Acts of 1925, requiring a fire boss, mine foreman, an assistant mine foreman to be a citizen of the United States with at least five years' experience underground in coal mines, one year of which must have been in Wyoming, but some credit for training to be a mining engineer is allowed.]

Approved February 23, 1927.

CHAPTER 95.—*Mine regulations—Safety provisions*

[This act amends secs. 4430, 4431, 4437, 4438, 4440, and 4457, C. S. 1920, and repeals sec. 4448, C. S. 1920, and ch. 71, Acts of 1925 (sec. 4436, C. S. 1920). Provisions as to manways, ventilation, examination of working places, posting of rules, machinery and traveling ways and sprinkling are contained in the sections amended. This act relates to safety lamps and inspections at the request of miners. Sections 7 to 11 provide for additional safety measures and a penalty for violations.]

Approved March 2, 1927.

CHAPTER 97.—*Mine regulations—Sprinkling*

[This act amends sec. 1, ch. 64, Acts of 1925 (sec. 4457, C. S. 1920), and provides for the rock dusting of coal mines.]

Approved March 2, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the headings: Mechanics' liens, ch. 77; Convict labor, ch. 74.]

## UNITED STATES

## SIXTY-NINTH CONGRESS, SECOND SESSION, 1926-27

CHAPTER 498 (44 Stat. 1415).—*Department of Labor*

[This act provides that hereafter there shall be not more than two assistants to the Secretary, who shall be appointed by the President.]

Approved March 4, 1927.

*Digests, etc.*

[Other legislation is noted in Part I, under the heading: Retirement of public employees, ch. 346 (44 Stat. 1380).]

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<sup>1</sup>Texts mostly abridged; for representative law in full, see Wisconsin.

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*The following is a list of all bulletins of the Bureau of Labor Statistics published since July, 1912, except that in the case of bulletins giving the results of periodic surveys of the bureau only the latest bulletin on any one subject is here listed.*

*A complete list of the reports and bulletins issued prior to July, 1912, as well as the bulletins published since that date, will be furnished on application. Bulletins marked thus (\*) are out of print.*

### Conciliation and Arbitration (including strikes and lockouts).

- \*No. 124. Conciliation and arbitration in the building trades of Greater New York. [1913.]
- \*No. 138. Report of the industrial council of the British Board of Trade on its inquiry into industrial agreements. [1913.]
- No. 139. Michigan copper district strike. [1914.]
- No. 144. Industrial court of the cloak, suit, and skirt industry of New York City. [1914.]
- No. 145. Conciliation, arbitration, and sanitation in the dress and waist industry of New York City. [1914.]
- \*No. 191. Collective bargaining in the anthracite-coal industry. [1916.]
- \*No. 198. Collective agreements in the men's clothing industry. [1918.]
- No. 233. Operation of the industrial disputes investigation act of Canada. [1918.]
- No. 255. Joint industrial councils in Great Britain. [1919.]
- No. 238. History of the Shipbuilding Labor Adjustment Board, 1917 to 1919.
- No. 287. National War Labor Board: History of its formation, activities, etc. [1921.]
- No. 303. Use of Federal power in settlement of railway labor disputes. [1922.]
- No. 341. Trade agreement in the silk-ribbon industry of New York City. [1923.]
- No. 402. Collective bargaining by actors. [1926.]
- No. 468. Trade agreements in 1927.

### Cooperation.

- No. 318. Consumers' cooperative societies in the United States in 1920.
- No. 314. Cooperative credit societies in America and in foreign countries. [1922.]
- No. 437. Cooperative movement in the United States in 1925 (other than agricultural).

### Employment and Unemployment.

- \*No. 109. Statistics of unemployment and the work of employment offices in the United States. [1913.]
- No. 172. Unemployment in New York City, N. Y. [1915.]
- \*No. 183. Regularity of employment in the women's ready-to-wear garment industries. [1915.]
- \*No. 195. Unemployment in the United States. [1916.]
- No. 196. Proceedings of the Employment Managers' Conference held at Minneapolis, Minn., January 19 and 20, 1916.
- \*No. 202. Proceedings of the conference of Employment Managers' Association of Boston, Mass., held May 10, 1916.
- No. 206. The British system of labor exchanges. [1916.]
- No. 227. Proceedings of the Employment Managers' Conference, Philadelphia, Pa., April 2 and 3, 1917.
- No. 235. Employment system of the Lake Carriers' Association. [1918.]
- \*No. 241. Public employment offices in the United States. [1918.]
- No. 247. Proceedings of Employment Managers' Conference, Rochester, N. Y., May 9-11, 1918.
- No. 310. Industrial unemployment: A statistical study of its extent and causes. [1922.]
- No. 409. Unemployment in Columbus, Ohio, 1921 to 1925.

### Foreign Labor Laws.

- \*No. 142. Administration of labor laws and factory inspection in certain European countries. [1914.]

#### **Safety Codes.**

- \*No. 331. Code of lighting: Factories, mills, and other work places.
- No. 336. Safety code for the protection of industrial workers in foundries.
- No. 350. Specifications of laboratory tests for approval of electric headlighting devices for motor vehicles.
- No. 351. Safety code for the construction, care, and use of ladders.
- No. 375. Safety code for laundry machinery and operations.
- No. 378. Safety code for woodworking plants.
- No. 382. Code for lighting school buildings.
- No. 410. Safety code for paper and pulp mills.
- No. 430. Safety code for power presses and foot and hand presses.
- No. 438. Safety codes for the prevention of dust explosions.
- No. 436. Safety code for the use, care, and protection of abrasive wheels.
- No. 447. Safety code for rubber mills and calendars.
- No. 451. Safety code for forging and hot-metal stamping.
- No. 463. Safety code for mechanical power-transmission apparatus—first revision.

#### **Vocational and Workers' Education.**

- \*No. 159. Short-unit courses for wage earners, and a factory school experiment. [1915.]
- \*No. 162. Vocational education survey of Richmond, Va. [1915.]
- No. 199. Vocational education survey of Minneapolis, Minn. [1917.]
- No. 271. Adult working-class education in Great Britain and the United States. [1920.]
- No. 469. Apprenticeship in building construction. [1926.]

#### **Wages and Hours of Labor.**

- \*No. 146. Wages and regularity of employment and standardization of piece rates in the dress and waist industry of New York City. [1914.]
- \*No. 147. Wages and regularity of employment in the cloak, suit, and skirt industry. [1914.]
- No. 161. Wages and hours of labor in the clothing and cigar industries, 1911 to 1913.
- No. 163. Wages and hours of labor in the building and repairing of steam railroad cars, 1907 to 1913.
- \*No. 190. Wages and hours of labor in the cotton, woolen, and silk industries, 1907 to 1914.
- No. 204. Street-railway employment in the United States. [1917.]
- No. 225. Wages and hours of labor in the lumber, millwork, and furniture industries, 1915.
- No. 265. Industrial survey in selected industries in the United States, 1919.
- No. 297. Wages and hours of labor in the petroleum industry, 1920.
- No. 356. Productivity costs in the common-brick industry. [1924.]
- No. 358. Wages and hours of labor in the automobile-tire industry, 1923.
- No. 360. Time and labor costs in manufacturing 100 pairs of shoes, 1923.
- No. 365. Wages and hours of labor in the paper and pulp industry, 1923.
- No. 394. Wages and hours of labor in metalliferous mines, 1924.
- No. 407. Labor cost of production and wages and hours of labor in the paper box-board industry. [1925.]
- No. 412. Wages, hours, and productivity in the pottery industry, 1925.
- No. 413. Wages and hours of labor in the lumber industry in the United States, 1925.
- No. 416. Hours and earnings in anthracite and bituminous coal mining, 1922 and 1924.
- No. 421. Wages and hours of labor in the slaughtering and meat-packing industry, 1925.
- No. 422. Wages and hours of labor in foundries and machine shops, 1925.
- No. 435. Wages and hours of labor in the men's clothing industry, 1911 to 1926.
- No. 438. Wages and hours of labor in the motor-vehicle industry, 1925.
- No. 442. Wages and hours of labor in the iron and steel industry, 1907 to 1926.
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- No. 446. Wages and hours of labor in cotton-goods manufacturing, 1910 to 1926.
- No. 450. Wages and hours of labor in the boot and shoe industry, 1907 to 1926.
- No. 452. Wages and hours of labor in the hosiery and underwear industries, 1907 to 1926.
- No. 454. Hours and earnings in bituminous-coal mining, 1922, 1924, and 1926.
- No. 457. Union scales of wages and hours of labor, May 15, 1927.

#### Welfare Work.

- \*No. 123. Employers' welfare work. [1913.]
- No. 222. Welfare work in British munitions factories. [1917.]
- \*No. 250. Welfare work for employees in industrial establishments in the United States. [1919.]

#### Wholesale Prices.

- No. 284. Index numbers of wholesale prices in the United States and foreign countries. [1921.]
- No. 440. Wholesale prices, 1890 to 1926.
- No. 453. Revised index numbers of wholesale prices, 1928 to July, 1927.

#### Women and Children in Industry.

- No. 116. Hours, earnings, and duration of employment of wage-earning women in selected industries in the District of Columbia. [1913.]
- \*No. 117. Prohibition of night work of young persons. [1913.]
- No. 118. Ten-hour maximum working-day for women and young persons. [1913.]
- No. 119. Working hours of women in the pea canneries of Wisconsin. [1913.]
- \*No. 122. Employment of women in power laundries in Milwaukee. [1913.]
- No. 160. Hours, earnings, and conditions of labor of women in Indiana mercantile establishments and garment factories. [1914.]
- \*No. 167. Minimum-wage legislation in the United States and foreign countries. [1915.]
- \*No. 175. Summary of the report on conditions of woman and child wage earners in the United States. [1915.]
- \*No. 176. Effect of minimum-wage determinations in Oregon. [1915.]
- \*No. 180. The boot and shoe industry in Massachusetts as a profession for women. [1915.]
- \*No. 182. Unemployment among women in department and other retail stores of Boston, Mass. [1916.]
- No. 193. Dressmaking as a trade for women in Massachusetts. [1916.]
- No. 215. Industrial experience of trade-school girls in Massachusetts. [1917.]
- \*No. 217. Effect of workmen's compensation laws in diminishing the necessity of industrial employment of women and children. [1918.]
- No. 228. Employment of women and juveniles in Great Britain during the war. [1917.]
- No. 253. Women in the lead industries. [1919.]

#### Workmen's Insurance and Compensation (including laws relating thereto).

- \*No. 101. Care of tuberculous wage earners in Germany. [1912.]
- \*No. 102. British national insurance act, 1911.
- No. 103. Sickness and accident insurance law of Switzerland. [1912.]
- No. 107. Law relating to insurance of salaried employees in Germany. [1913.]
- \*No. 155. Compensation for accidents to employees of the United States. [1914.]
- No. 212. Proceedings of the conference on social insurance called by the International Association of Industrial Accident Boards and Commissions, Washington, D. C., December 5-9, 1916.
- \*No. 243. Workmen's compensation legislation in the United States and foreign countries, 1917 and 1918.
- No. 301. Comparison of workmen's compensation insurance and administration. [1922.]
- No. 312. National health insurance in Great Britain, 1911 to 1921.
- No. 379. Comparison of workmen's compensation laws of the United States as of January 1, 1925.
- No. 423. Workmen's compensation legislation of the United States and Canada as of July 1, 1926.

#### Miscellaneous Series.

- \*No. 174. Subject index of the publications of the United States Bureau of Labor Statistics up to May 1, 1915.
- No. 208. Profit sharing in the United States. [1916.]
- No. 242. Food situation in central Europe, 1917.
- No. 254. International labor legislation and the Society of Nations. [1919.]
- No. 268. Historical survey of international action affecting labor. [1920.]
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- No. 290. Personnel research agencies: A guide to organized research in employment management, industrial relations, training, and working conditions. [1921.]



Miscellaneous ~~CHECKED~~ Continued.

- No. 319. The Bureau of Labor Statistics: Its history, activities, and organization [1922.]
- No. 326. Methods of procuring and computing statistical information of the Bureau of Labor Statistics. [1923.]
- No. 342. International Seamen's Union of America: A study of its history and problems. [1923.]
- No. 346. Humanity in government. [1923.]
- No. 372. Convict labor in 1923.
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