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**PROGRESS AND UNIFORMITY IN  
CHILD-LABOR LEGISLATION**



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**PROGRESS AND UNIFORMITY IN  
CHILD-LABOR LEGISLATION**

A Study in Statistical Measurement

BY

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## PREFACE

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THE study of comparative legislation is of importance for the improvement of state laws. This monograph is a comparative study of the field of child-labor legislation. It presents detailed information regarding each state; and measures the progress and the uniformity of legislation on child labor. The period of time covered is approximately one-third of a century; and thus tendencies are shown. The attempt has been to make the description accurate and thorough, and to this end it has been necessary to use many tables and statistical terms. It aims, in fact, to be a statistical description. For the foregoing reasons, it is recommended to the legislator and to the student of practical affairs in the important field of comparative legislation.

Uniformity in state legislation is discussed with increasing interest. If interest in uniformity be for the purpose of future activity, then it is desirable to know how much uniformity there is and what its tendency is. If uniformity is of importance it would seem that it should be measured. Until it has been measured, knowledge of it must remain vague. This study calculates uniformity in one field of legislation. The methods represent the amount of uniformity at a definite time in a single term. It is hoped that these methods will be of interest both because they will prove to be applicable to other fields of legislation and to other social data; and also because, to the student whose viewpoint is that of

science, the methods used and their application are, it is thought, important and suggestive of the possibilities in quantitative method. These methods are explained in that chapter of the monograph which deals with age limits, chapter III, and also in chapter IX.

The writer feels that statistics are often misinterpreted because their presentation is such, that, in the reader's mind, they are divorced from the nature of the data which they represent. One purpose of statistics is to present information. This they fail to do adequately unless the nature of the data is presented in connection with the figures. Thus, the meaning of an average is limited and indefinite unless there is a knowledge of the data from which it has been derived. This monograph attempts to weave the figures into the discussion of the data in such a way that, in ascertaining the figures, it will be necessary to understand the subject matter. This seems particularly necessary in this study. For these reasons no abbreviated conclusion has been presented.

The writer is glad of the opportunity to record his gratefulness to Prof. Franklin H. Giddings, and to acknowledge his indebtedness to a mind which has at once insisted upon the maintenance of high scientific standards, and evinced, in abundant measure, those stimulating qualities which are most conducive to their attainment.

WILLIAM F. OGBURN.

PRINCETON, N. J., June, 1912.



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## INTRODUCTION

### NATURE OF THE STUDY

THE following study is a description of the child-labor laws of the United States during the past third of a century. The description, however, consists largely in classifications and tabular summaries. The effort has been to make the description as nearly exact as possible. Especial emphasis has been placed upon the progress of legislation and upon its uniformity. It might correctly be termed the statistics of child-labor legislation.

The legislation studied includes all child-labor laws enacted by state legislatures, by the legislative bodies of territories, by Congress, and by constitutional conventions. The period of time begins with the laws in force in 1879 and extends to 1910. A child-labor law is interpreted as being that law which applies specifically to the labor of persons under twenty-one years of age in any occupation whatsoever.

In order to describe laws that are more or less composite, they have been broken into parts, these parts have been subdivided, and further analyses have been made. Classifications were made to establish categories for purposes of quantitative and comparative treatment. Some of the phases of child-labor laws are: those making provisions regarding the age limits of children employed; those making provisions regarding the number of hours a child may work; those providing educational requirements; those qualifying employment by the possession of working papers;

and those phases that deal with the enforcement of the laws. Descriptive tables show the status of each state in regard to each of these phases, at the end of each five-year period from 1879 to 1909, inclusive.

Each of the various phases or provisions of the child labor enactments has been subjected to certain statistical devices to represent them more adequately. Whenever it has seemed advisable to make summaries and to represent distributions by single quantities, it has been done. In the treatment of the general age-limit phase, the average age limits for each kind of occupation and for all occupations have been calculated for each fifth year from 1879 to 1910. The typical age limits have been found, and their changes from period to period have been observed. The numbers of age-limit provisions for each state and for the total number of states are similarly shown. Single quantities representing uniformity in age limits have been deduced, and progress in uniformity is shown. The relative progress of the states in general age-limit provisions is represented. Provisions of the laws regarding the number of hours a child may work, educational requirements, working papers, and enforcements are similarly treated. Finally, the enactments as a whole are treated from the point of view of their progress and of their uniformity. Such, in brief outline, is the scope of this study.

#### PRACTICAL ASPECTS

It is hoped that this subject will be of practical value, especially to legislators, who, it is believed, can better frame their laws on child labor after a thorough knowledge of the status of child-labor laws of the various states. Such a knowledge is here presented in a form quickly comprehended. Legislation is much discussed to-day. Two chief centres of discussion are, the question of increasing the uni-

formity in the laws and the question of bettering the laws through a study of comparative legislation. In Europe, the movement for comparative legislation has been well organized for half a century. In the United States, the movement for uniformity in state legislation was formally begun twenty-five years ago, and has steadily continued. The work done by the American Bar Association has been admirable. Some organized work has been done and some results have been accomplished. The idea back of uniformity of legislation is of very great importance. In many fields of legislation complete uniformity in state laws is not desirable; different situations demand different laws. For such conditions a movement for comparative legislation is of more value. The laws of the other states in the past and in the present on any particular field can be studied with profit by any state. This is true though the situations demanding legislation in the various states be different. Practically, comparative legislation has been observed to be based in many cases on an imitation of one state's law, rather than on a study of the laws of all the states.

The labor of children presents a situation upon which social pressure is brought to bear and against which organized effort is directed. A movement so widespread may be said to be a part of the nation's mores. The state legislatures generally have been and will continue to be active in this matter. It is of popular interest and of urgent need. This study attempts to deal adequately with this one field of legislation, thereby contributing to the growing study of comparative legislation.

This investigation is not a study to determine causes, but it is hoped that it may be used as a basis for a study of causes. It is a necessary study in description and measurements, preliminary to an investigation of the causes and forces underlying child-labor legislation.

## SOCIOLOGICAL ASPECTS

*Relation to sociological theory.* The intention has been to make this study also of value to sociology in its theoretical and scientific aspects. It is expected that sociology in the future will be concerned largely with inductive studies in the theory of social control. Many phases of social control are instanced by Professor E. A. Ross in his book bearing that title. Professor Franklin H. Giddings has emphasized the importance of social self-control on an article in a recent issue of the *Political Science Quarterly*.<sup>1</sup>

Social control is secured by means of forces which are designated as social pressure. The theory of social pressure that is current among sociologists may be best explained by reference to a similar theory of environmental pressure familiar to biologists.

It has been known since the writings of Quetelet that the measurements of certain physical traits, as, for instance, height and weight, follow what is known as the normal law of distribution. The normal law of distribution is represented graphically by a bell-shaped curve. For instance, if the scale of measurements of heights of persons is marked on a horizontal line and the frequency of each measurement of the scale is indicated by a vertical line erected to a length corresponding to the frequency; then the resulting curve has the shape of the perimeter of a bell. The individuals, whose measurements lie at the centre of the scale included in the curve, are the most usual, the average individuals. They are sometimes spoken of as the type. Those whose measurements lie at or near the ends of the curve are the rare, the most unusual individuals and are spoken of as the extreme deviations or deviates, because they deviate considerably from the average. These bell-shaped curves are not all of exactly the same form. Some

<sup>1</sup> *Political Science Quarterly*, vol. xxiv, pp. 569-588.

are tall and narrow; others are low and broad. The measurements, whose distribution forms a tall and narrow curve, are described as clustering closely about the average. The extent of the clustering about the average has been measured by a term known as the standard deviation. A tall and narrow curve has a small standard deviation and a low and broad curve has a large standard deviation. This kind of distribution of physical traits has been found to be true not only for the measurements of mankind but also of other animals and of plants.

The form of these distributions of physical traits of animals and plants is related to environmental influence in a manner shown by the following illustration. A rain storm washed a large number of sparrows out of their nests. These sparrows were picked up and a large number revived. Measurements of all these sparrows both dead and revived were taken and the curve showing their distribution was plotted. Then the measurements of the revived birds only were represented in a curve. The curve representing the birds which survived was a narrower curve showing that the birds killed were more largely the unusual, the extreme, those widely deviating from the average. The curve of the measurements of the surviving birds possessed a smaller standard deviation than did the curve of the measurements of all of the birds. Thus, it is argued, that, in the process of adaptation to environment, the extreme variants from the normal are less likely to survive a rigorous environment, and the more normal are more likely to survive. Thus, a smaller standard deviation means that the environmental pressure has become more rigorous. Such has become the theory even with some distributions other than the bell-shaped curve. These, then, are, in brief outline, the essential points in a theory of environmental pressure affecting data, biological in nature.

With regard to social pressure, it is argued, that there are social types which are the result of purely social forces, as there are biological types which are the result of environmental forces; and that there are deviations from the normal or type in social phenomena as there are deviations from the normal in biological phenomena. It is argued that there are distributions of social phenomena of similar nature to the distributions of biological phenomena; and that these distributions are the result of purely social forces as the biological distributions are the result of environmental forces. Social forces such as imitation, tradition, governmental control, like response to stimuli tend to mold a type and tend to eliminate extreme deviations from type. Then, in distributions of social phenomena smaller standard deviations indicate a greater social pressure and the size of the standard deviation measures the amount of the social pressure.

It is readily seen that this theory is of great importance for sociology. Its importance makes studies in its inductive verification highly desirable. There are two difficulties however in such inductive studies. One is that many social phenomena cannot be measured because there is no scale of measurement. Another is that it is sometimes difficult to extricate the purely social forces from the biological and the psychological, all of which shape the product. So far as the writer knows no study has been made, in the manner outlined, in the inductive verification of this theory. This monograph on child-labor legislation is such a study. Child-labor legislation is a result of purely social pressure. This study measures the standard deviations of certain features of the child-labor laws. It is known that there has been a powerful social pressure on these features of the child-labor laws within the past ten years. Have their standard deviations, or, as these measures are termed



in this monograph, the indexes of uniformity decreased? It is found that they have. Thus the theory is supported by fact. The results of this inquiry are of importance for sociology in showing the possibilities of measuring social pressure by standard deviations and of interpreting their significance.

*As a study in measurement.* This investigation in its purely scientific aspect aims also to be a study in measurements, and it is considered of value to the extent that it succeeds in measuring the phenomena concerned. The importance of measurements has been very admirably expressed by Lord Kelvin in an address on *Electrical Units of Measurement*.<sup>1</sup>

I often say that when you can measure what you are speaking about and express it in numbers, you know something about it, but when you cannot measure it, when you cannot express it in numbers, your knowledge is of a meager and unsatisfactory kind; it may be the beginning of knowledge, but you have scarcely in your thoughts advanced to the stage of *science*, whatever the matter may be.

No science has progressed far without basing its conclusions on measurements. Progressive sciences have, of course, been in the possession of instruments and systems of measurements. Distances and lengths are measured in metres and fractions of metres. Weights are measured in grams and multiples of grams. Sociology is unfortunate in that, for many social phenomena, there are no scales of measurement. Professor Giddings has attacked this problem in a paper on the "Social Marking System" which appeared in a recent number of the *American Journal of Sociology*.<sup>2</sup>

<sup>1</sup> Sir William Thompson, *Popular Lectures and Addresses* (London, 1889), vol. i, p. 73.

<sup>2</sup> *American Journal of Sociology*, vol. xv, pp. 721-740.

Mr. G. Udny Yule has devised a scheme of measurement applicable under certain conditions, which he calls the theory of attributes. It is found in the first part of his, *Introduction to the Theory of Statistics*. Professor Karl Pearson has formulated a method of determining correlation between attributes not capable of quantitative measurement. This appears in his recent memoir, *On the Theory of Contingency*. Although a beginning has been made on the problem of measurement in social phenomena, much remains to be done. In the measurement of the laws of the states great need is felt for the proper systems and instruments of measurement.

For many of the problems in measurement there are supplied the tools for measuring, and for many problems the materials to be measured are essentially simple in nature. Yet, on these simpler problems, there is a great body of writings, the accumulation of which has extended over centuries. To measure the height of a person seems simple because of familiarity, yet back of such an attainment are a perfected method and a perfected system. To measure the height of a person with accuracy is very difficult. Back of such attainment is thought contributed by the greatest intellects. While for most practical purposes, great accuracy in the measurements of the height of a person is not necessary, in astronomy, in physics, and in chemistry, it is fundamental. To measure the height of a people, is a task that has proven worthy of profound reasoning. The science of measurement becomes more difficult, the more complex the nature of the measurement.

The complexity of legislative enactments on child labor and their peculiar nature make peculiar difficulties in measuring them completely. Particularly, their nature makes accuracy difficult to obtain. So far as the writer knows, no previous attempt has been made to measure laws

quantitatively. For these reasons, this work may be looked upon, from the standpoint of science as a new experiment in measuring. Since hitherto no quantitative measurements have been made upon laws, it is interesting to observe the nature and forms of their distributions and the characters of their variables. This is all the more interesting, since the laws are so largely the product of purely social forces.

#### ACCURACY OF METHODS

It is not possible to give in an introduction a full estimate of the accuracy of an investigation. That can be drawn only from the details. However, it is desired to present here some idea of the accuracy attained in the present investigation, in order that the reader may be enabled to appreciate the figures presented in the tables which follow. Any report is deficient to the extent that it does not acquaint the reader with an estimate of the accuracy of the data. Too often readers fail to question data, yet the validity of conclusions depends upon the accuracy of the data. An estimate of the accuracy of this study necessitates an account of how the data were collected and how they have been treated.

*Methods of collecting the laws.* Has every child-labor law enacted by every state from 1879 to 1910 been recorded in this investigation? It is estimated that the percentage of omissions is small; the possibilities of error are larger, though, than appears on the surface. The laws were taken directly from the volumes of the session laws of the states. This necessitated looking through some 800 to 1,000 volumes—a volume containing approximately on the average 500 or 600 pages—in order to locate about 500 enactments. The laws were located by means of the indexes in the volumes. Not all of the laws were indexed under the words “child labor,” “child” or “labor.” Laws

were indexed under a variety of words, some of which it was difficult to imagine as being used as a guide to locate a child-labor law. By using from ten to sixteen index words in each volume, it is thought that only a few laws have escaped notice. It was desirable to check these results by some means, if possible. This was done by the use of the comparative summaries of legislation, published each year by the New York State Library.<sup>1</sup> The results were checked also by the various issues of the labor laws, published by the United States government.<sup>2</sup> There were no issues of the former, however, until 1890; and none of the latter until 1892. The location of the laws enacted prior to 1890 was checked by the use of the volumes of compiled statutes and of revised statutes published from time to time by the individual states. The completeness of the data is then slightly greater for the laws enacted within the period from 1890 to 1910 than for those enacted from 1879 to 1890. Some omissions were filled in by this system of checking. The location of the laws may be considered satisfactory.

*Methods of transcribing the laws.* After the laws had been located, how accurately were they transcribed from the volumes of the session laws? The laws were transcribed in terms of categories previously determined by analyses and classifications. To make clear what these are, a child-labor law is here presented as it appears on the statute books. Readers, not familiar with the form and content of a child-labor law, will be better prepared to follow the discussions and will better appreciate the results by reading the following example. This law need

<sup>1</sup> *Comparative Summary and Index of Legislation. Bulletin*, New York State Library.

<sup>2</sup> *Labor Laws; Report of the Commissioner of Labor*, 1892, 1896, 1904, 1907.

not be looked upon as typical. There are many others quite different in content and in scope. It may be considered as a moderately full law, inasmuch as it contains most of the usual categories. This law was enacted by the Nebraska state legislature in 1907.

#### *Age Limit*

SECTION 1. No child under fourteen years of age shall be employed, permitted or suffered to work in, or in connection with, any theater, concert hall, or place of amusement, or any place where intoxicating liquors are sold, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or workshop, or as a messenger or driver therefor, within this State. It shall be unlawful for any person, firm or corporation to employ any child under fourteen years of age in any business or service whatever during the hours when the public schools of the town, township, village or city in which the child resides are in session.

#### *Certificate—Enforcement*

SEC. 2. No child between fourteen and sixteen years of age shall be employed, permitted or suffered to work in any theater, concert hall, or place of amusement, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory, or workshop, or as a messenger or driver therefor within this State, unless the person or corporation employing him procures and keeps on file and accessible to the truant officers of the town or city, the State commissioner of labor and his deputies, and the members of the State board of inspection, an employment certificate as hereinafter prescribed, and keeps two complete lists of all such children employed therein, one on file and one conspicuously posted near the principal entrance of the building in which such children are employed. Upon the termination of the employment of a child so registered, and whose certificate is so filed, such certificate shall be forthwith

transmitted by the employer to the city or county superintendent of schools of the county in which the child resides, and shall be turned over to the child named therein upon demand. Any truant officer, the State commissioner of labor, or his deputies, or any member of the State board of inspection may make demand on any employer in whose place of business a child apparently under the age of sixteen years is employed or permitted or suffered to work, and whose employment certificate is not then filed as required by this section, that such employer shall either furnish him, within ten days, evidence satisfactory to him that such child is in fact over sixteen years of age, or shall cease to employ or permit or suffer such child to work in such place of business. The same evidence of the age of such child may be required from such employer as is required on the issuance of an employment certificate as hereinafter provided; and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to the truant officer, the State commissioner of labor, or deputy State commissioner of labor, or member of the State board of inspection, within ten days after demand for the same, such evidence of the age of any child as may be required of him under the provisions of this act, and shall thereafter continue to employ such child or permit or suffer such child to work in such place of business, proof of the giving of such notice and of such failure to produce and file such evidence shall be *prima facie* evidence, in any prosecution brought for a violation of this section, that such child is under sixteen years of age and is unlawfully employed.

#### *Approval of Certificates*

SEC. 3. An employment certificate shall be approved only by the superintendent of schools of the school corporation in which the child resides, or by a person authorized by him in writing, or where there is no superintendent of schools, by a person authorized by the school district officers: *Provided*, That no school district officer or other person authorized as

aforesaid shall have authority to approve such certificate for any child then in, or about to enter, his own employment, or the employment of a firm or corporation of which he is a member, officer or employee, or in whose business he is interested. The officer or person approving such certificate shall have authority to administer the oath provided for therein or in any investigation or examination necessary for the approval thereof. No fee shall be charged for approving any such certificate nor for administering any oath or rendering any services therein in respect thereto. The board of directors of each school corporation shall establish and maintain proper records where copies of all such certificates and all documents connected therewith shall be filed and preserved and shall provide the necessary clerical service for carrying out the provisions of this act.

*Issue of Certificates—Physical Fitness*

SEC. 4. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers, duly executed: (1) The school record of such child, properly filled out and signed as provided in this act, showing that the child has completed the work of the eighth grade of the public schools, or its equivalent, or is regularly attending night school in compliance with section eight (8) of this act. (2) A passport, or duly attested transcript of the certificate of birth or baptism, or other religious or official record, showing the date and place of birth of such child. A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics, or other officer charged with the duty of recording births, shall be conclusive evidence of the age of such child. (3) The affidavit of the parent, or guardian, or custodian of a child, which shall be required, however, only in case none of the documents mentioned in clause two (2) of this section can be produced and filed, showing the place and date of birth of such child; which affidavit must be taken before the officer issuing the employment certificate. Such employment certifi-

cate shall not be issued until such child has personally appeared before, and been examined by, the officer issuing the certificate and until such officer shall, after making such examination, sign and file in his office a statement that the child can read and legibly write simple sentences in the English language and that, in his opinion, the child is fourteen years of age, or upwards, and has reached the normal development of a child of its age, and is in sound health and is physically able to perform the work which it intends to do. In doubtful cases such physical fitness shall be determined by a medical officer of the board or department of health, or by a physician provided by the State board of inspection. Whenever the person authorized to issue the employment certificate is in doubt about the age of a child, he may require the party or parties making application for the certificate to appear before the judge of the juvenile court, or county judge, where the question of the age of the child shall be determined and the judgment of the court shall be final and binding upon the person issuing the certificate. Notice of the hearing before the court shall be given to some one of the persons mentioned in section two authorized to demand inspection of employment certificates. Every employment certificate shall be signed in the presence of the officer issuing the same by the child in whose name it is issued.

#### *Contents of Certificates*

SEC. 5. Such certificate shall state the date and place of birth of such child and describe the color of the hair and eyes, the height and weight and distinguishing facial marks of such child and that the papers required by the preceding section have been duly examined, approved and filed and that the child named in such certificate has appeared before the officer signing the certificate and been examined.

#### *School Record*

SEC. 6. The school record required by section four shall be signed by the teacher and principal of the school which such child has attended, and shall be furnished, on demand, to a



child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public schools, or schools equivalent thereto, or parochial schools for not less than three-fourths of the school year previous to his arriving at the age of fourteen years, or during the year previous to applying for such school record and is able to read and write simple sentences in the English language. It shall also state the amount of work completed by such child, measured by the grade of the public day schools in the city or county. Such school record shall also give the age and residence of the child as shown on the records of the school and the name of its parent, or guardian, or custodian.

#### *Lists to be forwarded*

SEC. 7. The superintendent of schools or the school directors of any village, town, or county, shall transmit between the first and tenth day of each month to the office of the State commissioner of labor a list of the names of the children to whom certificates have been issued.

#### *Evening Schools*

SEC. 8. Regular attendance of a child at any public evening school, maintained in any city or village where instruction is given not less than twenty weeks each year and three evenings each week and two hours each evening, shall authorize the issuance of a certificate of employment where the schooling certificate fails to show that the child has completed the work of the eighth grade, required by section six: *Provided*, The schooling certificate and all other certificates are otherwise in due form and the applicant further produces a certificate from the superintendent, or principal, of such public evening school, showing the regular attendance of such child at such evening school: *And provided further*, Every child employed under such certificate shall furnish to his employer a weekly certificate showing regular attendance each week while the evening school is in session. Whoever employs a child in violation of the provisions of this section shall be fined not more than fifty

dollars (\$50.00) for each offense. A parent, guardian or custodian who permits a child under his control to be employed in violation of the provisions of this section shall be fined not more than twenty dollars (\$20.00).

### Forms

SEC. 9. The age and schooling certificate provided for herein shall be made out upon blank forms furnished by the State commissioner of labor and shall be in the following forms:

#### SCHOOL ATTENDANCE CERTIFICATE

(Name of school) (city or town) NEBRASKA, (date) 190--

This certifies that (name of child) has completed the work of the —th grade, and can read and write legibly simple sentences in the English language.

This also certifies that according to the records of this school, and in my belief, the said (name of child) was born at (city or town), in — county, State of — on the (date) and is now — years and — months old, and has attended said school within the past twelve months the following period —.

(Name of parent or guardian)

(Residence)

(Signature) ——— ——— teacher

(Signature) ——— ——— principal

#### AGE AND SCHOOLING CERTIFICATE

(City or town) NEBRASKA, (date) 190--

This certifies that I am the (father, mother, guardian or custodian) of (name of child) and that — was born at —, in — county, State of —, on the —, and is now — years and — months old.

(Signature of father, mother, guardian or custodian).

(Name of city or town) NEBRASKA, (date) 190--

There personally appeared before me the above named (name of person signing) and, being sworn, testified that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge or belief.

I hereby approve the foregoing certificate of (name of child), height — feet — inches, weight — pounds — ounces, complexion (fair or dark), hair (color), eyes (color), having no sufficient reason to doubt that (he or she) is of the age herein certified.

I hereby certify that (he or she can or can not) read at sight and write legibly simple sentences in the English language; that said child has appeared before me and been personally examined by me; that all certificates and paper required by law have, in due form, been presented to, and approved by, me and the same have been placed on file.

(In case the child is attending school, insert here the following:)

I further certify that (he or she) is regularly attending the (name of school).

This certificate shall continue in force only so long as the regular attendance of said child at said school is certified weekly by a teacher thereof.

This certificate belongs to (name of child) and is to be surrendered to the superintendent of schools whenever (he or she) leaves the service of the person, firm or corporation holding the same as employer.

(Signature and official title of person  
authorized to approve and sign.)

#### EVENING SCHOOL ATTENDANCE CERTIFICATE

This certifies that (name of child) is registered in and regularly attends the ——— evening school. This also certifies that according to the records of my school and in my belief (name of child) was born at (name of city or town) on the — day of ———, 1——, and is now — old.

(Name of parent or guardian)

(Signature of teacher)

(Signature of principal)

Duplicate copies of such certificates shall be retained in all

cases by the person or officer issuing the same and kept on file by the superintendent of schools or school district directors of the county in which the same are issued.

#### *Hours of Labor—Night Work*

SEC. 10. No person under the age of sixteen years shall be employed or suffered or permitted to work in any theater, concert hall, or place of amusement, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, packing house, bowling alley, passenger or freight elevator, factory, workshop, beet field, or as a messenger or driver therefor, more than forty-eight hours in any one week, nor more than eight hours in any one day, nor before the hour of six o'clock in the morning, nor after the hour of eight o'clock in the evening. Every employer shall post in a conspicuous place in every room where such children are employed a printed notice stating the hours required of them each day of the week, the hours of commencing and of stopping work, and the hours when the time or times allowed for dinner or for other meals begin and end. The printed form of such notice shall be furnished by the State commissioner of labor.

#### *Violations—Enforcement*

SEC. 11. Whoever employs a child under sixteen years of age and whoever, having under his control a child under such age, permits such child to be employed in violation of section one (1), two (2), ten (10) or twelve (12) of this act shall for each offense be fined not more than fifty dollars (\$50.00); and whoever continues to employ any child in violation of either of said sections of this act, after being notified by a truant officer, or a deputy commissioner of labor, or a member of the State board of inspection, shall for every day thereafter that such employment continues be fined not less than five dollars (\$5.00) nor more than twenty dollars (\$20.00). The failure of an employer of child labor to produce, upon the request of a person authorized to demand the same, any employment certificate or list required by this act, shall be *prima facie*

evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not listed. Any corporation or employer retaining employment certificates in violation of section 2 of this act shall be fined ten dollars (\$10.00). Every person authorized or required to sign any certificate or statement prescribed by sections four (4) or five (5) of this act, or who knowingly certifies or makes oath to any material false statement therein or who violates either of said sections, shall be fined not to exceed fifty dollars (\$50.00). Every person, firm or corporation, agent or manager, superintendent or foreman of any person, firm or corporation who shall refuse admittance to any officer or person authorized to visit or inspect any premises or place of business under the provisions of this act and to produce all certificates and lists he may have, when demanded, after such person shall have announced his name and the office he holds and the purpose of his visit, or shall otherwise obstruct such officers in the performance of their duties as prescribed by this act, shall be guilty of a misdemeanor and, upon conviction, shall be fined in any sum not exceeding fifty dollars (\$50.00), or be imprisoned not to exceed thirty days. The presence of a child under sixteen years of age, apparently at work, in any of the places of business enumerated in section one (1) of this act shall be *prima facie* evidence of his employment therein. It shall be the duty of the deputy commissioner of labor and the several truant officers to enforce the provisions of this act, and every county attorney, when informed by any officer or person authorized to inspect places where child labor is employed, that any of the provisions of this act have been violated, shall file or cause to be filed information against the person or persons guilty of such offense and cause the arrest and prosecution of the same: *Provided*, That nothing in this act shall prevent any other person from causing the enforcement of the provisions of this act. Truant officers shall visit the places of business enumerated in section one (1) of this act to ascertain whether any children are employed contrary to the provisions of this act, and they shall report any cases of such

illegal employment to the commissioner of labor and to the county attorney.

*Board of Inspectors*

SEC. 12. It is hereby made the duty of the governor, immediately upon the passage of this act, to appoint five persons, two, at least, of whom shall be women, who shall constitute the board of inspectors and who shall serve without compensation. The term for which such inspectors shall serve is hereby made one, two, three, four and five years, respectively. The appointment shall designate the term for which each inspector is appointed. The governor shall, each year, appoint one person to serve for a period of five years and shall also fill any vacancy on the board. The chairman shall be the executive head of the board and shall reside in the county employing the largest number of children under the age of sixteen years. Any member of the board of inspectors shall have power to demand the examination, by some regularly licensed physician, to be selected by the board, of any child under sixteen years of age who may seem physically unable to perform the labor at which such child may be employed, and no child under sixteen shall be employed who cannot obtain a certificate of fitness from such physician.

*Dangerous, etc., Employments*

SEC. 13. No child under the age of sixteen years shall be employed in any work which by reason of the nature of the work, or place of performance, is dangerous to life or limb or in which its health may be injured or its morals may be depraved. Any parent, guardian, or other person, who, having under his control any child, causes or permits said child to work or be employed in violation of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than fifty dollars (\$50.00) or be imprisoned not exceeding ten days.

From the complex subject-matter of this law there emerge six broad essential provisions: the general age-limit

provision; the hours-of-labor regulation; the educational qualification; the working-papers requirement; the enforcement by inspectors; and the enforcement by penalties. Each of these phases is composed of certain distinct categories. The general age-limit provision prohibits the employment of children under specific ages in certain occupations, subject to particular exemptions. Thus, under the larger category of the general age-limit provision, appear the age-limit category, the occupation category and the exemption category. The hours-of-labor provision regulates the working hours, of children under certain ages, by night, by day and by the week, for specific occupations under conditions of particular exemptions. Thus, there appear the categories of nightly working hours, of daily working hours and of weekly working hours; also an age-limit category for these hours; and finally the occupation category and the exemption category. The educational-requirement qualification prohibits the employment of children under definite ages in various occupations unless certain educational requirements are fulfilled. The categories of special educational requirements are four; the completion of a specified curriculum, the completion of a period of attendance, the ability to read and write, and the attendance at a night school. The working-papers clause prohibits the employment of children under an age limit, save exempted cases, in different occupations, unless the children present certificates, properly signed, setting forth certain information. There are four categories of working papers, those signed by school authorities, those signed by parents, those signed by inspectors, and those signed by other authorities. There is also a certificate stating the physical fitness of the child to labor. The clause providing enforcement by inspection authorizes individuals to see that the various provisions of the law are obeyed. There are nine classes of

inspection, namely: by special inspectors, by truant officers, by peace officers, by school authorities, by health officers, by judicial officers, by humane societies, by any citizen and by state officers. The clause pertaining to penalties provides a fine or imprisonment, or both, for a violation of any or all of the provisions of the law by employers or by parents or by both.

A vital part of the child labor laws concerns the occupations that are affected by their provisions. In order to measure quantitatively the extent that occupations are affected, they must be classified into a few defined groups. This has been done, and the names of the seven groups are: manufacturing; mercantile; hotels; offices, etc.; street trades; mining; any gainful occupation; and dangerous occupations. These are merely the names of the groups. Each group includes a number of specific occupations, the occupations classed under each group being more or less related and similar. Each group is defined more fully in a following section of this presentation; here a single illustration will suffice to present the idea. The manufacturing group includes factories, mills, workshops, mechanical industries, cotton manufacturing, business establishments, packing houses, printing establishments, dress making, millinery, manufacture packing, rolling mills. Other groups are similarly defined. So, in transcribing the laws, occupations are tabulated in occupation groups. If the labor of children is regulated in one or more of the occupations that are included in an occupation group, it is transcribed that the labor of children is regulated in that occupation group. In a similar way the dangerous-occupation group has been divided into sub-groups. These are named and defined in a later section. Such has been the method of handling the occupations. The occupations in approximately five hundred laws have been classified. Some errors of oversight



probably have occurred; and in some instances it has been doubtful with which group an occupation should be classed. However, it is only desired to present here what are the liabilities of error.

There usually exist provisions in a law whereby certain cases are directly exempted from its operation. These exemptions are many and various. Some states permit children to be employed in vacation or during hours out of school. Other states permit orphans, children of widows and children of disabled parents to labor under the age limit. The provisions of the law are suspended to permit labor on perishable goods. These exemptions have been classified into groups of exemptions, similar in definition to the groups of occupations. There are fourteen such classes of exemptions, which are defined on a following page. The exemptions found in the laws have been recorded in these fourteen categories.

Such are the bare categories used in transcribing the laws from the statute books for the purpose of measuring progress and uniformity. The importance of these categories is very great, because they are, in a sense, the units of measurement; just how important will be seen presently when the data in each category are examined. The measurement of the uniformity and of the progress of the laws is dependent on the classification. By the use of one system of classification the uniformity will be found to be a certain amount. If another system of classification be used, the uniformity might be more or less. What then is the basis of classification used here? These categories are the ones that have suggested themselves most clearly from the laws themselves. The categories are in most instances determined by the laws. One is forced to use, in the main, the classification used here for grouping the occupations, because the legislators in the various states have used them.

It is thought that should another investigator group the occupations, he would sort them into nearly the same categories used here. One difficulty in making these classifications lay in the fact that in order to establish good categories the whole content of all the laws should have been known previously. Obviously this was not possible. Consequently here and there crudities occur; the instances are not many.

Many of the laws are long and complex. Occasionally it is difficult to ascertain the meaning of parts of the law by unravelling its peculiarly-worded clauses. To transcribe a law usually demands a careful and thorough reading. Occasionally it takes some time to decide into just what categories the data should be sorted. The number of laws to be transcribed is large. These are some of the difficulties and sources of error. The most careful observer, under these conditions, is subject to some errors. Results were checked, however, in the compilation of the laws for every fifth year.

*Methods of compiling the laws.* Because of the scarcity of data and the slowness of the change in the laws it was thought advisable to measure the progress of child-labor legislation by five-year periods. Most of the state legislatures meet in biennial sessions. To measure by five-year periods means that the status of each state in regard to each of the categories of the child-labor laws must be determined every fifth year for thirty years. This is virtually a revision or compilation of the statutes on child labor of each of the states. How accurately has this been done? The sources of error here are larger than appear at first glance. One difficulty lies in the fact that it is not always clear when one law replaces or supersedes another. When one law repeals a previous law, specifically naming it, or repeals or amends certain definitely-mentioned provisions of a previous law,

there is no uncertainty. But when an enactment states that "all acts not consistent with this act are hereby repealed" or similar words, and does not name the specific acts repealed, it is not always certain what acts are repealed. It also occurs on a few occasions that a law which has no repealing clause is found in a later volume of compiled statutes to have repealed previous laws. Such laws have here been interpreted as not repealing until it has been found otherwise by means of the compiled statutes or by other means.

These are real difficulties to the trained legal mind. This is shown by the evidence of ambiguities here and there in the volumes of compiled or revised statutes of the states. The rules which have been followed in these doubtful cases are explained in a later portion of the introduction.

Another source of possible error is found in the great amount of detailed search necessary in tracing back laws or sections that have been repealed.

Several means were used for checking results. The statutes of the various states are compiled and revised from time to time but this is not done at regular intervals of five years nor at the particular five years. In most states they are not revised as often as once in five years. However, these volumes can frequently be used for checking. The United States government has issued the state labor laws at four different times, in 1892, 1896, 1904 and 1907. At these times the status of each state in regard to child-labor legislation is presented, so that a large amount of checking was done with these volumes. In the supplements to *The Annals of the American Academy of Political and Social Science* there have recently appeared hand-books on the existing state statutes on child labor, and in 1910 the American Association for Labor Legislation published

a summary of the laws in force on child labor. By the use of these various sources, it is thought that a fairly accurate presentation of the status of each state's laws has been made for every five years.

#### SOME DETAILS OF METHOD

Definitions of certain terms used, explanations that apply to the study as a whole and special rules of guidance which have been followed, are given below.

*State constitutions* sometimes contain a child-labor law. Such laws are recorded and tabulated unless the state has a legislative enactment which includes the child-labor provisions of the constitution.

*Two or more laws* including very nearly the same subject matter may exist in a single state at the same time. This is usually the failure to stipulate in the last enactment for the repeal of the previous ones. Such duplication usually disappears at the revision of the statutes. In cases of this kind both laws are recorded and remain so until one is removed from the statute laws.

*The superceding* of one enactment by another is not always clear. Doubt may arise as a result of the nature of the repealing clause of an enactment or of its absence. Definite knowledge concerning this is obtained in many states from the later revised statutes or from a later code. When these resources fail to show whether one law replaces another the same interpretation is used which is employed in the volumes of labor laws compiled by the United States government. Where all of these sources fail the rule of interpretation has been that there is no repeal unless it is specifically mentioned.

*The date of a law*, as used in the tables presented later, is determined, in general, by the year in which the law passes the legislature. Exceptions to this are those cases

where certain provisions of an enactment do not go into effect until the next year or the years following the year in which the session of the legislature was held. In these cases, which are rare, each particular provision is dated the year in which it takes effect. When the session of the legislature occupies parts of two calendar years, the law is dated the year in which it passes the legislature, though it may not take effect until the second calendar year in which the continuous session meets. The reason for this is that the study is undertaken primarily from the point of view of social pressure.

*Laws affecting females* as a special class of whatever ages have not been included in this investigation.

*Child-labor laws for one city alone* have not been recorded. Laws applying to two or more counties, or to two or more cities, or to parts of a state are recorded.

*The word state* is used throughout as meaning either a state, a territory, or the District of Columbia, unless a specific designation is required.

*The definitions of the terms child, minor, and young person* vary according to their arbitrary uses in different laws. In the phrase, "child-labor law," the word child means any person under twenty-one years of age. In an enactment the meaning of the word child varies according to specific definition. It may mean a person under sixteen years of age. The term, minor, unless specifically defined in the text of the enactment is usually interpreted as meaning any young person under twenty-one years of age. However, a reasonable meaning of these terms depends upon the context.

A possible *ambiguity in age limits* also occurs in a few cases where a law defines an age limit in such terms as the following, "apparently 16 years" or "about 14 years." Such age limits have been recorded as 16 years and 14 years.

For the sake of brevity, laws affecting *Dakota Territory*, previous to 1890, have been recorded under the name South Dakota.

*Compelling* children to labor or compelling them to labor a certain length of time is prohibited in only a few of the earlier laws of the states. The word, "compelling," is used in contradistinction to the word, "permitting." Such provisions have not been recorded.

*Averages, uniformity and statistical methods*, in general, their conceptions, definitions and usages are explained in that part of the study dealing with general age limits. The methods of finding the indexes of uniformity and averages are explained in that section. The same conceptions and methods apply throughout the study, but for the sake of brevity are placed only in that one part of the study. This should be read before reading the discussions of the other phases of the child-labor laws.

## CHAPTER I

### OCCUPATIONS

IT is intended to present here the status of child-labor legislation, taking each law as a whole, in regard to occupations affected at each five-year period from 1879 to 1910. Some occupations are affected in the earlier years of child-labor legislation, others not until recent years. Some occupations are found frequently in the laws, others rarely. Has the labor of children been regulated in an increasing number of occupations? If so, in what occupations? What states have been foremost in extending the range of occupations affected by child-labor enactments? The following tables give this information and show these tendencies. To understand the tables, and to estimate the information offered in this study it is necessary to define the various groups into which the occupations have been classified.

#### OCCUPATION GROUPS DEFINED

In order to measure the occupations affected by child-labor legislation it is necessary to classify them. They have, accordingly, been classified into seven groups. The basis of this classification has been discussed in the introduction to this report. These classes or groups are determined partly by the fact that the enactments seem to group them into these classes. Each group is defined by naming some of the occupations that are classed in that group, but only those occupations which have actually appeared in the texts of the laws are named in the definition of a group. It

is not practicable to name every occupation that has been classed in a group to define it. Those that are named are the ones that appear most frequently and a few of those particular employments that are mentioned only rarely.

*Occupation group A.*—*Manufacturing* occupations, mills, work shops, cotton factories, mechanical industries, business establishments, packing houses, printing establishments, dress making, millinery, manufacture packing, rolling mills. Such are some of the employments classed in this group. Some of these occupations seem of doubtful classification, as is found to be the case in most of the groups. For instance, the term, “business establishment,” might seem to be included in occupation group B or occupation group F; but, since whenever occupations in these two groups appear they are specifically mentioned, it was thought best to classify business establishments in occupation group A. Similarly, rolling mills might possibly have been classed in the dangerous-occupation group. These doubtful cases are sufficiently rare as not greatly to affect results.

*Occupation group B.*—*Mercantile* establishments, stores, houses of merchandise.

*Occupation group C.*—*Hotels, offices, etc.*, bowling alleys, theatres, places of amusements, restaurants, laundries, apartment houses, clubs, concert halls, public entertainments, garages. This group of employments includes a large number of miscellaneous occupations.

*Occupation group D.*—*Street trades*, messengers, news boys, boot blacks, telephone messengers, telegraph messengers, transmission of merchandise or messages, selling magazines in public places, public messengers. This group does not include gymnastic or street exhibitions for begging purposes.

*Occupation group E.*—*Mining*, coal mines, anthracite



mines, bituminous coal mines, quarries, collieries, copper mines, breakers, smelters, iron mines, underground mines. Employment in or about mines is interpreted as employment in the mining industry.

*Occupation group F.*—*Any gainful occupation*, any occupation, any establishment, other employments, other establishment. Such terms as these are used in the enactments where no specific employments are referred to. In some cases it seems clear that the term, "other establishment," refers to other manufacturing establishment; in such cases it has been so recorded. Some enactments state that children shall not be employed, but say nothing regarding the occupations affected by the enactment. These cases are recorded in this group.

*Occupation group G.*—*Dangerous occupations.* Some legislative acts prohibit or regulate the labor of children in dangerous occupations, not specifically designated, but in employments designated as dangerous employments, or, occupations injurious to health or morals or both, or, in some such general terms. These cases are classed in this group. In a much larger number of cases, specific employments are mentioned. These, too, are classed in this category.

There are a number of these specifically-mentioned dangerous employments. In regard to these a state may possess five complete enactments regulating employment in five different dangerous employments, instead of having one enactment for the five employments. For these reasons it is thought advisable to analyze the dangerous-occupation group into a number of sub-groups, each sub-group being a distinct class of dangerous employments.

*Occupation sub-group Ga.*—*Elevators*, passenger elevators, freight elevators, elevators running at different speeds. It sometimes occurs that two age limits are re-

corded for children employed in running elevators at two different speeds.

*Occupation sub-group Gb.*—*Dangerous machinery* in general, the operation of certain specifically mentioned pieces of dangerous machinery (except those included in other groups), cleaning moving machinery, emery wheels, hoisting engines, cleaning gears, emery belts.

*Occupation sub-group Gc.*—*Explosives*, the manufacture and handling of explosives, transportation and packing of explosives, dynamite, nitro-glycerine.

*Occupation sub-group Gd.*—*Matches*, phosphorus, phosphorous matches.

*Occupation sub-group Ge.*—*Railroads*, street-cars, employment in or about or on railroads or street-cars.

*Occupation sub-group Gf.*—*Intoxicating drinks*, saloons, bars, places where liquor is sold, transportation, packing, or manufacture of intoxicating drinks or liquors, beer halls, breweries, distilleries.

*Occupation sub-group Gg.*—*Specified manufactures*, generally highly technical in nature. Of this class the laws usually specify some ten or twelve different ones, more or less. They are such occupations as using calendar rolls in rubber manufacture, wire straightening machinery, sewing belts, wood planers, cracker machinery, corrugating rolls, and the like. Bakeries are also included in this class.

*Occupation sub-group Gh.*—*Dangerous occupations*, not including those classified elsewhere, and not including the generally immoral occupations. Cigar manufactures, poisonous acids, red lead, white lead, paints, dangerous occupations in general.

*Occupation sub-group Gi.*—*Immoral occupations*, in general and in particular, not including those mentioned elsewhere. Selling obscene literature, employment around houses of prostitution, sale of immoral books, obscene or indecent exhibitions, assignation houses, brothels.

*Occupation sub-group Gj.*—Mendicants and street exhibitions, gymnastic exhibitions, rope walking, mendicant occupations, singing in exhibitions on public streets, exhibition of children.

This, then, concludes the description of the occupation groups and the occupation sub-groups. It should be borne in mind that the dangerous-occupation group is different in its constitution from the other occupation groups. It is more heterogeneous. Except in the case of the dangerous occupations, only a single law is enacted for different occupations in an occupation group.

#### THE OCCUPATION GROUPS AS AFFECTED BY STATE LEGISLATION

It can now be shown to what extent child-labor legislation has broadened its range from period to period with respect to each of the occupation groups in each of the states and in the states as a whole. The following tables present this information. Before judging the tables an explanation is necessary. If a state has passed a law affecting one or more of the occupations classified in an occupation group, it has been tabulated as possessing legislation affecting that group, irrespective of the number of occupations designated, provided they are classed within that group. Not every provision or phase of an enactment necessarily applies to the same occupation groups; however, if only a single provision of a state law relates to a certain occupation group, that state is recorded as having legislation on that occupation group. Consequently, these tables do not show to what extent labor is regulated in the groups of employments. Neither do these tables show how many laws a state possesses on a particular employment group; the mark, 1, indicates only that the state designated has legislation affecting that class of occupations.

Table I shows to what extent each and all of the states possess legislation affecting any occupation group. Hence this table shows what states possess child-labor legislation in each of the five-year periods and it is important for that reason. Tables II and VIII, inclusive, show what states possess child-labor legislation on each of the occupation groups. Tables IX and X analyze the data on the dangerous occupations and show what states possess legislation affecting each of the sub-groups. Table XI is a summary showing the extent to which each of the sub-groups is affected by legislation in all the states as a whole. Figure 1 shows graphically the tendencies and relative progress of the states as a whole in regard to each of the occupation groups.

The results presented in these tables show several interesting tendencies and facts. Child labor has been regulated more in the manufacturing industries than in other employments. They show also that the states have been active in prohibiting the labor of children in the dangerous employments. In 1879 there were only 14 states regulating the employment of children in manufacturing industries, while in 1909 there were 44. The figures for the dangerous occupations taken as a whole are about the same. The street trades and such occupations as employments in hotels, theatres, offices, etc., have been the latest to be affected by child-labor provisions. Their period of growth has been confined almost to the years between 1904 and 1910; during that period, however, a number of states have extended their regulations to these fields. The legislation on mining follows the rate of development of legislation on manufacturing, save during the last five-year period, when it has been less rapid. This is probably due to the fact that the mining industries are geographically more limited than the manufacturing. There have not been so many states

to legislate regarding mining. Throughout the period the states with legislation affecting the mercantile pursuits have been about ten or fifteen less than those with legislation affecting the manufacturing pursuits. The legislation affecting the mercantile pursuits has shown great growth since 1900; for the first ten years of the period studied there was only one state possessing such legislation. There seems to be an increasing tendency among legislators to regulate employment in "any gainful occupation."

Of the various dangerous employments, the use of children for mendicant purposes in street exhibitions has been most often prohibited. The employment of children in such occupations as would bring them in contact with intoxicating drinks has been largely prohibited, though not so much as might be imagined. Of late years an increasingly large number of states have legislated to prevent children from manipulating elevators and other dangerous machinery. Legislation in most of the dangerous occupations has been steadily increasing during the last five-year period.

In fact, from 1905 to 1910 there has been a wide extension of the range of occupations included in the child-labor laws. A large majority of the states since 1889 have possessed some sort of legislation regarding the labor of children, but the term child-labor legislation as used here is very broad. It is interesting to observe that once a state has legislated regarding the employment of children in a certain occupation, it seldom recedes.

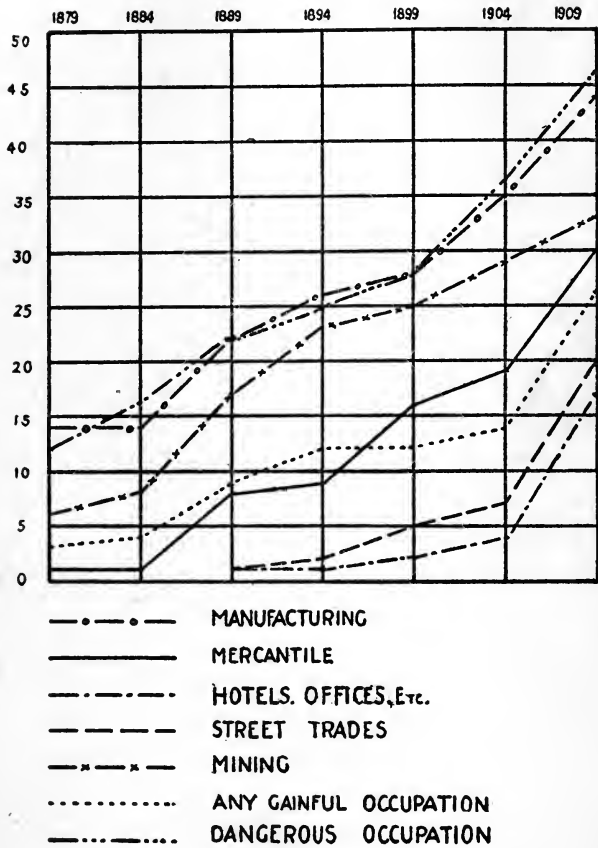


FIGURE 1.

Progress in the number of states possessing child-labor legislation affecting the occupation groups.

TABLE I. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING ANY OCCUPATION GROUP

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	I	..	I	I	I
Alaska .....	..	..	..	..	I	I	I
Arizona .....	..	..	..	..	..	I	I
Arkansas .....	..	..	..	I	I	I	I
California .....	I	I	I	I	I	I	I
Colorado .....	I	I	I	I	I	I	I
Connecticut .....	I	I	I	I	I	I	I
Delaware .....	I	I	I	I	I	I	I
District of Columbia .....	..	..	I	I	I	I	I
Florida .....	..	..	..	..	..	I	I
Georgia .....	I	I	I	I	I	I	I
Hawaii .....	..	..	..	..	..	I	I
Idaho .....	..	..	I	I	I	I	I
Illinois .....	I	I	I	I	I	I	I
Indiana .....	I	I	I	I	I	I	I
Indian Territory .....	..	..	..	I	I	I	..
Iowa .....	I	I	I	I	I	I	I
Kansas .....	..	I	I	I	I	I	I
Kentucky .....	..	..	..	I	I	I	I
Louisiana .....	..	..	I	I	I	I	I
Maine .....	I	I	I	I	I	I	I
Maryland .....	I	I	I	I	I	I	I
Massachusetts .....	I	I	I	I	I	I	I
Michigan .....	..	I	I	I	I	I	I
Minnesota .....	I	I	I	I	I	I	I
Mississippi .....	..	..	..	..	..	..	I
Missouri .....	..	..	I	I	I	I	I
Montana .....	..	..	I	I	I	I	I
Nebraska .....	..	..	I	I	I	I	I
Nevada .....	..	..	..	..	..	..	I
New Hampshire .....	I	I	I	I	I	I	I
New Jersey .....	I	I	I	I	I	I	I
New Mexico .....	..	..	..	I	I	I	I
New York .....	I	I	I	I	I	I	I
North Carolina .....	..	..	..	..	I	I	I
North Dakota .....	..	..	..	I	I	I	I
Ohio .....	I	I	I	I	I	I	I
Oklahoma .....	..	..	..	I	I	I	I
Oregon .....	..	..	..	..	..	I	I
Pennsylvania .....	I	I	I	I	I	I	I
Porto Rico .....	..	..	..	..	..	I	I
Rhode Island .....	I	I	I	I	I	I	I
South Carolina .....	..	..	..	..	..	I	I
South Dakota .....	I	I	I	I	I	I	I
Tennessee .....	..	..	..	I	I	I	I
Texas .....	..	..	..	..	..	I	I
Utah .....	..	..	..	I	I	I	I
Vermont .....	I	I	I	I	I	I	I
Virginia .....	..	..	..	I	I	I	I
Washington .....	..	..	I	I	I	I	I
West Virginia .....	..	..	I	I	I	I	I
Wisconsin .....	I	I	I	I	I	I	I
Wyoming .....	..	..	I	I	I	I	I
Total .....	21	23	33	41	44	51	52

TABLE II. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION GROUP A.—MANUFACTURING<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	I	..	..	I	I
Arkansas .....	..	..	..	..	..	I	I
California .....	..	..	I	I	I	I	I
Colorado .....	..	..	I	I	I	I	I
Connecticut .....	I	I	I	I	I	I	I
Delaware .....	..	..	..	..	..	..	I
District of Columbia.....	..	..	..	..	..	..	I
Florida .....	..	..	..	..	..	..	I
Georgia .....	..	..	..	..	..	..	I
Idaho .....	..	..	..	..	..	..	I
Illinois .....	..	..	..	I	I	I	I
Indiana .....	I	I	I	I	I	I	I
Iowa .....	..	..	..	..	..	..	I
Kansas .....	..	..	..	..	..	..	I
Kentucky .....	..	..	..	..	..	I	I
Louisiana .....	..	..	I	I	I	I	I
Maine .....	I	I	I	I	I	I	I
Maryland .....	I	I	I	I	I	I	I
Massachusetts .....	I	I	I	I	I	I	I
Michigan .....	..	..	I	I	I	I	I
Minnesota .....	I	I	I	I	I	I	I
Mississippi .....	..	..	..	..	..	..	I
Missouri .....	..	..	..	..	I	I	I
Montana .....	..	..	..	..	..	..	I
Nebraska .....	..	..	I	I	I	I	I
New Hampshire .....	I	I	I	I	I	I	I
New Jersey.....	I	I	I	I	I	I	I
New York.....	..	..	I	I	I	I	I
North Carolina.....	..	..	..	..	..	I	I
North Dakota .....	..	..	..	I	I	I	I
Ohio .....	I	I	I	I	I	I	I
Oklahoma.....	..	..	..	I	I	I	I
Oregon .....	..	..	..	..	..	I	I
Pennsylvania .....	I	I	I	I	I	I	I
Rhode Island.....	I	I	I	I	I	I	I
South Carolina.....	..	..	..	..	..	I	I
South Dakota .....	I	I	I	I	I	I	I
Tennessee.....	..	..	..	I	I	I	I
Texas .....	..	..	..	..	..	I	I
Vermont.....	I	I	I	I	I	I	I
Virginia .....	..	..	..	I	I	I	I
Washington .....	..	..	..	..	I	I	I
West Virginia .....	..	..	I	I	I	I	I
Wisconsin.....	I	I	I	I	I	I	I
Total .....	14	14	22	26	28	35	44

<sup>1</sup> The following states, each of which has no child-labor legislation affecting the manufacturing occupations, are omitted from the list in the table: Alaska, Arizona, Hawaii, Indian Territory, Nevada, New Mexico, Porto Rico, Utah, Wyoming.



TABLE III. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION GROUP B.—MERCANTILE<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1904.
Alabama .....	..	..	..	..	..	..	..
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	I
California .....	..	..	I	I	I	I	I
Colorado .....	..	..	..	..	..	I	I
Connecticut .....	..	..	I	I	I	I	I
Delaware .....	..	..	..	..	..	..	..
District of Columbia .....	..	..	..	..	..	..	I
Florida .....	..	..	..	..	..	..	..
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Idaho .....	..	..	..	..	..	..	I
Illinois .....	..	..	..	I	I	I	I
Indiana .....	..	..	..	..	I	I	I
Indian Territory .....	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	I
Kentucky .....	..	..	..	..	..	..	I
Louisiana .....	..	..	..	..	..	..	I
Maine .....	..	..	..	..	..	..	I
Maryland .....	..	..	..	..	..	..	I
Massachusetts .....	I	I	I	I	I	I	I
Michigan .....	..	..	I	I	I	I	I
Minnesota .....	..	..	..	..	I	I	..
Missouri .....	..	..	..	..	..	..	I
Nebraska .....	..	..	..	..	I	I	I
New Hampshire .....	..	..	..	..	..	I	I
New Jersey .....	..	..	I	..	..	..	I
New York .....	..	..	..	..	I	I	I
North Dakota .....	..	..	..	..	I	I	I
Ohio .....	..	..	..	..	I	I	I
Oregon .....	..	..	..	..	..	I	I
Pennsylvania .....	..	..	I	I	I	I	I
Rhode Island .....	..	..	I	I	I	I	I
South Carolina .....	..	..	..	..	..	..	..
South Dakota .....	..	..	..	I	I	I	I
Virginia .....	..	..	..	..	..	..	I
Washington .....	..	..	..	..	I	I	I
West Virginia .....	..	..	..	..	..	..	I
Wisconsin .....	..	..	I	I	I	I	I
Total .....	I	I	8	9	16	19	30

<sup>1</sup> The following states, each of which has no child-labor legislation affecting the mercantile occupations, are omitted from the list in the table: Kansas, Mississippi, Montana, Nevada, New Mexico, North Carolina, Oklahoma, Porto Rico, Tennessee, Texas, Utah, Vermont, Wyoming.

TABLE IV. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION GROUP C.—HOTELS, OFFICES, ETC.<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	..	..	..	..
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	..
California .....	..	..	..	..	..	..	I
Colorado .....	..	..	..	..	..	..	..
Connecticut .....	..	..	..	..	..	..	..
Delaware .....	..	..	..	..	..	..	..
District of Columbia .....	..	..	..	..	..	..	I
Florida .....	..	..	..	..	..	..	..
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Idaho .....	..	..	..	..	..	..	..
Illinois .....	..	..	..	..	I	I	I
Indiana .....	..	..	..	..	..	..	..
Indian Territory .....	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	..
Kansas .....	..	..	..	..	..	..	I
Kentucky .....	..	..	..	..	..	..	I
Louisiana .....	..	..	..	..	..	..	I
Maine .....	..	..	..	..	..	..	..
Maryland .....	..	..	..	..	..	..	I
Massachusetts .....	..	..	..	..	..	..	..
Michigan .....	..	..	..	..	..	I	I
Minnesota .....	..	..	..	..	..	..	..
Mississippi .....	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	I
Montana .....	..	..	..	..	..	..	..
Nebraska .....	..	..	..	..	..	..	I
Nevada .....	..	..	..	..	..	..	..
New Hampshire .....	..	..	..	..	..	..	..
New Jersey .....	..	..	..	..	..	..	..
New Mexico .....	..	..	..	..	..	..	..
New York .....	..	..	..	..	..	I	I
North Dakota .....	..	..	..	..	..	..	I
Ohio .....	..	..	..	..	..	..	I
Oregon .....	..	..	..	..	..	..	I
Pennsylvania .....	..	..	..	..	..	..	I
South Dakota .....	..	..	..	..	..	..	I
Wisconsin .....	..	..	I	I	I	I	I
Total .....	..	..	I	I	2	4	17

<sup>1</sup> The following states, each of which has no child-labor legislation affecting occupation group C, are omitted from the list in the table: North Carolina, Oklahoma, Porto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming.

TABLE V. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION GROUP D.—STREET TRADES <sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	..	..	..	..
Alaska.....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas.....	..	..	..	..	..	..	..
California .....	..	..	..	..	..	..	I
Colorado .....	..	..	..	..	..	..	..
Connecticut .....	..	..	..	..	..	..	..
Delaware .....	..	..	..	..	..	..	..
District of Columbia.....	..	..	..	..	..	..	I
Florida .....	..	..	..	..	..	..	..
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Idaho .....	..	..	..	..	..	..	..
Illinois.....	..	..	..	..	..	..	..
Indiana .....	..	..	..	..	I	I	I
Indian Territory .....	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	..
Kansas .....	..	..	..	..	..	..	I
Kentucky .....	..	..	..	..	..	..	I
Louisiana .....	..	..	..	..	..	..	I
Maine .....	..	..	..	..	..	..	I
Maryland .....	..	..	..	..	..	..	I
Massachusetts .....	..	..	..	..	..	..	..
Michigan .....	..	..	..	..	..	..	I
Minnesota.....	..	..	..	I	I	..	..
Mississippi .....	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	I
Montana .....	..	..	..	..	..	..	I
Nebraska .....	..	..	..	..	..	..	I
Nevada .....	..	..	..	..	..	..	..
New Hampshire .....	..	..	..	..	..	..	..
New York.....	..	..	..	..	..	I	I
North Dakota .....	..	..	..	..	..	..	I
Ohio .....	..	..	..	..	..	I	I
Oregon .....	..	..	..	..	..	I	I
Pennsylvania .....	..	..	..	..	..	..	I
Rhode Island.....	..	..	I	I	I	..	..
Vermont .....	..	..	..	..	..	I	I
Washington .....	..	..	..	..	I	I	I
Wisconsin.....	..	..	..	..	I	I	I
Total .....	..	..	I	2	5	7	20

<sup>1</sup> The following states, each of which has no child-labor legislation affecting the street trades, are omitted from the list in the table: New Jersey, New Mexico, North Carolina, Oklahoma, Porto Rico, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wyoming.

TABLE VI. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION GROUP E.—MINING<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	I	..	I	I	I
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas .....	..	..	..	I	I	I	I
California .....	..	..	..	..	..	..	..
Colorado .....	I	I	I	I	I	I	I
Connecticut .....	..	..	..	..	..	..	..
Florida .....	..	..	..	..	..	..	I
Idaho .....	..	..	I	I	I	I	I
Illinois .....	I	I	I	I	I	I	I
Indiana .....	I	I	I	I	I	I	I
Indian Territory .....	..	..	..	I	I	I	..
Iowa .....	I	I	I	I	I	I	I
Kansas .....	..	I	I	I	I	I	I
Kentucky .....	..	..	..	..	..	I	I
Louisiana .....	..	..	..	..	..	..	I
Maryland .....	..	..	..	..	..	I	I
Michigan .....	..	..	..	..	..	..	I
Minnesota .....	..	..	..	..	I	I	I
Missouri .....	..	..	I	I	I	I	I
Montana .....	..	..	I	I	I	I	I
Nebraska .....	..	..	I	I	..	..	..
New Jersey .....	..	I	I	I	I	..	..
New Mexico .....	..	..	..	I	I	I	I
New York .....	..	..	..	..	..	..	I
North Carolina .....	..	..	..	..	I	I	I
North Dakota .....	..	..	..	I	I	I	I
Ohio .....	I	I	I	I	I	I	I
Oklahoma .....	..	..	..	..	..	..	I
Pennsylvania .....	I	I	I	I	I	I	I
South Carolina .....	..	..	..	..	..	I	I
South Dakota .....	..	..	..	I	I	I	I
Tennessee .....	..	..	..	I	I	I	I
Texas .....	..	..	..	..	..	I	I
Utah .....	..	..	..	I	I	I	I
Virginia .....	..	..	..	..	..	I	I
Washington .....	..	..	I	I	I	I	I
West Virginia .....	..	..	I	I	I	I	I
Wisconsin .....	..	..	I	I	I	I	I
Wyoming .....	..	..	I	I	I	I	I
Total .....	6	8	17	23	25	29	33

<sup>1</sup> The following states, each of which has no child-labor legislation affecting the mining occupations, are omitted from the list in the table: Delaware, District of Columbia, Georgia, Hawaii, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, Oregon, Porto Rico, Rhode Island, Vermont.

TABLE VII. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION. GROUP F.—ANY GAINFUL OCCUPATION<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	..	..	..	..
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	I
Arkansas .....	..	..	..	..	..	..	..
California .....	..	..	I	I	I	I	I
Colorado .....	..	..	I	I	I	I	I
Connecticut .....	I	I	I	I	I	I	I
Delaware .....	..	..	..	..	..	..	I
District of Columbia .....	..	..	..	..	..	..	I
Florida .....	..	..	..	..	..	..	I
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Idaho .....	..	..	..	..	..	..	I
Illinois .....	..	..	..	I	I	I	I
Indiana .....	..	..	..	..	..	..	..
Indian Territory .....	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	..
Kansas .....	..	..	..	..	..	..	I
Kentucky .....	..	..	..	..	..	..	..
Louisiana .....	..	..	..	..	..	..	..
Maine .....	I	I	..	..	..	..	..
Massachusetts .....	..	..	I	I	I	I	I
Michigan .....	..	I	I	I	..	..	..
Minnesota .....	..	..	..	..	I	I	I
Montana .....	..	..	..	..	..	I	I
Nebraska .....	..	..	..	..	..	..	I
Nevada .....	..	..	..	..	..	..	I
New Hampshire .....	..	..	..	..	..	I	I
New Jersey .....	..	..	I	I	I	..	..
New York .....	I	I	I	I	I	I	I
North Dakota .....	..	..	..	I	I	I	I
Ohio .....	..	..	I	I	I	I	I
Oregon .....	..	..	..	..	..	I	I
Rhode Island .....	..	..	..	..	..	I	I
South Carolina .....	..	..	..	..	..	..	I
South Dakota .....	..	..	..	I	I	I	I
Vermont .....	..	..	I	I	I	..	..
Washington .....	..	..	..	..	..	..	I
West Virginia .....	..	..	..	..	..	..	I
Wisconsin .....	..	..	..	..	..	..	I
Total .....	3	4	9	12	12	14	26

<sup>1</sup> The following states, each of which has no child-labor legislation affecting occupation group F, are omitted from the list in the table: Maryland, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, Pennsylvania, Porto Rico, Tennessee, Texas, Utah, Virginia, Wyoming.

TABLE VIII. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION GROUP G.—DANGEROUS OCCUPATIONS<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alaska .....	..	..	..	..	I	I	I
Arizona .....	..	..	..	..	..	I	I
Arkansas .....	..	..	..	..	..	..	I
California .....	I	I	I	I	I	I	I
Colorado .....	..	..	I	I	I	I	I
Connecticut .....	..	I	I	I	I	I	I
Delaware .....	I	I	I	I	I	I	I
District of Columbia .....	..	..	I	I	I	I	I
Florida .....	..	..	..	..	..	I	I
Georgia .....	I	I	I	I	I	I	I
Hawaii .....	..	..	..	..	..	I	I
Idaho .....	..	..	..	..	..	..	I
Illinois .....	I	I	I	I	I	I	I
Indiana .....	..	..	I	I	I	I	I
Iowa .....	..	..	..	..	..	..	I
Kansas .....	..	..	I	I	I	I	I
Kentucky .....	..	..	..	I	I	I	I
Louisiana .....	..	..	I	I	I	I	I
Maine .....	..	..	..	..	..	..	I
Maryland .....	I	I	I	I	I	I	I
Massachusetts .....	I	I	I	I	I	I	I
Michigan .....	..	I	I	I	I	I	I
Minnesota .....	I	I	I	I	I	I	I
Mississippi .....	..	..	..	..	..	..	I
Missouri .....	..	..	..	I	I	I	I
Montana .....	..	..	I	I	I	I	I
Nebraska .....	..	..	..	..	..	..	I
New Hampshire .....	I	I	I	I	I	I	I
New Jersey .....	..	I	I	I	I	I	I
New York .....	I	I	I	I	I	I	I
North Dakota .....	..	..	..	..	..	..	I
Ohio .....	I	I	I	I	I	I	I
Oklahoma .....	..	..	..	..	..	..	I
Oregon .....	..	..	..	..	..	..	I
Pennsylvania .....	I	I	I	I	I	I	I
Porto Rico .....	..	..	..	..	..	I	I
Rhode Island .....	I	I	I	I	I	I	I
South Carolina .....	..	..	..	..	..	..	I
South Dakota .....	..	..	..	..	I	I	I
Texas .....	..	..	..	..	..	I	I
Vermont .....	..	..	..	..	..	I	I
Virginia .....	..	..	..	..	I	I	I
Washington .....	..	..	..	..	..	I	I
West Virginia .....	..	..	..	..	..	I	I
Wisconsin .....	..	I	I	I	I	I	I
Wyoming .....	..	..	..	I	I	I	I
Total .....	12	16	22	25	28	36	46

<sup>1</sup> The following states, each of which has no child-labor legislation affecting the dangerous occupations, are omitted from the list in the table: Alabama, Indian Territory, Nevada, New Mexico, North Carolina, Tennessee, Utah.

TABLE IX. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION SUB-GROUPS<sup>1</sup>

a. Elevators. b. Dangerous machinery. c. Explosives. d. Matches.  
e. Railroads

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	..	..	..	..
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	..
California .....	..	..	..	..	..	..	..
Colorado .....	..	..	..	..	..	..	..
Connecticut .....	..	..	..	a.	a.	a.	a.
Delaware .....	..	..	..	..	..	..	..
District of Columbia ..	..	..	..	..	..	..	..
Florida .....	..	..	..	..	..	..	..
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Illinois .....	..	..	..	..	..	a. b.	a. b.
Indiana .....	..	..	..	..	a. b.	a. b.	a. b.
Iowa .....	..	..	..	..	..	..	a. c.
Kansas .....	..	..	..	..	..	..	a.
Kentucky .....	..	..	..	..	..	..	b.
Louisiana .....	..	..	..	b.	b.	b.	a. b.
Maine .....	..	..	..	..	..	..	a.
Massachusetts .....	..	..	b. e.	a. b. e.	a. b. e.	a. b. e.	a. b. e.
Michigan .....	..	..	..	..	b.	b.	a. b.
Minnesota .....	..	..	..	..	a.	a.	a. b.
Mississippi .....	..	..	..	..	..	..	b.
Missouri .....	..	..	..	b.	b.	b.	a. b.
Montana .....	..	..	..	..	..	..	a. e.
Nebraska .....	..	..	..	..	..	..	a.
New Jersey .....	..	..	b.	b.	b.	b.	b.
New York .....	e.	..	..	..	b.	b.	a. b. c. d.
North Dakota .....	..	..	..	..	..	..	a. b.
Ohio .....	..	..	..	..	..	..	a. c. d.
Oklahoma .....	..	..	..	..	..	..	a. c. d.
Oregon .....	..	..	..	..	..	..	a.
Pennsylvania .....	..	..	b.	a.	a. b.	a. b.	a. b. c. d. e.
Rhode Island .....	..	..	..	a. b.	a. b.	a. b.	a. b.
South Carolina .....	..	..	..	..	..	..	b.
South Dakota .....	..	..	..	..	..	..	a.
Vermont .....	..	..	..	..	..	..	e.
West Virginia .....	..	..	..	..	..	b.	b.
Wisconsin .....	..	..	..	..	a.	a.	a. b.

<sup>1</sup> The following states, each of which has no child-labor legislation affecting the occupation sub-groups designated at the head of the table, are omitted from the list in the table: Idaho, Indian Territory, Maryland, Nevada, New Hampshire, New Mexico, North Carolina, Porto Rico, Tennessee, Texas, Utah, Virginia, Washington, Wyoming.

TABLE X. CHILD-LABOR LEGISLATION, BY STATES, AFFECTING OCCUPATION SUB-GROUPS<sup>1</sup>

f. Intoxicating drinks. g. Specified manufactures. h. Dangerous occupations.  
i. Immoral occupations. j. Mendicants and street exhibitions.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alaska .....	..	..	..	..	f.	f.	f.
Arizona .....	..	..	..	..	..	j.	f. j.
Arkansas .....	..	..	..	..	..	..	f. g. j.
California .....	i. j.	i. j.	j.	j.	j.	i. j.	i. j.
Colorado .....	..	..	j.	f. j.	f. j.	f. j.	f. j.
Connecticut .....	..	f. j.	f. j.	f. j.	f. h. j.	f. h. j.	f. h. j.
Delaware .....	j.	j.	j.	j.	j.	j.	j.
District of Columbia ..	..	..	j.	f. j.	f. j.	f. j.	f. j.
Florida .....	..	..	..	..	..	j.	f. i. j.
Georgia .....	j.	f. j.	f. j.	f. j.	f. j.	f. j.	f. j.
Hawaii .....	..	..	..	..	..	f.	f.
Idaho .....	..	..	..	..	..	..	f. j.
Illinois .....	j.	j.	j.	j.	h. j.	f. h. i. j.	f. h. i. j.
Indiana .....	..	..	f. g. i. j.	f. g. i. j.	f. g. i. j.	f. g. i. j.	f. g. i. j.
Iowa .....	..	..	..	..	..	..	h. i.
Kansas .....	..	..	j.	j.	j.	j.	h. j.
Kentucky .....	..	..	..	..	j.	j.	f. g. j.
Louisiana .....	..	..	..	..	g. i. j.	g. i. j.	f. j.
Maine .....	..	..	..	..	..	..	j.
Maryland .....	j.	j.	j.	i. j.	i. j.	f. i. j.	f. i. j.
Massachusetts .....	j.	j.	j.	f. j.	f. j.	f. g. j.	f. g. j.
Michigan .....	..	j.	j.	j.	h. j.	h. j.	f. j.
Minnesota .....	j.	j.	j.	j.	h. j.	h. j.	f. g. h. j.
Mississippi .....	..	..	..	..	..	..	h.
Missouri .....	..	..	..	..	g. j.	g. j.	f. g. h. i. j.
Montana .....	..	..	f. j.	f. j.	j.	j.	h. i. j.
Nebraska .....	..	..	..	..	..	..	f. h.
New Hampshire .....	j.	j.	i. j.	i. j.	i. j.	i. j.	i. j.
New Jersey .....	..	f. i. j.	f. h. i. j.	f. h. i. j.	f. h. i. j.	f. g. i. j.	f. g. i. j.
New York .....	f. i. j.	j.	i. j.	j.	g. j.	g. j.	f. g. h. j.
North Dakota .....	..	..	..	..	..	..	f. g. h. i.
Ohio .....	j.	j.	j.	h. j.	h. j.	h. j.	f. g. h. i. j.
Oklahoma .....	..	..	..	..	..	..	g. h. i.
Oregon .....	..	..	..	..	..	..	g.
Pennsylvania .....	f. h. j.	f. h. j.	f. h. j.	f. h. j.	f. h. j.	f. g. h. j.	f. g. h. i. j.
Porto Rico .....	..	..	..	..	..	j.	j.
Rhode Island .....	j.	j.	j.	j.	j.	j.	j.
South Dakota .....	..	..	..	..	f.	f. j.	f. j.
Texas .....	..	..	..	..	..	f.	f.
Vermont .....	..	..	..	..	..	f.	f.
Virginia .....	..	..	..	..	h. j.	h. j.	h. j.
Washington .....	..	..	..	..	..	g.	g. j.
West Virginia .....	..	..	..	..	..	f. h. i. j.	f. h. i. j.
Wisconsin .....	..	j.	j.	j.	g. j.	f. g. j.	f. g. h. i. j.
Wyoming .....	..	..	..	f. i. j.	f. i. j.	f. i. j.	f. i. j.

<sup>1</sup> The following states, each of which has no child-labor legislation affecting the occupation sub-groups designated at the head of the table, are omitted from the list in the table: Alabama, Indian Territory, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Utah.



TABLE XI. TOTAL NUMBERS OF STATES POSSESSING CHILD-LABOR LEGISLATION AFFECTING EACH OCCUPATION SUB-GROUP

The occupation sub-groups.	1879.	1884.	1889.	1894.	1899.	1904.	1904.
Elevators.....	..	..	..	4	7	8	22
Dangerous machinery.....	..	..	3	5	9	11	17
Explosives .....	..	..	..	..	..	..	5
Matches .....	..	..	..	..	..	..	4
Railroads .....	1	..	1	1	1	1	4
Intoxicating drinks .....	2	4	6	10	10	18	31
Specified manufactures....	..	..	1	1	5	9	15
Dangerous occupations....	1	1	2	3	8	8	17
Immoral occupations.....	2	2	4	5	6	9	17
Mendicants and street exhibitions .....	12	16	21	23	26	31	35

## CHAPTER II

### EXEMPTIONS

#### NATURE OF EXEMPTIONS

THE provisions of child-labor laws are often qualified by certain cases and situations that are expressly exempted from the working of the law. It is necessary to consider these exemptions in order to understand the laws. For instance, the provisions of a law will appear to be of a higher standard than they actually are, unless it is known what exemptions limit them; and on the other hand, where exemptions are customary, a law without exemptions appears to be of a lower standard than it is. Some examples of exemptions are the following. Children cannot be legally employed under fourteen years of age except in the school vacation period. No children are to be employed under a certain age, save children of widows and of disabled parents. Children are permitted to work over time during the Christmas holidays. A certain law applies to all cities of 25,000 inhabitants and over. All cities and towns under this size are either exempted or have a different law applying to them.

It is obvious that not all exemptions are objectionable. It is desirable to know whether the objectionable exemptions are decreasing or not. So, also, in forming an estimate of the status of the child-labor laws at a particular period, it is desirable to know not only the relative number of exemptions which limit the laws but also the relative number of each kind of exemption. Exemptions seldom

apply to the whole law but rather to particular provisions of the law, as, to age limits, to hours of labor, to employment certificates or to the educational requirements. For this reason the data concerning exemptions are not presented here, but are tabulated in the special discussions of the respective child-labor provisions.

#### CLASSES OF EXEMPTIONS DEFINED

A description of the classes of exemptions is presented here because these classes are used throughout the discussions. The descriptions make the classes broad in scope, some including several conditions. The possession of only one condition is sufficient to establish that class.

*Exemption a.*—*In vacation*, children under certain ages are permitted to work while at other times they are prohibited; or, at this time, children may work longer hours, or without working papers, or without educational qualifications. Vacation is that period of the year when the schools are not in session. It may mean that time of the year when there is no compulsory school attendance. It does not refer to the usual free periods of a school day.

*Exemption b.*—*During hours out of school*, as an exception, children may be employed. This includes any time of the day, not otherwise excluded, when the schools are not in actual session.

*Exemptions c.*—*During specified times* of the year the provisions of the law do not apply. This period is designated without reference to schools.

*Exemption d.*—*Orphans* are occasionally exempted. This seems to mean when both parents of the child are dead.

*Exemption e.*—*Children of widows* may not be affected by provisions of the law or may be affected by an age limit lower than that applying to other children.

*Exemption f.*—*Children of disabled parents* are also exempted in some state laws. Cases of exemption of poverty, which are rare, are classified in this class or under one of the two immediately foregoing classes.

*Exemption g.*—*Farm labor* is sometimes specifically exempted. Further definition of farm labor, the laws do not give; but often canning and packing fruits are not implied in the term, "farm labor."

*Exemption h.*—*Domestic labor*, also, is sometimes specially exempted. This category includes cases of employment of children by their parents.

*Exemption i.*—*Labor on perishable goods*, for instance, in canneries, or in handling oysters, vegetables or fruits. This also includes specially-mentioned cases where prevention of waste or destruction of material is to be secured.

*Exemption j.*—*Labor on rush goods*. All goods under pressure of an especial rush, not included in any of the other classes of exemptions. Labor at rush seasons of the year, as at Christmas time, is included in this category.

*Exemption k.*—*To make repairs* children are permitted to work longer than the usual number of hours. This is sometimes designated as "necessary repairs" and usually refers to machinery.

*Exemption l.*—*To shorten last day of week* children may be required or permitted to work more than the maximum number of hours per day.

*Exemption m.*—*To make up lost time* children are permitted to work over time. This lost time may have occurred in any manner or it may be mentioned as that time lost in making repairs.

*Exemption n.*—*By special permit* issued for particular cases by some specially authorized person, as a judge of juvenile court. This permit is distinct from the papers spoken of as working papers or employment certificates.

There is no rule mentioned determining when such permits shall be issued. It is left to the discretion of the party intrusted with the authority of issuing such permits.

*Exemption o.*—*Because of physical health* of child being poor, there is exemption from certain requirements. An instance of this is the case where a child is not physically able to be employed and at the same time to fulfill the required attendance at a night school. In this case the child is exempted from the attendance at night school.

*Exemption p.*—*Miscellaneous.* There are peculiar and rare exemptions that do not warrant each a special category. Instances are the following: Children on the floor of the United States Senate. Setting of sponges in bakeries for night's work following. Yard hands, watchmen, firemen under eighteen years are permitted to work overtime.

*Exemption q.*—*Certain counties* in a state are exempted from the provisions of the child-labor law. This is usually for some special law. It is rare.

*Exemption r.*—*Cities of certain sizes* are exempted from the provisions of the law. This may be for many reasons, for a particular street-trades law or for certain requirements regarding the issuing of working papers. More commonly there are different laws for incorporated places of different sizes. The population of incorporated places is limited to such figures as 3,000, 10,000, 25,000, 50,000, 150,000 and 250,000, etc.

## CHAPTER III

### AGE LIMITS

#### DATA AND RESULTS TO BE PRESENTED

THE age limits below which children are not permitted to work in the various occupations are discussed in this section. Tables are presented showing the age limits in each state for each occupation group by five-year periods. The extent to which the age limits of each state are modified by exemptions is given in tabular form; the increase and decrease in the total number of each kind of exemptions is shown; also their relative changes. The average age limit at each period has been found for each of the groups of employments. There has been observed for each period that age limit found to occur most often among all the state laws, or, in other words, the typical age limit. The average age limits and the typical age limits are shown for all of the occupation groups taken together. The progress by which the age limit has grown larger is estimated. The question of the measurement of the uniformity in age limits is discussed and methods of measuring such uniformity, yielding indexes of uniformity in age limits for each of the occupation groups, are presented. Increasing or decreasing uniformity is estimated. What percentage of the total number of age limits is the number of typical age limits has been found, thus describing further the tendency to standardization. The progress from period to period

in the number of states possessing age-limit provisions is shown.

Besides these results, there are presented also the development and discussion of the method whereby these results were obtained. Why the method is applicable to these data is set forth. Thus, how the averages are found and what their significance is, are discussed in reference to these data. The way in which the numbers representing uniformity were deduced and the extent to which they represent uniformity are similarly explained. These methods are not presented elsewhere in the study.

#### AGE LIMITS, BY STATES, FOR THE OCCUPATION GROUPS

In the seven tables which follow, Tables XII-XVIII, are presented the age limits for each state for the various occupations, a single table representing an occupation group. By referring to these tables, it can be known what age limit any state possesses or which states do or do not prohibit the labor of children under a definite age. These tables present the detailed information for each state and each group of employments. No summaries or generalizing remarks are necessary. Some explanation should be made regarding the tables.

By age limit is meant that year, younger than which, children are affected by the law. In a child-labor law, there are various kinds of age limits; an age limit for an educational requirement, an age limit for employment certificates, an age limit for hours of labor. In the phase now under discussion, only the general age limit under which children are not permitted to be employed, (subject, of course, to exemptions), is considered.

It may be seen from the above-mentioned tables that many states possess each several age limits. These plural figures are to be explained on several grounds. Occasion-

ally, particularly in the earlier laws, states required different age limits for girls and for boys. Some states have one age limit for employment within a coal mine and another age limit for employment about the mine. Some states have two or more laws covering almost the same field, such laws giving age limits which may or may not be the same. This occurs often through failure in passing a law to repeal specifically a previous law, and such plural age limits will exist until there is a repeal or a revision of the statutes. It is important to note that sometimes a state may possess an excellent child-labor law with a high age limit, and at the same time retain on its statute books an older and inferior law which has in most essentials been replaced. In these cases it is necessary to tabulate both the age limits. One law may contain two age limits, one with an exemption and the other without. The number of age limits, for a single state, in the dangerous occupations, (Table XVIII), is large. This is explained by the fact that a state is likely to possess several distinct and complete laws for the dangerous-occupation group, each law possessing a distinct age limit. Consequently this table is heterogeneous.





TABLE XIII. AGE LIMITS, BY STATES, IN OCCUPATION GROUP B.—MERCANTILE<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	..	..	..	..
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	..
California .....	..	..	10	10	10	12	14
Colorado .....	..	..	..	..	..	..	..
Connecticut .....	..	..	13	13	14	14	14
Delaware .....	..	..	..	..	..	..	..
District of Columbia .....	..	..	..	..	..	..	14
Florida .....	..	..	..	..	..	..	..
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Idaho .....	..	..	..	..	..	..	14
Illinois .....	..	..	..	..	14	14, 14	14, 14
Indiana .....	..	..	..	..	14	14	14
Indian Territory .....	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	14
Kansas .....	..	..	..	..	..	..	..
Kentucky .....	..	..	..	..	..	..	14
Louisiana .....	..	..	..	..	..	..	14
Maine .....	..	..	..	..	..	..	14
Maryland .....	..	..	..	..	..	..	12
Massachusetts .....	10	..	13	13, 14	14	14	14
Michigan .....	..	..	12	12	12	12, 14	14
Minnesota .....	..	..	..	..	14	14	..
Mississippi .....	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	14
Montana .....	..	..	..	..	..	..	..
Nebraska .....	..	..	..	..	10	10	14
Nevada .....	..	..	..	..	..	..	..
New Hampshire .....	..	..	..	..	..	14	14
New York .....	..	..	..	..	12, 14	12, 14	12, 14
Ohio .....	..	..	..	..	13	14	14
Oklahoma .....	..	..	..	..	..	..	14
Oregon .....	..	..	..	..	..	14	14
Pennsylvania .....	..	..	12	13	13	13	14
Rhode Island .....	..	..	10	12	12	12	14
Virginia .....	..	..	..	..	..	..	13
Washington .....	..	..	..	..	..	14	14, 14, 16
West Virginia .....	..	..	..	..	..	..	12, 14
Wisconsin .....	..	..	13	13	14	..	14

<sup>1</sup> The following states, each of which has no age-limit provisions affecting the mercantile occupations, are omitted from the list in the table: New Jersey, New Mexico, North Carolina, North Dakota, Porto Rico, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Wyoming.

TABLE XIV. AGE LIMITS, BY STATES, IN OCCUPATION GROUP C.—HOTELS, OFFICES, ETC<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	..	.	..	..
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	..
California .....	..	..	..	..	..	..	14
Colorado .....	..	..	..	..	..	..	..
Connecticut .....	..	..	..	..	..	..	..
Delaware .....	..	..	..	..	..	..	..
District of Columbia .....	..	..	..	..	..	..	14
Florida .....	..	..	..	..	..	..	..
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Idaho .....	..	..	..	..	..	..	14
Illinois .....	..	..	..	..	14	14, 14	14, 14
Indiana .....	..	..	..	..	..	..	..
Indian Territory .....	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	..
Kansas .....	..	..	..	..	..	..	14
Kentucky .....	..	..	..	..	..	..	14
Louisiana .....	..	..	..	..	..	..	14
Maine .....	..	..	..	..	..	..	..
Maryland .....	..	..	..	..	..	..	12
Massachusetts .....	..	..	..	..	..	..	..
Michigan .....	..	..	..	..	..	14	14
Minnesota .....	..	..	..	..	..	..	..
Mississippi .....	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	14
Montana .....	..	..	..	..	..	..	..
Nebraska .....	..	..	..	..	..	..	14
Nevada .....	..	..	..	..	..	..	..
New Hampshire .....	..	..	..	..	..	..	..
New Jersey .....	..	..	..	..	..	..	..
New Mexico .....	..	..	..	..	..	..	..
New York .....	..	..	..	..	..	12, 14	12, 14
North Carolina .....	..	..	..	..	..	..	..
North Dakota .....	..	..	..	..	..	..	14
Ohio .....	..	..	..	..	..	..	14
Oklahoma .....	..	..	..	..	..	..	14
Oregon .....	..	..	..	..	..	..	..
Pennsylvania .....	..	..	..	..	..	..	14
Porto Rico .....	..	..	..	..	..	..	..
South Dakota .....	..	..	..	..	..	..	15
Wisconsin .....	..	..	13	13, 14	14	14, 14	14

<sup>1</sup> The following states, each of which has no age-limit provisions affecting occupation group C., are omitted from the list in the table: Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming.

TABLE XV. AGE LIMITS, BY STATES, IN OCCUPATION GROUP D.—  
STREET TRADES<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama.....	..	..	..	..	..	..	..
Alaska.....	..	..	..	..	..	..	..
Arizona.....	..	..	..	..	..	..	..
Arkansas.....	..	..	..	..	..	..	..
California.....	..	..	..	..	..	..	14
Colorado.....	..	..	..	..	..	..	..
Connecticut.....	..	..	..	..	..	..	..
Delaware.....	..	..	..	..	..	..	..
Dist. of Columbia.	..	..	..	..	..	..	10, 14, 16
Florida.....	..	..	..	..	..	..	..
Georgia.....	..	..	..	..	..	..	..
Hawaii.....	..	..	..	..	..	..	..
Idaho.....	..	..	..	..	..	..	14
Illinois.....	..	..	..	..	14	14, 14	14, 14
Indiana.....	..	..	..	..	..	..	..
Indian Territory..	..	..	..	..	..	..	..
Iowa.....	..	..	..	..	..	..	..
Kansas.....	..	..	..	..	..	..	..
Kentucky.....	..	..	..	..	..	..	14
Louisiana.....	..	..	..	..	..	..	14
Maine.....	..	..	..	..	..	..	14
Maryland.....	..	..	..	..	..	..	12
Massachusetts....	..	..	..	..	..	..	..
Michigan.....	..	..	..	..	..	..	14
Minnesota.....	..	..	..	..	14	14	..
Mississippi.....	..	..	..	..	..	..	..
Missouri.....	..	..	..	..	..	..	14
Montana.....	..	..	..	..	..	..	16
Nebraska.....	..	..	..	..	..	..	14
Nevada.....	..	..	..	..	..	..	..
New Hampshire..	..	..	..	..	..	..	..
New Jersey.....	..	..	..	..	..	..	..
New Mexico.....	..	..	..	..	..	..	..
New York.....	..	..	..	..	..	10, 12, 14, 16	10, 12, 14, 16
North Carolina...	..	..	..	..	..	..	..
North Dakota....	..	..	..	..	..	..	14
Ohio.....	..	..	..	..	..	14	14
Oregon.....	..	..	..	..	..	14	14
Pennsylvania.....	..	..	..	..	..	..	18
Rhode Island....	..	..	10	..	..	..	..
Vermont.....	..	..	..	..	..	12, 15	12
Washington.....	..	..	..	..	..	..	19
Wisconsin.....	..	..	..	..	14	..	10, 12, 14, 14, 16, 16

<sup>1</sup> The following states, each of which has no age-limit provisions affecting the street trades, are omitted from the list in the table: Oklahoma, Porto Rico, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wyoming.

TABLE XVI. AGE LIMITS BY STATES, IN OCCUPATION GROUP E.—MINING

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama . . . . .			15	.....	12	12	14
Alaska . . . . .			.....	.....	.....	.....	.....
Arizona . . . . .			.....	.....	.....	.....	.....
Arkansas . . . . .			.....	14	14	14	14
California . . . . .			.....	.....	.....	.....	.....
Colorado . . . . .	14	14	12, 14	12, 14	12, 14	12, 14	12, 14
Connecticut . . . . .			.....	.....	.....	.....	.....
Delaware . . . . .			.....	.....	.....	.....	.....
Dist. of Columbia . . . . .			.....	.....	.....	.....	.....
Florida . . . . .			.....	.....	.....	.....	12
Georgia . . . . .			.....	.....	.....	.....	.....
Hawaii . . . . .			.....	.....	.....	.....	.....
Idaho . . . . .			14	14	14	14	14
Illinois . . . . .	12	14	14	14	14	14	16
Indiana . . . . .	14	14	12, 14	12, 14, 14	12, 14, 14, 14	12, 14, 14, 14	12, 14, 14
Indian Territory . . . . .			.....	12	12	12	.....
Iowa . . . . .	10	12	12	12	12	12	12, 14
Kansas . . . . .		12	12	12	12	12	12, 14
Kentucky . . . . .			.....	.....	.....	14	14
Louisiana . . . . .			.....	.....	.....	.....	14
Maine . . . . .			.....	.....	.....	.....	.....
Maryland . . . . .			.....	.....	.....	12	12
Massachusetts . . . . .			.....	.....	.....	.....	.....
Michigan . . . . .			.....	.....	.....	.....	14
Minnesota . . . . .			.....	.....	14	14	14
Mississippi . . . . .			.....	.....	.....	.....	.....
Missouri . . . . .			12	12	12	12	14
Montana . . . . .			13, 14	13, 14	14	14	16
Nebraska . . . . .			12	12	.....	.....	.....
Nevada . . . . .			.....	.....	.....	.....	.....
New Hampshire . . . . .			.....	.....	.....	.....	.....
New Jersey . . . . .		12, 14	12, 14	12, 14	12	.....	.....
New Mexico . . . . .			.....	12	12	12	12
New York . . . . .			.....	.....	.....	.....	16
North Carolina . . . . .			.....	.....	.....	.....	12
North Dakota . . . . .			.....	12	12	12	14
Ohio . . . . .	12	12	12	12, 14	15	14, 15	14, 15
Oklahoma . . . . .			.....	.....	.....	.....	16, 16
Oregon . . . . .			.....	.....	.....	14	14
Pennsylvania . . . . .	12, 12	12, 12	12, 12, 12, 14	12, 12, 12, 12, 14, 14	12, 14	14, 16	14, 16
Porto Rico . . . . .			.....	.....	.....	.....	.....
Rhode Island . . . . .			.....	.....	.....	.....	.....
South Carolina . . . . .			.....	.....	.....	11	12
South Dakota . . . . .			.....	14	14	14	15
Tennessee . . . . .			.....	12	12	14	14
Texas . . . . .			.....	.....	.....	16	16
Utah . . . . .			.....	12	14	14	14
Vermont . . . . .			.....	.....	.....	.....	12
Virginia . . . . .			.....	.....	.....	12	13
Washington . . . . .			15	12, 14	12, 14	12, 14	14, 16
West Virginia . . . . .			12	12, 12	12, 12	12, 12	12, 14, 14
Wisconsin . . . . .			13	13, 14	14, 14	14, 14	14
Wyoming . . . . .			14	14	14	14	14

TABLE XVII. AGE LIMITS, BY STATES, IN OCCUPATION GROUP F.—  
ANY GAINFUL OCCUPATION<sup>1</sup>

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	..	..	..	..
Alaska .....	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	..
California .....	..	..	..	..	..	..	..
Colorado .....	..	..	..	..	..	..	..
Connecticut .....	..	..	..	..	14	14	14
Delaware .....	..	..	..	..	..	..	14
District of Columbia .....	..	..	..	..	..	..	14
Florida .....	..	..	..	..	..	..	12
Georgia .....	..	..	..	..	..	..	..
Hawaii .....	..	..	..	..	..	..	..
Idaho .....	..	..	..	..	..	..	14
Illinois .....	..	..	..	13	13	14	14
Indiana .....	..	..	..	..	..	..	..
Indian Territory .....	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	..
Kansas .....	..	..	..	..	..	..	14
Kentucky .....	..	..	..	..	..	..	14
Louisiana .....	..	..	..	..	..	..	..
Maine .....	..	..	..	..	..	..	..
Maryland .....	..	..	..	..	..	..	..
Massachusetts .....	..	..	..	..	14	14	14
Michigan .....	..	..	..	..	..	..	..
Minnesota .....	..	..	..	..	..	..	14
Mississippi .....	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	..
Montana .....	..	..	..	..	..	..	..
Nebraska .....	..	..	..	..	..	..	14
Nevada .....	..	..	..	..	..	..	..
New Hampshire .....	..	..	..	..	..	..	..
New Jersey .....	..	..	..	..	..	..	..
New Mexico .....	..	..	..	..	..	..	..
New York .....	..	..	..	12	12	14	14
North Carolina .....	..	..	..	..	..	..	..
North Dakota .....	..	..	..	..	..	..	14
Ohio .....	..	..	..	..	15, 16	14	14
Oregon .....	..	..	..	..	..	14	14
Rhode Island .....	..	..	..	..	..	13	13, 14
South Dakota .....	..	..	..	..	..	..	15
Washington .....	..	..	..	..	..	..	14, 16
West Virginia .....	..	..	..	..	..	..	15
Wisconsin .....	..	..	..	..	..	14	14

<sup>1</sup>The following states, each of which has no age-limit provisions affecting occupation group F., are omitted from the list in the table: Oklahoma, Pennsylvania, Porto Rico, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Wyoming.



TABLE XVIII. AGE LIMITS, BY STATES, IN OCCUPATION GROUP G.—DANGEROUS OCCUPATIONS—Concluded

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
New York.....	14, 16, 16, 16, 21	14, 16	16, 18, 21	16	16, 16, 18, 18, 21, 21	16, 16, 18, 18, 21, 21	16, 16, 16, 16, 16, 16, 16, 18, 18, 18, 21, 21
North Carolina ..	.....	.....	.....	.....	.....	.....	.....
North Dakota ..	.....	.....	.....	.....	.....	.....	.....
Ohio .....	14	14	14	14, 16	14, 16	14, 16	16, 16, 16, 16, 16, 16, 14, 16, 16, 16, 16
Oklahoma .....	...	.....	.....	.....	.....	.....	14, 16, 16, 16, 16, 16, 16, 16, 16
Oregon.....	.....	.....	.....	.....	.....	.....	16, 18
Pennsylvania .....	15, 15, 18	15, 15, 18	15, 15, 16, 18	14, 15, 15, 16, 18	14, 15, 15, 16, 18	14, 15, 15, 16, 18	15, 15, 18, 18, 18, 18, 18, 18, 18, 21
Porto Rico .....	.....	.....	.....	.....	.....	.....	.....
Rhode Island.....	16	16	16	16, 16, 18	16, 16, 18	12, 16 16, 16, 18	12, 16 16, 16, 18
South Carolina ..	.....	.....	.....	.....	.....	.....	14
South Dakota ..	.....	.....	.....	.....	21	14, 21	14, 15, 15, 21
Tennessee .....	.....	.....	.....	.....	.....	.....	.....
Texas .....	.....	.....	.....	.....	.....	.....	16
Utah .....	.....	.....	.....	.....	.....	.....	.....
Vermont .....	.....	.....	.....	.....	.....	.....	.....
Virginia .....	.....	.....	.....	.....	.....	.....	.....
Washington .....	.....	.....	.....	.....	.....	.....	.....
West Virginia ..	.....	.....	.....	.....	.....	.....	.....
Wisconsin .....	.....	14	14	14	14, 15, 16	15, 15, 18, 21 14, 14, 15, 16	15, 15, 18, 21 14, 14, 15, 16, 16, 16, 16, 16, 16
Wyoming .....	.....	.....	.....	18, 18, 18	14, 14	14, 14	14, 14



## EXEMPTIONS TO AGE LIMITS

The exemptions to age limits are presented in Tables XIX and XX. The former shows what exemptions qualify each state's child-labor laws with regard to the ages under which children may be employed. The latter table shows the total numbers of each class of exemptions for the states as a whole, so that it is possible to see to what extent each kind of exemption has been used and which classes of exemptions are increasing and which are decreasing. The information is for each five-year period and is tabulated on the basis of the classes of exemptions which have been defined in preceding pages.

Many exemptions are found rarely among the state laws; a few classes have been used extensively. These facts indicate both particularities and well-defined tendencies. The most frequent class of exemptions is the one permitting children to be employed during vacation. In 1909, there were seventeen laws containing this exemption. Previous to the ten or fifteen years preceding, few laws exempted the labor of children for this reason. Some laws place an age limit at, say, 14 years, and suspend it during vacation, during which there is no age limit at all. Others, having placed the age limit at 14 years, suspend it during vacation, but permit children over 12 years of age to be employed then. In a similar manner do the states permit children to be employed during hours out of school. In most cases permission to employ children during free hours of the school day is found in educational laws, that is, laws which though regulating the labor of children are primarily concerned with their education. The exemption of requirements in vacation and the exemption during hours out of school are similar and together constitute a well-defined tendency. In 1909, there were twenty-eight laws that embodied one or the other of these two exemp-

tions, and the number of such laws has been increasing from period to period.

It is desirable to know not only the absolute increase or decrease in the number of each class of exemptions, but their increase or decrease in proportion to the increase or decrease in the total numbers of laws which contain general age-limit provisions. The laws which affect the dangerous occupations alone rarely include exemptions. Hence, in order to estimate correctly the relative progress, the number of exemptions should be compared to the number of laws containing a general age limit which affect any or all of the occupation groups except those that affect the dangerous-occupation groups alone. It is very difficult to determine the total number of such laws existing in all of the states at any five-year period. However, they can be closely approximated from the data presented in Tables XII-XVIII, supplemented with the author's knowledge of the individual laws of each state. In 1909 there was a total of approximately 49 such laws, in 1904 there were 39, and in 1899 there were 28. The number of laws exempting labor during vacation are approximately 18 per cent of all the laws in 1899; in 1904 about 28 per cent, and in 1909 about 35 per cent. This shows a decided relative increase in the laws exempting labor during vacation. The number of laws exempting labor during hours out of school was approximately 8 per cent of all the laws in 1904, and 22 per cent in 1909; a decided relative increase.

The number of provisions permitting orphans and children of widows and of disabled parents to be employed when under the general age limit is fairly large during the past fifteen years, but shows no increase during the past five years. There is, in fact, a relative decrease from 1904 to 1909. The approximate figures for orphans are 13 per cent and 8 per cent; for children of widows, 20 per cent and

14 per cent; and for children of disabled parents, 20 per cent and 16 per cent. Farm labor and domestic labor are exempted in more laws in 1909 than in any previous period, though the numbers are still small. These exemptions seem to express an attempt to define more honestly and workably the prohibited occupations. In the last five-year period, there has been both an absolute and a relative growth of the number of exemptions which allow children under the age limit to be employed by special permission of some authorized person. Five per cent of the laws contained such exemptions in 1904, and 12 per cent in 1909. This may be the result of a desire to fit an extensive law to exceptional cases. The relative growth in the number of laws that exempt cities of certain sizes from the operation of the law has doubled within the last five-year period. This is explained partly by the tendency to construct different laws for cities of different sizes. There were very few exemptions in earlier years and there has been a relative increase in the later years, particularly during the last five years.

TABLE XIX. CLASSIFIED EXEMPTIONS TO THE AGE LIMITS BY STATES<sup>1</sup>

a. In vacation. b. During hours out of school. c. During specified times. d. Orphans. e. Children of widows. f. Children of disabled parents. g. Farm labor. h. Domestic labor. i. Labor on perishable goods. j. Labor on rush goods. n. By special permit. p. Miscellaneous. q. Certain counties. r. Cities of certain sizes.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama . . . .	.	.	.	.	.	d. e. f.	.
Arkansas . . . .	.	.	.	.	.	d. e. f.	d. e. f. i.
California . . . .	.	.	.	.	.	.	d. e. f. g. h. n.
Colorado . . . .	.	.	.	.	.	n.	n.
Connecticut . . . .	.	.	.	.	a. b.	a. b.	a. b.
Delaware . . . .	.	.	.	.	.	.	g. h. i.
Dist. of Columbia.	.	.	.	.	.	.	e. f. p.
Florida . . . .	.	.	.	.	.	.	a. g. h.
Georgia . . . .	.	.	.	.	.	.	f.
Idaho . . . .	.	.	.	.	.	.	a. b.
Illinois . . . .	.	.	.	e. f.	e. f.	a.	a.
Kansas . . . .	.	.	.	.	.	.	a. b.
Kentucky . . . .	.	.	.	.	.	n.	a. b.
Louisiana . . . .	.	.	.	.	.	.	g. h.
Maine . . . .	.	.	i.	i.	i.	i.	b. i.
Maryland . . . .	.	.	.	i. q.	i. q.	d. e. f. j. q.	a. g.
Massachusetts . . . .	.	a.	.	a.	a. b.	a. b.	a. b.
Michigan . . . .	.	.	g. h.	.	.	j.	.
Minnesota . . . .	.	.	.	.	a.	a. d. e. f.	.
Missouri . . . .	.	.	.	.	e. f.	e. f.	r.
Nebraska . . . .	.	.	c.	c.	.	.	b.
New Hampshire . . . .	.	.	.	.	.	a.	a.
New York . . . .	.	.	.	b.	b. n. r.	a. r. r. r.	a. b. r. r. r.
North Carolina . . . .	.	.	.	.	.	i.	p.
North Dakota . . . .	.	.	.	.	.	.	a.
Ohio . . . .	.	.	.	a.	a. h.	a.	a.
Oregon . . . .	.	.	.	.	.	b.	b. n.
Pennsylvania . . . .	.	.	.	.	.	.	n.
Rhode Island . . . .	.	.	b.	.	.	a. e. f.	a. e. f. h.
South Carolina . . . .	.	.	.	.	.	a. d. e. f.	a. d. e. f.
South Dakota . . . .	.	.	.	.	.	.	b.
Vermont . . . .	.	.	.	.	.	a.	.
Virginia . . . .	.	.	.	.	.	.	d. e. f. i. r.
Washington . . . .	.	.	.	.	.	e. f.	e. f. g. h. n. r.
West Virginia . . . .	.	.	.	.	.	.	a. b.
Wisconsin . . . .	c.	c.	c. n. n.	h. c. n.	a. c. f.	a. c.	a. a. c. g. n. r.

<sup>1</sup> The following states, each of which has no exemptions to the age limits, are omitted from the list in the table: Alaska, Arizona, Hawaii, Indiana, Indian Territory, Iowa, Mississippi, Montana, Nevada, New Jersey, New Mexico, Oklahoma, Porto Rico, Tennessee, Texas, Utah, Wyoming.

TABLE XX. CLASSIFIED SUMMARY OF THE NUMBERS OF EXEMPTIONS TO AGE LIMITS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Exemption a.—In vacation .....	..	1	..	2	5	11	17
Exemption b.—During hours out of school ..	..	..	1	1	3	3	11
Exemption c.—During specified times .....	1	1	2	2	1	1	1
Exemption d.—Orphans .....	..	..	..	..	..	5	4
Exemption e.—Children of widows .....	..	..	..	1	2	8	7
Exemption f.—Children of disabled parents ..	..	..	..	1	3	8	8
Exemption g.—Farm labor .....	..	..	1	..	..	..	7
Exemption h.—Domestic labor .....	..	..	1	1	1	..	6
Exemption i.—Labor on perishable goods .....	..	..	1	2	2	2	4
Exemption j.—Labor on rush goods .....	..	..	..	..	..	2	..
Exemption k.—To make repairs .....	..	..	..	..	..	..	..
Exemption l.—To shorten last day .....	..	..	..	..	..	..	..
Exemption m.—To make up lost time .....	..	..	..	..	..	..	..
Exemption n.—By special permit .....	..	..	2	1	1	2	6
Exemption o.—Because of physical health .....	..	..	..	..	..	..	..
Exemption p.—Miscellaneous .....	..	..	..	..	..	..	2
Exemption q.—Certain counties .....	..	..	..	1	1	1	..
Exemption r.—Cities of certain sizes .....	..	..	..	..	1	3	7

## AVERAGE AGE LIMITS

*Interpretation of the averages.* The meaning of an average does not appear on the surface, but is dependent upon several considerations. In order to know the meaning of an average it is necessary to know the method by which it has been computed. It is necessary to know the nature of the data from which it has been computed, the nature of the units of the data, and whether the data are homogeneous from the point of view from which the average is being interpreted. An average is a numerical figure and the meaning that it has is the one the reader puts into it and that meaning should be dependent upon the above considerations. This is particularly true of the averages presented here.

The averages presented here are arithmetic averages. They are constructed from the data contained in Tables XII-XVIII. The units from which the averages are deduced are the age limits of the individual laws of the states; and the number of units is, in each case, not the number of states that have a general age limit nor the number of laws,

but the number of age limits, which is quite likely to be larger than either the number of states or the number of laws. No weights have been used in computing the average. All that has been said in previous pages regarding the nature of the age limits, when the fact that a state may possess more than one age limit was explained, is, of course, applicable to the averages. In forming comparative estimates of averages it is desirable to bear in mind the number of cases from which the average was computed. These are printed in the tables, above each individual average.

It is necessary to explain further what is meant by homogeneity or heterogeneity of the units. Let it be imagined that the average height of a people has been ascertained. Thus far the conception seems simple. Now, if one-half of the people are of a tall race and one-half of a short race then the conception of the average is less simple because the people are not homogeneous, and this fact should be borne in mind in order to understand clearly the average. Suppose further that only one-tenth of the people are females; unless this fact were known there would be a wrong meaning attributed to the average. It would be desirable to know also if any who had not reached full stature were included in the measurements. There may be many other considerations that enter into the conception of the average height of a people. These various considerations that enter into the conception of the average explain what has been referred to as the homogeneity or heterogeneity of the units.

These considerations enter largely into the conception of average age limits. This is so partly because of unavoidable features of classification and partly because the conception of the average age limit is not familiar to the general reader. To illustrate, take the average age limit in the manufacturing group of occupations. The age limits

in some laws apply to a wide range of manufacturing industries, in other laws to a narrower range. A few laws in the earlier years assigned one age limit for girls and another for boys. At one period a state may have a modern child-labor law with a high age limit and at the same time retain on its statute books an old law with a low age limit. These factors tend to make the units entering into the average unlike. However these disturbing influences are comparatively small and it is estimated that in the main the age limits in the manufacturing occupations are homogeneous.

Units and averages are matters of concept. If every state possessed the same number of children; if the occupations consisted of nothing but cotton manufacturing; if every state possessed the same number of cotton factories, employing the same number of children under hours of employment and educational requirements and other conditions the same, and differing only in the matter of age limits; then the concept of average would be simpler to grasp. Thus, it appears that in situations that differ from this simple case, the concept of an average is less simple. Averages may be deduced from more or less heterogeneous units, but only those attributes that are common to the units will enter into the conception of the average. If one has the habit of considering the differences in the units more than the likenesses, to that extent is the conception of the averages complicated.

Occupation groups A, B, C, D, E and F are in the main of homogeneous units. The street-trades occupation group is to a certain extent heterogeneous, since, in the later years, a few states have enacted two or more different age limits for two or more different occupations which have been classified in this group. Similarly, in the mining industries there are a very few cases where there is one age limit for working within the mine and a different one for em-

ployment about the mine. One state has different age limits for anthracite mines and for bituminous coal mines. Occupation group G, the group of dangerous occupations, is essentially different in its constitution from the other groups. It consists of a number of sub-groups. The average age limit for this occupation group is based on units homogeneous in the sense that all of the occupations included in it are essentially dangerous, but it is heterogeneous in the sense that the various occupations differ in the degree of their danger so that varying age limits are applied to the various dangerous occupations.

The average age limits for all of the occupation groups taken together have been found, but in understanding these averages the above-mentioned considerations should be fully considered. The method of finding the average age limit for all the occupation groups taken together is as follows: All of the units in the data of each group of occupations, from which the average age limit of each occupation group was constructed, are taken as the data from which an average has been found. This average is called the average age limit for all of the occupation groups taken together. The difference in the nature of the units in the dangerous-occupation group from the nature of those of the other occupation groups has suggested the advisability of constructing the average age limits for all of the occupation groups, except that of the dangerous occupations, taken together.

*Progress in average age limits.* In Table XXI, the average age limits for each of the occupation groups at each five-year period are shown; in Table XXII, the average age limits for all of the occupation groups taken together are shown. The average age limits for all of the occupation groups except the dangerous occupations are shown in Table XXIII. The changes in the age limits for each occupation



group and the amounts of change are represented graphically in Figure 2. It is seen that in almost every case there has been a continuous advance in the size of the average age limits. Also, the rates of increase in the size of the average age limits have been fairly constant for the three groups of occupations in which there has been most legislation, and consequently the most social pressure, namely, the manufacturing group, the mercantile group, and the mining group. The group of dangerous occupations, because of its complex nature, is here excepted.

In the manufacturing industries, which have been essentially the focus of social pressure, the average age limit in 1909 was 13.5 years, while thirty years previous it was only 11 years. The rates of increase over each preceding five-year period are, beginning in 1884, 5.8 per cent, 4.8 per cent, 2.5 per cent, 2.8 per cent, 2.2 per cent and 3.4 per cent. In the first few years the increase was greatest. Again in the last five-year period the increase was great. In most of the occupation groups the period of years from 1905 to 1909, inclusive, was unusual not only in increase of legislation but also in the advance in age limits. In occupations in which legislation is small the amount of fluctuation in the development of the average age limit is great. The presumption is that where there is little legislation the social pressure is slight and more random influences are in play. Figure 2 reveals the interesting fact that, in 1909, the average age limits of the occupation groups, excepting the dangerous occupations, are closer together than at any preceding period. The widest difference is only a little more than six months. This shows the tendency to uniformity among the occupation groups. For occupation groups A, B, C, D, E and F, the average age limit was 13.8 years in 1909; in 1879 it was 11.53 years; the rates of increase over each preceding five-year period, beginning in 1884,

being 5.3 per cent, 2.6 per cent, 1.8 per cent, 2.9 per cent, 1.7 per cent and 3.4 per cent. Here again the development in the last five-year period is relatively large. The average age limit for all occupation groups taken together in 1909 was nearly 15 years, (14.87 years), and in 1879 it was 13.49 years. The average age limit here is comparatively high. This is due to the influence of the age limits of the dangerous occupations, which throughout the period studied have been well over fifteen years and usually nearly sixteen years.

TABLE XXI. AVERAGE AGE LIMITS FOR THE OCCUPATION GROUPS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	7	11	25	32	31	43	54
	Average age limit .....	11.00	11.64	12.20	12.50	12.77	13.05	13.5
Occupation Group B.— Mercantile.	Number of cases.....	1	..	7	8	14	18	31
	Average age limit .....	10.00	..	11.86	12.50	12.86	13.28	13.84
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	1	2	2	7	20
	Average age limit .....	..	..	13.00	13.50	14.00	13.68	13.85
Occupation Group D.— Street trades.	Number of cases.....	..	..	1	..	3	11	31
	Average age limit .....	..	..	10.00	..	14.00	13.55	13.97
Occupation Group E.— Mining.	Number of cases.....	7	10	24	37	32	38	46
	Average age limit .....	12.29	12.80	13.00	12.87	13.09	13.32	13.89
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	2	6	8	22
	Average age limit .....	..	..	..	12.50	14.00	13.87	14.04
Occupation Group G.— Dangerous occupations.	Number of cases.....	20	26	42	57	81	107	197
	Average age limit .....	15.70	15.38	15.59	15.56	15.90	15.93	15.96

TABLE XXII. AVERAGE AGE LIMITS FOR ALL OCCUPATION GROUPS TAKEN TOGETHER

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
All occupation groups.	Number of cases.....	35	47	100	138	169	232	401
	Average age limit .....	13.49	13.70	13.78	13.88	14.43	14.51	14.87

TABLE XXIII. AVERAGE AGE LIMITS FOR ALL OCCUPATION GROUPS TAKEN TOGETHER, EXCEPTING THE DANGEROUS OCCUPATIONS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Groups A, B, C, D, E, F.	Number of cases.....	15	21	58	81	88	125	204
	Average age limit .....	11.53	12.14	12.46	12.69	13.06	13.29	13.80

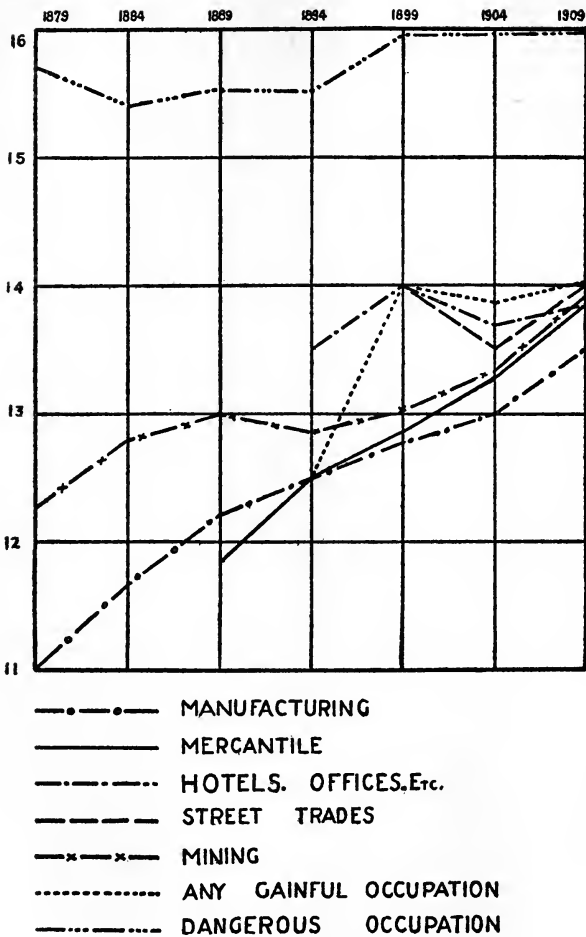


FIGURE 2.

Average age limits in occupation groups for each five-year period.

*The typical age limits.* The average is a number which in reality is practically never found. It is interesting and valuable to know a number, similar to the average, which is found. Usually, such a number is that unit which occurs most frequently in a series of units. This number of greatest frequency is here called the type. For instance, it is desired to know which one of all the age limits occurring in 1894 is possessed by most of the state laws. Twelve years is such an age limit; this then is the typical age limit.

What, then, are the typical age limits from time to time in the various occupations? In the manufacturing industries for the first ten years studied, 10 years was the type. For the next decade it was 12 years, and for the last fifteen years it has stood at 14 years. In most of the employments, except the dangerous occupations, the most frequent age limit before 1894 was 12 years. Since that date in every case it has been 14 years, a considerable uniformity. These data are shown in Table XXIV.

During the period investigated there has been a considerable growth in the number of states with legislation containing age limits, and at the same time there has been a considerable increase in the size of the age limits. Theoretically, there are two ways in which this may occur. First, the pioneer states begin with a low age limit and throughout a period of years gradually evolve higher ones. The states which year by year initiate legislation may on the basis of adaptation and experience follow the same course as the pioneer states. This must result in a slow advancement of the age limit. On the other hand, the states which year by year initiate legislation may adopt at each year of their initiatory legislation age limits which are approximately the same as the average age limit or the typical age limit at that time. This process must result in a more rapid advancement of the age limits. This latter

process illustrates the force of imitation and the spreading influence of the mores. By observing Tables XII-XVIII and then Tables XXI and XXIV, it is seen that it is more largely the latter process that has been followed by the states in their advancement of the age limit and their increase of child-labor legislation.

TABLE XXIV. THE TYPICAL AGE LIMITS FOR OCCUPATION GROUPS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.—Manufacturing . . . . .	10	10	12	12	14	14	14
Occupation Group B.—Mercantile . . . . .	..	..	13	13	14	14	14
Occupation Group C.—Hotels, offices, etc. . . . .	..	..	..	..	14	14	14
Occupation Group D.—Steel trades . . . . .	..	..	..	..	14	14	14
Occupation Group E.—Mining . . . . .	12	12	12	12	14	14	14
Occupation Group F.—Any gainful occupation . . . . .	..	..	..	..	14	14	14
Occupation Group G.—Dangerous occupations . . . . .	16	16	16, 14	16	14	14	16
All occupation groups . . . . .	16	12, 14	12	12	14	14	14
Occupation Groups A, B, C, D, E, F. . . . .	10, 12	12	12	12	14	14	14

## UNIFORMITY IN AGE LIMITS

*The conception of uniformity.* The expression, uniformity in child-labor legislation, possesses several meanings. The term is popularly used with two distinct meanings. One is the following: If more states have enacted child-labor legislation by 1909 than had enacted it in 1904, there has been an increase in the likenesses among the states in the matter of possessing child-labor legislation; and there has been more increase of uniformity with respect of that likeness. In reality this idea of uniformity is simply that of increase. The other current meaning of uniformity refers to laws rather than to states. For instance, are the state laws that exist in 1909 more uniform than those that existed in 1904? Here the idea of increase in legislation is eliminated. This latter idea of uniformity is the one that appears in the further discussions.

It is well to inquire what is meant by the word uniformity, when the uniformity in the state laws of one

period is compared with the uniformity at another period. Does it mean the amount of similarity? Does it mean the amount of exact resemblance? In analyzing the idea of uniformity for the purpose of measuring it, several possible meanings appear. (1) Uniformity may be looked upon as the amount of likeness or resemblance that exists among the individual laws. It may be that no two laws are exactly the same, it may be that no two laws are identical even in certain essentials, yet considerable likeness may exist. And at one period of years there may be more likenesses among the laws than at another, though at each period no two laws are identical even in certain essentials. If then the laws are more alike at one time than another, may it not be said that they are more uniform? If this be accepted as an idea of uniformity, then to measure the uniformity, the amount of likeness would have to be determined quantitatively with regard to the various attributes of the laws. This would be difficult to do, particularly if it were attempted to express the amount of likeness or uniformity in a single term or expression. Because of certain difficulties this method has not been developed in this section or in the discussions of any of the sections of this study. (2) Another idea of uniformity is as follows: In any number of child-labor laws, it is possible to find a law—it may be an imaginary one—which all the other laws closely resemble. The amount of resemblance which each law bears to this law may be calculated. The average resemblance which all of the laws bear to this law may be looked upon as the amount of uniformity that exists among the laws. Thus the uniformity of the laws may be found for any period. Certain difficulties are found in measuring uniformity according to this conception. It is necessary to decide what shall be taken as the law to which the resemblance of the other laws is measured; how this

resemblance can be measured; and how it can be put in a scale so that the averages may be found. This conception of uniformity has been used in this study as the basis for measuring uniformity; it is further developed in the pages which immediately follow. The aim is to present in this paragraph only the conception of uniformity. (3) Still another conception of uniformity is that of the amount of identity that exists among the individual laws. Some exact resemblance will exist if the attributes in which resemblance is measured are taken sufficiently broad. On this basis, then, there can be calculated the greatest number of laws that are exactly alike, that is, an actual one-form-ness among the laws. The amount of this uniformity or one-form-ness can be calculated for any one time; and, in order that it may be compared, the amount of one-form-ness may be expressed in proportion to the total number of laws. This idea of uniformity has been used also as a basis for measuring uniformity throughout the study. It is further developed in the pages which immediately follow. This method is generally applicable.

It is now obvious that the conception of uniformity is not simple; not so simple as the conception of the height of a person, nor so easily measured. Consequently, it has been necessary to analyze carefully the idea of uniformity from the point of view of a possible basis of measurement. For purposes of illustration, the problem of measuring the uniformity in a body of child-labor laws may be compared to the problem of measuring the uniformity in a number of individual persons. A group of persons are alike or unlike in many attributes, height, weight, hair color, eye color, memory, temperament. Child-labor laws are alike or unlike in many attributes, age limits, occupations affected, hours of labor, educational requirements. It is simpler to estimate the uniformity in a body of persons with re-

spect to one attribute, than it is to measure the total amount of uniformity. It is easier to estimate the uniformity of child-labor legislation with respect to the attributes taken singly. The uniformity of child-labor legislation with respect to age limits is considered here.

*The calculation of uniformity in age limits.* The indexes of uniformity for age limits in the state laws as presented in Table XXV have been calculated according to the second conception of uniformity mentioned in the foregoing pages, namely, uniformity as an approximation to a specific standard. In this case the standard, resemblance to which is measured, is the arithmetic average of the age limits. The closeness of approach of the various age limits to the average age limit is calculated and called an index of uniformity. This closeness of approach is calculated by extracting the square root of the arithmetic average of the squares of the individual differences between the respective age limits and the average age limit. This is, approximately, the average amount of resemblance to the standard age limit. It should be remembered that the smaller the index of uniformity thus calculated the greater the uniformity. This method needs no further discussion as it is the method commonly used in measuring variability. It is applicable only in cases where the differences can be measured in a scale.

Figure 3 presents graphically the changes in uniformity of age limits in the various occupation groups from period to period. In all the occupation groups except that of mining and that of street trades, there has been an increase in uniformity during the past ten years. The lessening uniformity in the age limits in the mining industries seems to be due in part to the fact that some of the states have raised their age limit for this occupation to 16 years, while others retain on their statute books old laws with very



low age limits. The low and decreasing uniformity in the street trades is due to the fact that several different occupations in this group have called for different age limits; also to the fact that for street trades, a higher age limit is sometimes set for girls than for boys. In the earlier years, in all the occupations, the number of cases is so small that very little significance can be attached to the indexes of uniformity found for these years. During the period of years studied there has been a continuous change in the average age limit for each occupation; hence it would seem reasonable to expect fluctuating indexes of uniformity, the uniformity being an approximation to the changing average. The indexes of uniformity for the dangerous occupations mean little, since different age limits are expected for some of the different occupations in that group. This yields figures which mean little uniformity. The same is true for the uniformity in the occupation groups taken together, as is shown in Table XXVI, because there is a large influence of the dangerous occupations. However, there has been a considerable increase in the uniformity in the occupation groups taken together since 1899. In conclusion, then, it may be said, speaking generally, that there has been an increase in uniformity in age limits during the last ten or fifteen years.

TABLE XXV. UNIFORMITY IN AGE LIMITS FOR THE OCCUPATION GROUPS  
(Larger numbers mean less uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	7	11	25	32	31	43	54
	Uniformity .....	1.19	1.45	1.33	1.27	1.38	1.22	1.10
Occupation Group B.— Mercantile.	Number of cases.....	..	..	7	8	14	18	31
	Uniformity .....	..	..	1.33	1.12	1.41	1.14	0.72
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	7	20
	Uniformity .....	..	..	..	..	..	0.68	0.65
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	11	31
	Uniformity .....	..	..	..	..	..	1.56	2.01
Occupation Group E.— Mining.	Number of cases.....	7	10	24	37	32	38	46
	Uniformity .....	1.28	0.98	1.08	0.95	1.04	1.22	1.30
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	..	6	8	22
	Uniformity .....	..	..	..	..	1.29	0.33	0.71
Occupation Group G.— Dangerous occupations.	Number of cases.....	20	26	42	57	81	107	197
	Uniformity .....	1.83	2.20	2.66	2.61	2.68	2.63	2.26

TABLE XXVI. UNIFORMITY IN AGE LIMITS FOR COMBINATIONS OF  
OCCUPATION GROUPS  
(Larger numbers mean less uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
All Occupation Groups.	Number of cases.....	35	47	100	134	169	232	401
	Uniformity .....	2.60	2.51	2.52	2.07	2.47	2.35	2.03
Occupation Groups A, B, C, D, E, F.	Number of cases.....	15	21	58	81	88	125	204
	Uniformity .....	1.41	1.47	1.31	1.12	1.28	1.20	1.24

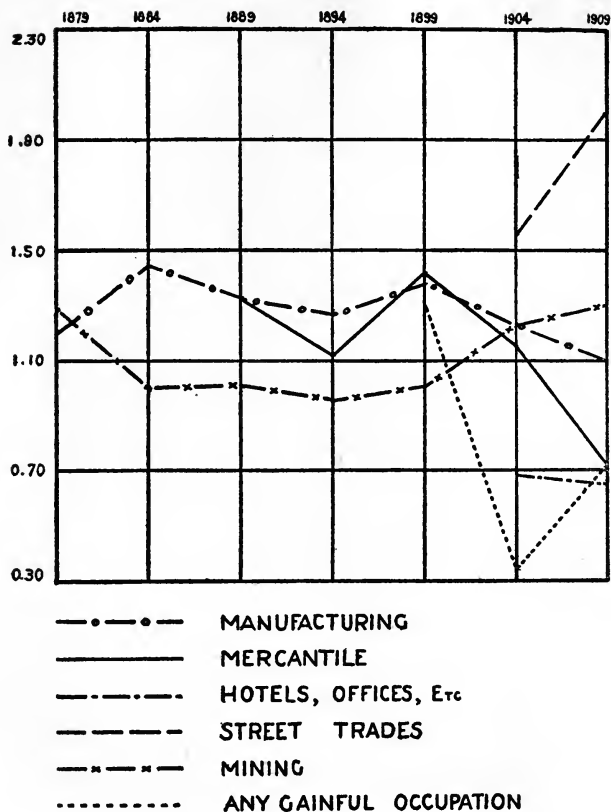


FIGURE 3.

Uniformity in age limits for occupation groups by five-year periods.

(A downward slant to a line means increasing uniformity. The figures to the left of the diagram are indexes of uniformity.)

*Uniformity expressed in terms that may be compared.* If it be desired to compare the uniformity in age limits with uniformity in other attributes, as, for instance, with the uniformity in hours of labor, difficulty arises from the fact that uniformity in age limits is expressed in years and uniformity in hours of labor is expressed in hours. The usual method of avoiding this difficulty has been to make the indexes of uniformity abstract terms by dividing each by its average. It may be asked, What is the validity of this procedure? Uniformity, it is remembered, is the closeness of resemblance to the average. Thus, the comparison of one such uniformity with another seems to be essentially the comparison of the one in terms of its average with the other in terms of its average. For instance, when it is wanted to compare the uniformity in the size of persons with the uniformity in size of butterflies, what is meant? The conception of relations to averages is immediately brought into the mind. Thus to express the uniformity of one attribute in such a term that it may be compared with the uniformity of another attribute of a different nature, the index of uniformity should be divided by the average. Such is the nature of the indexes presented in Table XXVII. This table calls for no special comment here, but may be used for purposes of comparison later.

It is proper to inquire why this comparable index of uniformity is not used for comparing the uniformity of age limits of one occupation with that of another, or the uniformity of one year with that of another. This question may be answered more quickly and clearly by considering an illustration. Let  $x$  and  $y$  be the indexes of uniformity in the lengths and widths respectively of individual heads. Their averages are  $a$  and  $b$  respectively, determined from a series of measurements. Now let new measurements be taken with a block of wood of thickness,

$m$ , placed at the end and at the side of each individual's head, and thus included in the measurements. The uniformities are now  $x'$  and  $y'$  and the averages  $a + m$  and  $b + m$ , respectively. Since  $x = x'$  and  $y = y'$  the ratios of the indexes of uniformity of the two sets of measurements are the same. The uniformity of each series is the same. Will the comparable indexes of uniformity, or rather the indexes of uniformity divided by the averages, be the same for each series? If so, the following proportion is true:

$$\frac{x}{a} : \frac{y}{b} = \frac{x'}{a + m} : \frac{y'}{b + m}$$

Solving,

$$\frac{bx}{ay} = \frac{x'(b + m)}{y'(a + m)}$$

$$\frac{b}{a} = \frac{b + m}{a + m}$$

$$b(a + m) = a(b + m)$$

$$ab + bm = ab + am$$

$$bm = am$$

$$b = a$$

The above proportion can be true only when  $a = b$ . It seems, then, that uniformity can best be compared by the indexes of uniformity, without dividing them by the averages, except in those cases where the subjects measured differ so widely in their nature that the conception of uniformity necessarily brings in the relationship to the averages. In such cases what has been termed the comparable indexes of uniformity should be used.

TABLE XXVII. UNIFORMITY IN AGE LIMITS FOR OCCUPATION GROUPS, EXPRESSED IN TERMS FOR COMPARISON

(Larger numbers mean less uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	7	11	25	32	31	43	54
	Uniformity .....	0.108	0.124	0.109	0.101	0.108	0.093	0.081
Occupation Group B.— Mercantile.	Number of cases.....	..	..	7	8	14	18	31
	Uniformity .....	..	..	0.112	0.089	0.111	0.085	0.052
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	7	20
	Uniformity .....	..	..	..	..	..	0.049	0.035
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	11	31
	Uniformity .....	..	..	..	..	..	0.110	0.140
Occupation Group E.— Mining.	Number of cases.....	7	10	24	37	32	38	46
	Uniformity .....	0.104	0.076	0.083	0.074	0.079	0.091	0.093
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	..	6	8	22
	Uniformity .....	..	..	..	..	0.092	0.023	0.067
Occupation Group G.— Dangerous occupations.	Number of cases.....	20	26	42	57	81	107	197
	Uniformity .....	0.117	0.143	0.170	0.168	0.168	0.165	0.142
All occupation groups.	Number of cases.....	35	47	100	138	169	232	401
	Uniformity .....	0.193	0.183	0.183	0.149	0.171	0.162	0.137
Occupation Groups A, B, C, D, E, F.	Number of cases.....	15	21	58	81	88	125	204
	Uniformity .....	0.122	0.121	0.105	0.088	0.098	0.090	0.092

*Another method of calculating uniformity.* Further knowledge may be gained of the uniformity in age limits by attempting to measure it by another method. The conception of uniformity here measured is the third conception briefly outlined on a previous page, namely, the conception of uniformity as one-form-ness. That age limit which most of the state laws have adopted is the one-form, and the extent to which it is adopted is the extent of one-form-ness or uniformity in age limits. Thus, if the number of typical age limits is forty per cent of all the age limits at one time and if at another time it is sixty per cent, then it may be said that the uniformity has increased. According to this idea of uniformity, figures have been calculated showing the extent of uniformity in age limits for the different occupation groups. These are presented in Table

XXVIII. These figures were calculated as follows: It is seen from a previous table that there are 54 age limits in 1909 for the manufacturing group of occupations. The most common age limit is 14 years. There are 35 age limits that are 14 years. This number of age limits is 65 per cent of all the age limits, and this 65 per cent may be taken as indicating the uniformity in age limits in 1909. The other figures are similarly derived. It will be observed that in these figures, the larger the percentage the greater the uniformity.

Figure 4 presents graphically the changes from time to time in uniformity for the occupation groups. In this figure, an upward slant of the line means increasing uniformity. The conclusions that may be drawn from this figure and from Table XXVIII are in accord with the conclusions drawn from Figure 3 and from Table XXV. Uniformity and tendencies to uniformity thus seem to be the same, whether deduced by one method or the other.

TABLE XXVIII. UNIFORMITY IN AGE LIMITS, AS PERCENTAGES OF EXACT RESEMBLANCE TO TYPES, FOR THE OCCUPATION GROUPS

*The Ratio of the Number of Cases of Greatest Frequency to the Total Number of Cases*

(Larger numbers mean more uniformity.)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Total number.....	7	11	25	32	31	43	54
	Ratio in per cents.....	0.57	0.45	0.40	0.44	0.48	0.53	0.65
Occupation Group B.— Mercantile.	Total number.....	..	..	7	8	14	18	31
	Ratio in per cents.....	..	..	0.43	0.50	0.50	0.67	0.84
Occupation Group C.— Hotels, offices, etc.	Total number.....	..	..	..	..	..	7	20
	Ratio in per cents.....	..	..	..	..	..	0.86	0.85
Occupation Group D.— Street trades.	Total number.....	..	..	..	..	..	11	31
	Ratio in per cents.....	..	..	..	..	..	0.54	0.55
Occupation Group E.— Mining.	Total number.....	7	10	24	37	32	38	46
	Ratio in per cents.....	0.57	0.60	0.50	0.54	0.50	0.58	0.52
Occupation Group F.— Any gainful occupation.	Total number.....	..	..	..	..	6	8	22
	Ratio in per cents.....	..	..	..	..	0.33	0.87	0.77

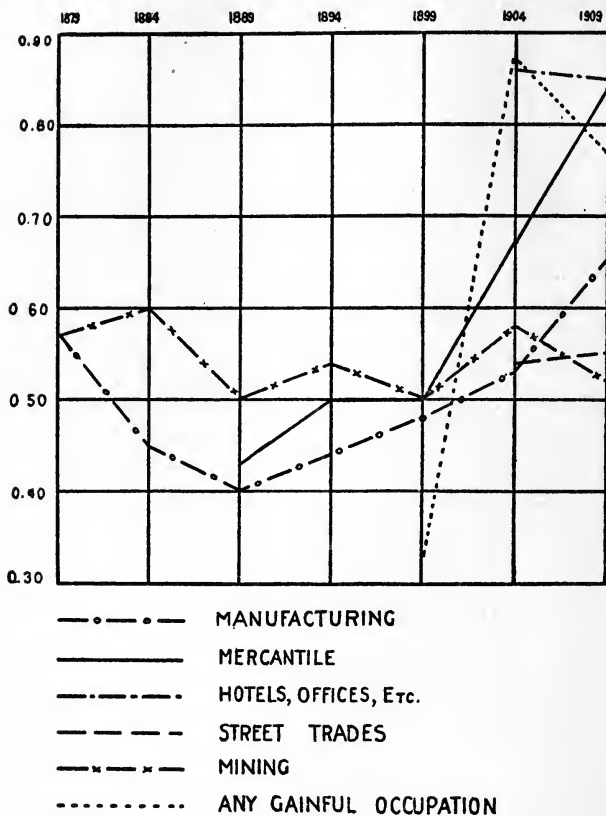


FIGURE 4.

Uniformity in age limits as percentages of exact resemblance to types for the occupation groups by five-year periods.

(An upward slant to a line means increasing uniformity. The figures to the left of the diagram are indexes of uniformity.)



PROGRESS IN THE TOTAL NUMBERS OF STATES POSSESSING  
AGE-LIMIT PROVISIONS

Table XXIX shows the progress by five-year periods in the total number of states that possess child-labor laws which prohibit the employment of children. The first line of this table shows the number of states that possess an age-limit provision affecting any occupation group or groups. Progress has been rapid. Practically every state now possesses some provision for age limits. The number of states has trebled in the past thirty years. Several states, however, possess age limits affecting only some dangerous occupations. The data in the second line of the table show the result of omitting these states. There are some states whose age-limit provisions affect only the mining industries alone or the mining industries and certain dangerous employments alone. If such states are omitted from the number of states tabled in the second line of the table, there result the data contained in the last line. This is probably the information which the usual person wants to obtain regarding the number of states possessing age-limit provisions. Here is shown still more rapid progress. The number has doubled three times during the period studied. The reason for thus differentiating the combinations of occupation groups into these three classes is found in the fact that distinct and separate laws are enacted regarding mining industries alone and regarding certain dangerous occupations alone. This is not the custom for the other occupation groups, except for the manufacturing industries and the data for this group have already been presented.

TABLE XXIX. THE TOTAL NUMBER OF STATES, AT EACH FIVE-YEAR PERIOD, POSSESSING AGE-LIMIT PROVISIONS AFFECTING OCCUPATION GROUPS

Occupation groups.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Any occupation group.....	18	21	32	39	42	50	51
Any except dangerous occupations alone .....	12	13	27	34	36	42	47
Any except dangerous occupations and mining alone ...	7	7	17	22	24	33	44

## CHAPTER IV

### HOURS OF LABOR

#### DATA AND RESULTS TO BE PRESENTED

IN this section are discussed those provisions of the child-labor laws which regulate the hours of labor of children. The presentation follows the same general lines that were pursued in the discussion of age limits. By "hours of labor" is meant the number of hours of employment, either, by the day (or night), or by the week, more than which children are not permitted to work in the various occupations. Tables are presented showing the hours-of-labor regulations that each state possesses and also the age limits of the children affected by these regulations. These tables also show what states prohibit the employment of children at night. As in most of the provisions of any enactment, certain exceptions are provided for in the regulation of the hours of children's employment. It is further shown just what exemptions exist in the laws of each state; and, also, the extent to which each class of exemptions has been developed. The average number of daily hours of labor and of weekly hours has been found for each group of occupations, and for all of the occupations taken together. The typical number of hours of labor has also been found for each five-year period; and thus the general tendency of the states in the matter of the number of hours of labor is known. The average age limits of the children whose time of employment is regulated have gradually increased; the

nature of this increase is therefore shown. The question whether the uniformity in hours of labor has decreased or increased is discussed, and indexes of uniformity for each and for all of the occupations, in both weekly and daily hours of labor, have been calculated. In these calculations the two methods used in the foregoing section have been employed. With reference to the question whether the number of states which have from time to time regulated the hours of labor of children is greater or smaller than the number of those which have fixed age limits, a table is presented to show the number of states, at each period, possessing an hours-of-labor provision.

#### HOURS OF LABOR, BY STATES, FOR THE OCCUPATION GROUPS

Just what hours-of-labor regulations each state possesses may be seen by referring to Tables XXX-XXXIV. These tables show what states regulate the hours of employment of their children and what states do not. They indicate the nature of each regulation, with reference to the daily hours of labor, to the weekly hours of labor, and to the age limits of the children whose employment is thus regulated; and name the states which prohibit the labor of children at night. A few words of explanation should be made regarding these tables. The mark, 1, in the column headed by the phrase, "At Night," indicates that the child-labor laws of that state possess a provision prohibiting the labor of children at certain hours of the night. Some of these states forbid children to work from 6 P. M. to 6 A. M., others from 8 P. M. to 8 A. M., others from 6 P. M. to 7 A. M., etc. Most of these laws include more than the mere period of darkness. The age limits in these tables refer to children affected by the regulation of daily and weekly hours of labor, and not necessarily to those affected by the regulations of night work. The age limits for night work are

usually higher than those for employment during the day, though occasionally they are the same. The laws defining the number of hours for day work scarcely ever provide the specific hours at which the working day shall begin and end, though some stipulate approximately when the mid-day meal time shall come, and how long it shall last. A few laws limit the number of hours per week, but fail to provide that the number of hours per day shall be uniform. It may be seen from the tables that a few states possess more than one hours-of-labor regulation; such states possess more than one child-labor law regulating the hours of labor. Similarly, it is seen that some states possess more than one law prohibiting the labor of children at night. But when two age limits for a single hours-of-labor provision appear in the table, it must be understood that the children are differentiated into two age groups, usually boys and girls, the higher age limit being for girls.

The purpose of these tables is to furnish information concerning the individual states; there is little need then for comment upon the information contained in them. The manufacturing industries are conspicuously the ones most affected. There are several states which have enacted hours-of-labor provisions for any gainful occupation, but which have made no provision for any other group of employments. This is exceptional. Usually, the phrase "any gainful occupation" in the enactments occurs at the end of a list of occupations, as though it were intended to include any and all occupations not already specifically mentioned. The other occupation groups, with the exception of mining, and, at times, of some of the dangerous employments, are associated in the text of the enactments with the manufacturing group. It is important to observe that there are very few hours-of-labor provisions affecting the mining group of occupations. This is explained by the fact that

in many states the hours of labor are regulated for *all* mining laborers and that the hours of labor in mines for adults are as few, or fewer, than those for children in other occupations. The hours of labor for children in the dangerous employments are seldom regulated, except in a very few special ones, as, for instance, in bakeries. Most of the few cases in which the hours of labor of children are regulated for mining and for the dangerous occupations (as seen in Table XXXIII), come about in this way. A child-labor law, which contains the provisions concerning the age limit, hours of labor, educational requirement, etc., names a list of occupations including, say, besides manufacturing and mercantile industries, mining and certain dangerous occupations for which an age limit is fixed. These occupations are named, it seems, primarily for the sake of the age-limit provision, though in addition these are also mentioned as employments which all the other provisions affect; thus hours of labor are regulated in these employments.



TABLE XXX. HOURS OF LABOR, BY STATES, IN OCCUPATION GROUP A—MANUFACTURING—Concluded

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## HOURS OF LABOR

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	1879.			1884.			1889.			1894.			1899.			1904.							
	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Age limit.	
New Hampshire . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	18
New Jersey . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	16
New York . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	18, 21
North Carolina . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	18
North Dakota . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	14
Ohio . . . . .	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	18	
Oklahoma . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	14
Pennsylvania . . . . .	10	60	21	10	60	21	10	60	21	10	60	21	10	60	21	10	60	21	10	60	21	14	
Rhode Island . . . . .	11	.	15	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	16
South Carolina . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	16
South Dakota . . . . .	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	14	
Tennessee . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	16
Texas . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	14
Vermont . . . . .	10	.	15	10	.	15	10	.	15	10	.	15	10	.	15	10	.	15	10	.	15	14	
Virginia . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	14
Wisconsin . . . . .	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	10	.	14	14	

<sup>1</sup> The following states, each of which has no hours-of labor provisions affecting Occupation Group A, are omitted from the list in the table: Alaska, Arizona, Delaware, Florida, Hawaii, Idaho, Illinois, Indian Territory, Kentucky, Montana, Nevada, New Mexico, Oregon, Porto Rico, Utah, Washington, West Virginia, Wyoming.

TABLE XXXI. HOURS OF LABOR, BY STATES, IN OCCUPATION GROUP B.—MERCANTILE<sup>1</sup>

	1879.			1884.			1889.			1894.			1899.			1904.			1909.				
	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Age limit.	
California																							
Colorado					10 60																		18
Connecticut					10 60																		16
District of Columbia																							16
Indiana																							16
Iowa																							16, 18
Louisiana																							18
Massachusetts					10 60																		18
Michigan																							18
Missouri																							18
Nebraska																							16
New Jersey																							16
New York					10 60																		16
Ohio																							16
Pennsylvania																							21
Rhode Island																							16, 18
																							16, 18
																							16

<sup>1</sup> The following states, each of which has no hours-of-labor provisions affecting Occupation Group B, are omitted from the list in the table: Alabama, Alaska, Arizona, Arkansas, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indian Territory, Kansas, Kentucky, Maine, Maryland, Minnesota, Montana, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Porto Rico, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming.



TABLE XXXII. HOURS OF LABOR, BY STATES, IN OCCUPATION GROUP C.—HOTELS, OFFICES, ETC., AND IN OCCUPATION GROUP D.—STREET TRADES<sup>1</sup>

	Hotels, Offices, etc. <sup>2</sup>						Street Trades. <sup>2</sup>					
	1904.			1909.			1904.			1909.		
	Hours per day.	Hours per week.	At night.	Age limit.	Hours per day.	Hours per week.	At night.	Age limit.	Hours per day.	Hours per week.	At night.	Age limit.
Alabama . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Alaska . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Arizona . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Arkansas . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
California . . . . .	.	.	.	.	I	.	.	.	.	.	I	.
Colorado . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Connecticut . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Delaware . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
District of Columbia . . . . .	.	.	.	.	.	.	.	.	.	.	I	.
Florida . . . . .	.	.	.	8 48	I	16	.	.	.	8 48	I	16
Georgia . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Hawaii . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Idaho . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Illinois . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Indiana . . . . .	.	.	.	.	.	.	.	.	.	.	.	.
Kansas . . . . .	.	.	.	8 48	I	16	.	.	.	8 48	I	16
Louisiana . . . . .	.	.	.	10 60	.	18	.	.	.	10 60	.	18
Michigan . . . . .	.	.	.	.	.	.	.	.	.	.	I	.
Missouri . . . . .	.	.	.	9 54	I	16	.	.	.	9 54	I	16
Nebraska . . . . .	.	.	.	8 48	I	16	.	.	.	8 48	I	16
New York . . . . .	9 54	I 16	.	9 54	I	16	9 54	I 16	.	9 54	I	16
Ohio . . . . .	.	.	.	8 48	I	16, 18	.	.	.	8 48	I	16, 18
Oklahoma . . . . .	.	.	.	.	I	.	.	.	.	.	.	.
Pennsylvania . . . . .	.	.	.	10 58	I	16, 18	.	.	.	.	.	.
Vermont . . . . .	.	.	.	.	.	.	.	I	.	.	I	.
Wisconsin . . . . .	.	.	.	.	.	.	.	.	.	.	I	.

<sup>1</sup> The following states, each of which has no hours-of-labor provisions affecting Occupation Groups C and D are omitted from the list in the table: Indian Territory, Iowa, Kentucky, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Oregon, Porto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wyoming.

<sup>2</sup> There were no provisions for this group in 1879, 1884, 1889, 1894, 1899.



TABLE XXXIV. HOURS OF LABOR, BY STATES, IN OCCUPATION GROUP F.—ANY GAINFUL OCCUPATION<sup>1</sup>

	1879.			1884.			1889.			1894.			1899.			1904.			1909.				
	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Hours per day.	Hours per week.	At night.	Age limit.	
California . . . . .																							
Delaware . . . . .																							
District of Columbia . . . . .																							
Florida . . . . .																							
Idaho . . . . .																							
Illinois . . . . .																							
Kentucky . . . . .																							
Louisiana . . . . .																							
Maine . . . . .	10		16	10		16																	
Massachusetts . . . . .																							
Michigan . . . . .																							
Minnesota . . . . .																							
Missouri . . . . .																							
North Dakota . . . . .																							
Ohio . . . . .																							
Oklahoma . . . . .																							
Oregon . . . . .																							
Wisconsin . . . . .																							

<sup>1</sup> The following states, each of which has no hours-of-labor provisions affecting Occupation Group F, are omitted from the list in the table: Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Georgia, Hawaii, Indiana, Indian Territory, Iowa, Kansas, Maryland, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Porto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming.

## EXEMPTIONS TO HOURS OF LABOR

The exemptions to the hours-of-labor regulations are in the main different from those to the regulations concerning age limits. For instance, children under age may work in vacation or during hours out of school, but such children may not work overtime in vacation. Children may work overtime in order to shorten the last day of the week, to make repairs, or to make up for lost time; but they may not be employed under age to do this. There are, however, several exemptions that are common to both hours-of-labor and age-limit regulations; as for instance, the exemption of farm labor and of domestic labor. What classes of exemptions are applied to the hours-of-labor regulations may be seen by consulting Table XXXVI. Here, again, the numbers in some of the classes are small. Some, however, are sufficiently numerous to call for special observation. Domestic labor and farm labor have been exempted to any extent only during the last five-year period. Permission to work overtime on rush goods has grown considerably during the past fifteen years, and has more than kept pace with the growth of the laws. In 1899, about 13 per cent of the hours-of-labor provisions possessed this exemption; in 1904, 14 per cent; and, in 1909, 26 per cent. The permission to work overtime in order to make repairs and in order to shorten the last day of the week has been a well-defined custom in some of the states since 1889. The latter of these exemptions has been slightly more frequent than the former. In the past ten or fifteen years these exemptions have not multiplied as rapidly as the total number of laws have increased. The figures showing the changing amount of exemption to shorten the last day of the week are, beginning in 1889, and for each succeeding five-year period, 32 per cent, 20 per cent, 22 per cent, 24 per cent and 16 per

cent; and, to make repairs, 27 per cent, 28 per cent, 39 per cent, 38 per cent, and 29 per cent. During the last five years there has been a considerable decrease in both. These exemptions, however, have been prevalent at some time or other; for as many as one-third of all the laws have exhibited each of them. The exemption which permits children to be worked overtime in order to make up for lost time has not been so well marked; only about 10 per cent of the laws have permitted this exemption and the relative number of these laws has been approximately stationary during the past twenty or twenty-five years. The information regarding the exemptions in each individual state is shown in Table XXXV.



TABLE XXXVI.—CLASSIFIED SUMMARY OF THE NUMBERS OF EXEMPTIONS TO HOURS OF LABOR

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Exemption a.—In vacation .....	..	..	..	..	..	..	..
Exemption b.—During hours out of school . .	..	..	..	..	..	..	..
Exemption c.—During specified times.....	..	..	..	..	..	..	..
Exemption d.—Orphans .....	..	..	..	..	..	1	..
Exemption e.—Children of widows.....	..	..	..	..	..	1	..
Exemption f.—Children of disabled parents ..	..	..	..	..	..	1	..
Exemption g.—Farm labor .....	1	1	1	1	..	..	6
Exemption h.—Domestic labor .....	1	1	1	1	..	..	5
Exemption i.—Labor on perishable goods ...	..	1	2	1	1	1	5
Exemption j.—Labor on rush goods.....	..	1	1	1	3	4	10
Exemption k.—To make repairs.....	1	1	7	5	5	7	6
Exemption l.—To shorten last day .....	1	1	6	7	9	11	11
Exemption m.—To make up lost time.....	..	2	2	2	2	3	4
Exemption n.—By special permit .....	..	..	..	..	..	1	1
Exemption o.—Because of physical health ....	..	..	..	..	..	..	..
Exemption p.—Miscellaneous .....	..	..	..	..	..	2	3
Exemption q.—Certain counties.....	..	..	..	..	..	..	..
Exemption r.—Cities of certain sizes .....	..	..	..	..	..	2	4

## AVERAGE NUMBERS OF HOURS OF LABOR

The average numbers of hours of labor have not changed much during the early development of child-labor laws. They remain in the neighborhood of 10 hours a day and 60 hours a week. But there has been a relatively rapid decrease during the past fifteen years, so that in 1909 the averages have fluctuated around 9 hours a day and 54 or 55 hours a week. The decrease has been particularly noticeable from 1905 to 1910. These tendencies are seen in Tables XXXVII and XXXIX. The rate of decrease for the daily hours of labor during the last five-year period is about five per cent, which is a somewhat greater change than is noticed in the corresponding period for the average limits; this with reference to the manufacturing industries. The rate of decrease for the average number of weekly hours of labor is slightly greater during the last five-year period. It is observed that in the manufacturing industries, in 1904, the average number of weekly hours of labor is marked by an increase instead of the expected decrease, and that a decrease is noted for the same period in

the average daily hours. Upon examination, this apparent discrepancy is found to be due to the fact that two southern states enacted laws permitting children to be employed sixty-six hours a week without at the same time enacting a daily limit; and, also, that two other states enacted laws providing a low number of daily hours without providing any number of weekly hours. The average number of hours of labor for the occupation groups are approximately equal for the daily and for the weekly hours; that is, the approach to uniformity among all the occupations is approximately the same for the daily hours as for the weekly hours. But in neither case do they tend to become as uniform for all the occupation groups as do the general age-limit laws.

In Tables XXXVIII and XL are presented the average numbers of hours of labor in all occupations taken together for the day and for the week respectively. The averages for the weekly hours show a continuous decrease since 1884; and, for the daily hours, since 1899. The reduction of the weekly hours, then, has been the earlier process. It should be observed that the units which make up the averages for all the occupations taken together are not so heterogeneous as might be supposed, since there seems to have been recognized no reason why the hours of labor in one occupation should be different from those in another.

Table XLI shows the hours of employment most frequently permitted in the states for each occupation at each five-year period. Ten hours a day and sixty hours a week are the ones most frequently adopted, although, in 1909, there are several types different from these. Changes in the type of weekly hours are more common than changes in the type of daily hours. In the manufacturing and mercantile employments in 1909 several, rather than one number of hours of labor, appear with equal frequency;



for manufacturing, 48 hours, 58 hours and 60 hours occur the same number of times. Wherever there has been a change in type it has been lowered.

TABLE XXXVII.—AVERAGE NUMBERS OF DAILY HOURS OF LABOR FOR THE OCCUPATION GROUPS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	11	11	20	24	20	22	27
	Average number of hours..	10.09	10.00	9.80	10.00	10.10	9.91	9.43
Occupation Group B.— Mercantile.	Number of cases.....	..	1	4	3	6	9	14
	Average number of hours..	..	10.00	10.00	10.66	10.33	9.77	9.14
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	1	8
	Average number of hours..	..	..	..	..	..	9.00	8.75
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	1	7
	Average number of hours..	..	..	..	..	..	9.00	8.57
Occupation Group E.— Mining.	Number of cases.....	..	..	..	1	..	1	5
	Average number of hours..	..	..	..	10.00	..	8.00	9.20
Occupation Group F.— Any gainful occupation.	Number of cases.....	1	1	2	2	4	6	13
	Average number of hours..	10.00	10.00	9.50	9.50	10.00	9.50	9.00
Occupation Group G.— Dangerous occupations.	Number of cases.....	..	..	..	..	2	4	16
	Average number of hours..	..	..	..	..	9.00	9.50	9.37

TABLE XXXVIII.—AVERAGE NUMBERS OF DAILY HOURS OF LABOR FOR ALL OCCUPATION GROUPS TAKEN TOGETHER

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
All Occupation Groups.	Number of cases.....	12	13	26	30	32	44	90
	Average number of hours..	10.08	10.00	9.81	10.03	10.06	9.70	9.18

TABLE XXXIX. AVERAGE NUMBER OF WEEKLY HOURS OF LABOR FOR THE OCCUPATION GROUPS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases .....	3	4	14	15	14	17	23
	Average number of hours..	59.33	59.50	59.57	59.13	58.71	59.18	55.91
Occupation Group B.— Mercantile.	Number of cases.....	..	1	6	5	8	10	15
	Average number of hours..	..	60.00	59.00	58.80	58.63	57.50	55.20
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	1	8
	Average number of hours..	..	..	..	..	..	54.00	52.25
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	1	7
	Average number of hours..	..	..	..	..	..	54.00	51.43
Occupation Group E.— Mining.	Number of cases... ..	..	..	..	..	..	..	3
	Average number of hours..	..	..	..	..	..	..	55.33
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	..	2	3	14
	Average number of hours..	..	..	..	..	54.00	56.00	55.29
Occupation Group G.— Dangerous occupations.	Number of cases.....	..	..	1	..	5	6	13
	Average number of hours..	..	..	60.00	..	60.00	57.00	54.54

TABLE XL. AVERAGE NUMBER OF WEEKLY HOURS OF LABOR FOR ALL OCCUPATION GROUPS TAKEN TOGETHER

		1879	1884.	1889.	1894.	1899.	1904.	1909.
All Occupation Groups.	Number of cases.....	3	5	21	22	28	38	83
	Average number of hours..	59.33	59.60	59.43	59.14	58.54	57.87	54.71

TABLE XLI.—THE TYPICAL DAILY AND WEEKLY HOURS OF LABOR FOR OCCUPATION GROUPS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Typical daily hours...	10	10	10	10	10	10	10
	Typical weekly hours .	60	60	60	60	60	60	48, 58, 60
Occupation Group B.— Mercantile.	Typical daily hours...	..	..	10	10	10	10	10
	Typical weekly hours .	..	..	60	60	60	60	58, 54
Occupation Group C.— Hotels, offices, etc.	Typical daily hours...	..	..	..	..	..	..	8
	Typical weekly hours .	..	..	..	..	..	..	48
Occupation Group D.— Street trades.	Typical daily hours...	..	..	..	..	..	..	8
	Typical weekly hours .	..	..	..	..	..	..	48
Occupation Group E.— Mining.	Typical daily hours...	..	..	..	..	..	..	10
	Typical weekly hours .	..	..	..	..	..	..	..
Occupation Group F.— Any gainful occupation.	Typical daily hours ..	..	..	..	..	10	10	9
	Typical weekly hours .	..	..	..	..	60	60	54
Occupation Group G.— Dangerous occupations.	Typical daily hours...	..	..	..	..	..	8	10
	Typical weekly hours .	..	..	..	..	..	60	60
All Occupation Groups.	Typical daily hours...	10	10	10	10	10	10	10
	Typical weekly hours .	60	60	60	60	60	60	48

## AVERAGE AGE LIMITS FOR HOURS OF LABOR

The age limits of children who are affected by hours-of-labor regulations are greater than the general age limits under which children cannot be employed. These averages are presented in Table XLII. It is most interesting to observe that the average age limits for hours of labor have been decreasing during the past fifteen years. This decrease, however, has not been very great. The course of development in age-limit regulations for children affected by hours-of-labor regulations in the manufacturing and mercantile occupations and in all of the occupations taken together has been one of increase during the earlier years; in the later years there has been a decrease; but the decrease has not been so much as the increase. This same tendency is observed for the typical age limits for hours of labor as is shown in Table XLIII. The average age limits for the dangerous occupations are slightly higher than for the other occupation groups. Omitting this group the averages for each of the occupations are nearly the same, the greatest difference being not quite a year. The typical age limit is the same in 1909 for each of the occupation groups.

TABLE XLII.—AVERAGE AGE LIMITS IN HOURS OF LABOR FOR OCCUPATION GROUPS

		1879.	1884.	1889.	1894.	1899.	1904	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	11	11	25	20	25	29	35
	Average age limit .....	15.82	15.73	16.68	16.83	16.64	16.38	16.43
Occupation Group B.— Mercantile.	Number of cases.....	..	1	7	6	11	14	20
	Average age limit .....	..	18.00	16.86	17.00	17.36	17.57	16.95
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	1	10
	Average age limit .....	..	..	..	..	..	16.00	16.60
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	1	8
	Average age limit .....	..	..	..	..	..	16.00	16.50
Occupation Group E.— Mining.	Number of cases.....	..	..	..	1	..	1	5
	Average age limit .....	..	..	..	18.00	..	16.00	16.40
Occupation Group F.— Any gainful occupation.	Number of cases.....	1	1	3	3	4	6	14
	Average age limit .....	16.00	16.00	16.00	16.00	16.50	16.33	16.00
Occupation Group G.— Dangerous occupations	Number of cases.....	..	..	..	..	3	5	20
	Average age limit .....	..	..	..	..	17.33	17.80	17.05
All Occupation Groups.	Number of cases.....	12	13	35	39	43	57	112
	Average age limit .....	15.83	15.92	16.65	16.56	16.86	16.77	16.60

TABLE XLIII.—TYPICAL AGE LIMITS IN HOURS OF LABOR FOR OCCUPATION GROUPS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.—Manufacturing .....	14	14	18	18	18	18	16
Occupation Group B.—Mercantile .....	..	..	16, 18	18	18	18	16
Occupation Group C.—Hotels, offices, etc.....	..	..	..	..	..	..	16
Occupation Group D.—Street trades .....	..	..	..	..	..	..	16
Occupation Group E.—Mining .....	..	..	..	..	..	..	16
Occupation Group F.—Any gainful occupation .....	..	..	..	..	16	16	16
Occupation Group G.—Dangerous occupations.....	..	..	..	..	..	..	16
All Occupation Groups .....	14	14	18	18	18	16	16

## UNIFORMITY IN HOURS OF LABOR

The laws regulating the number of hours of labor per day have been becoming less uniform. This is shown in Table XLIV, where the figures representing uniformity have been deduced by the method of measuring the closeness of resemblance to the average. In the beginning the hours of labor possessed a high degree of uniformity and gradually became less so, with some fluctuations, until the last fifteen years when the uniformity has decreased steadily and at a higher rate of decrease. This is true of the manufacturing industries and also of all the occupation groups taken together. In 1909, the uniformity in each of the occupation groups is nearly the same. In the weekly hours of labor, as is shown in Table XLV, the decrease in uniformity has been more continuous and at a greater rate of decrease. Again, in 1909, the uniformity in each occupation group is very nearly the same. To the extent that there seems to have been little need for imposing upon the different employments different respective hours of labor, to that extent is the conception of uniformity for all of the occupation groups taken together less complicated.

In Tables XLVI and XLVII, the uniformity in the hours of labor for the day and for the week is expressed in terms that may be compared with each other and also

with the uniformity in general age limits. The amount of uniformity in weekly hours of labor, according to this conception of uniformity, seems to be slightly greater than for the daily hours of labor. By comparing these two tables with Table XXVII the uniformity in hours of labor can be compared with the uniformity in general age limits. On the whole, the uniformity in these two phases of the child-labor laws is nearly the same in 1909, but the uniformity in the hours-of-labor regulations is much greater in the earlier years. In 1909, the uniformity in the manufacturing industries is about the same in hours of labor as in general age limits; and in the mercantile occupations there is a slightly greater uniformity in age limits. By comparing the uniformity in 1909 for hours of labor in all of the occupations taken together, with the uniformity in the same year for general age limits in all of the occupations, (save dangerous employments), taken together, the difference is found to be very slight.

It is also desirable to estimate the uniformity by measuring the actual extent of one-form-ness at the various five-year periods. This has been done as is shown in Table XLVIII. The data in this table show a decreasing uniformity and their course is in the main the same as that already observed, with the exception, of course, of the actual rates of decrease. These data do bring out a striking difference between the daily and the weekly hours of labor in the matter of uniformity that is not shown in the preceding tables. The uniformity in daily hours is throughout greater than that in weekly hours, which means that a greater percentage of the numbers of hours of labor is like the type in the daily hours of labor than for the weekly. This illustrates admirably the different conceptions of uniformity and the different methods of measuring them.

TABLE XLIV. UNIFORMITY IN DAILY HOURS OF LABOR FOR OCCUPATION GROUPS

(Large numbers mean less uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases .....	11	11	20	24	20	22	27
	Uniformity .....	0.29	0	0.60	0.58	0.44	0.67	0.83
Occupation Group B.— Mercantile.	Number of cases.....	..	..	..	..	6	9	14
	Uniformity .....	..	..	..	..	0.75	1.02	0.83
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	..	8
	Uniformity .....	..	..	..	..	..	..	0.83
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	..	7
	Uniformity .....	..	..	..	..	..	..	0.72
Occupation Group E.— Mining.	Number of cases.....	..	..	..	..	..	..	5
	Uniformity .....	..	..	..	..	..	..	0.98
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	..	..	6	13
	Uniformity .....	..	..	..	..	..	0.76	0.78
Occupation Group G.— Dangerous occupations.	Number of cases.....	..	..	..	..	..	..	16
	Uniformity .....	..	..	..	..	..	..	0.99
All gainful occupations.	Number of cases.....	12	13	26	30	32	44	90
	Uniformity .....	0.28	0	0.56	0.66	0.61	0.94	0.93

TABLE XLV. UNIFORMITY IN WEEKLY HOURS OF LABOR FOR OCCUPATION GROUPS

(Larger numbers mean less uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	..	..	14	15	14	17	23
	Uniformity .....	..	..	1.54	1.89	2.18	3.35	4.92
Occupation Group B.— Mercantile.	Number of cases.....	..	..	..	..	8	10	15
	Uniformity .....	..	..	..	..	2.39	2.73	4.18
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	..	8
	Uniformity .....	..	..	..	..	..	..	4.63
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	..	7
	Uniformity .....	..	..	..	..	..	..	4.37
Occupation Group E.— Mining.	Number of cases.....	..	..	..	..	..	..	..
	Uniformity .....	..	..	..	..	..	..	..
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	..	..	6	13
	Uniformity .....	..	..	..	..	..	4.58	4.37
Occupation Group G.— Dangerous occupations.	Number of cases.....	..	..	..	..	..	..	14
	Uniformity .....	..	..	..	..	..	..	4.99
All Occupation Groups.	Number of cases.....	..	..	21	22	28	38	83
	Uniformity .....	..	..	1.76	1.96	2.90	3.85	4.87

TABLE XLVI.—UNIFORMITY IN DAILY HOURS OF LABOR FOR OCCUPATION GROUPS, EXPRESSED IN TERMS FOR COMPARISON

(Larger numbers mean less uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	11	11	20	24	20	22	27
	Uniformity .....	0.028	0	0.060	0.058	0.044	0.067	0.088
Occupation Group B.— Mercantile.	Number of cases.....	..	..	..	..	6	9	14
	Uniformity .....	..	..	..	..	0.073	0.104	0.091
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	..	8
	Uniformity .....	..	..	..	..	..	..	0.094
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	..	7
	Uniformity .....	..	..	..	..	..	..	0.084
Occupation Group E.— Mining.	Number of cases.....	..	..	..	..	..	..	5
	Uniformity .....	..	..	..	..	..	..	0.102
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	..	..	6	13
	Uniformity .....	..	..	..	..	..	0.080	0.087
Occupation Group G.— Dangerous occupations.	Number of cases .....	..	..	..	..	..	..	16
	Uniformity .....	..	..	..	..	..	..	0.106
All Occupations.	Number of cases.....	12	13	26	30	32	44	90
	Uniformity .....	0.023	0	0.056	0.066	0.061	0.097	0.101

TABLE XLVII.—UNIFORMITY IN WEEKLY HOURS OF LABOR FOR OCCUPATION GROUPS, EXPRESSED IN TERMS FOR COMPARISON

(Larger numbers mean less uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Number of cases.....	..	..	14	15	14	17	23
	Uniformity .....	..	..	0.025	0.032	0.037	0.057	0.087
Occupation Group B.— Mercantile.	Number of cases.....	..	..	..	..	8	10	15
	Uniformity .....	..	..	..	..	0.041	0.047	0.075
Occupation Group C.— Hotels, offices, etc.	Number of cases.....	..	..	..	..	..	..	8
	Uniformity .....	..	..	..	..	..	..	0.088
Occupation Group D.— Street trades.	Number of cases.....	..	..	..	..	..	..	7
	Uniformity .....	..	..	..	..	..	..	0.084
Occupation Group E.— Mining.	Number of cases.....	..	..	..	..	..	..	..
	Uniformity .....	..	..	..	..	..	..	..
Occupation Group F.— Any gainful occupation.	Number of cases.....	..	..	..	..	..	6	13
	Uniformity .....	..	..	..	..	..	0.080	0.080
Occupation Group G.— Dangerous occupations.	Number of cases.....	..	..	..	..	..	..	14
	Uniformity .....	..	..	..	..	..	..	0.094
All Occupation Groups.	Number of cases.....	..	..	21	22	28	38	83
	Uniformity .....	..	..	0.030	0.033	0.049	0.067	0.088

TABLE XLVIII. UNIFORMITY IN DAILY AND IN WEEKLY HOURS OF LABOR, AS PERCENTAGES OF EXACT RESEMBLANCE TO TYPES, FOR OCCUPATION GROUPS.

*The Ratio of the Number of Cases of Greatest Frequency to the Total Number of Cases*

(Larger numbers mean more uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.— Manufacturing.	Daily hours .....	0.91	1.00	0.90	0.92	0.95	0.82	0.63
	Weekly hours .....	0.66	0.75	0.93	0.80	0.71	0.53	0.29
Occupation Group B.— Mercantile.	Daily hours .....	..	..	1.00	0.66	0.83	0.56	0.43
	Weekly hours .....	..	..	0.83	0.80	0.75	0.50	0.28
Occupation Group C.— Hotels, offices, etc.	Daily hours .....	..	..	..	..	..	..	0.50
	Weekly hours .....	..	..	..	..	..	..	0.50
Occupation Group D.— Street trades	Daily hours .....	..	..	..	..	..	..	0.57
	Weekly hours .....	..	..	..	..	..	..	0.57
Occupation Group E.— Mining	Daily hours .....	..	..	..	..	..	..	0.60
	Weekly hours .....	..	..	..	..	..	..	..
Occupation Group F.— Any gainful occupation.	Daily hours .....	..	..	..	..	..	0.66	0.38
	Weekly hours .....	..	..	..	..	..	0.66	0.38
Occupation Group G.— Dangerous occupations.	Daily hours .....	..	..	..	..	..	0.50	0.50
	Weekly hours .....	..	..	..	..	..	0.66	0.36
All Occupation Groups.	Daily hours .....	0.92	1.00	0.88	0.87	0.91	0.64	0.47
	Weekly hours .....	0.67	0.80	0.91	0.82	0.75	0.53	0.29

#### PROGRESS IN THE TOTAL NUMBERS OF STATES POSSESSING HOURS-OF-LABOR PROVISIONS

In Table XLIX is shown the total number of states at each five-year period that regulated the hours of labor for children. The first line of this table shows the number of states which regulated the hours of labor of their children in any manner whatsoever. There are, however, a few states whose sole regulation consists in prohibiting the employment of children at night. If these few states are omitted from the totals, there result the data obtained in the second line of the table. This shows, according to what is probably the usual conception, the progress in the number of states possessing hours-of-labor provisions. The progress in the total number of states possessing hours-of-labor provisions is not quite so great as in the number



of states possessing general age-limit provisions. The states possibly began to regulate the hours of labor a little earlier than they did the general age limits.

TABLE XLIX. THE TOTAL NUMBER OF STATES, AT EACH FIVE YEAR PERIOD, POSSESSING HOURS-OF-LABOR PROVISIONS

The nature of the provision.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Any .....	12	12	19	21	23	31	41
Any, except an at-night provision alone .....	12	12	19	21	22	26	37

## CHAPTER V

### EDUCATIONAL REQUIREMENTS

#### DATA AND RESULTS TO BE PRESENTED

BEFORE the presentation of the data on that phase of the child-labor laws which is called the educational requirements, it is necessary to show the nature of these requirements, to make definitions and to establish classifications. The classes are established as a basis for tabulation and quantitative measurement. Tables are then presented showing the status of each state in educational requirements, what classes of requirements each state has adopted from time to time, and what are the age limits of the children thus affected. What occupations are affected by educational requirements is shown. Educational-requirement provisions, too, are subject to exemptions and the usual treatment of exemptions is made. The extent to which each kind of educational requirement has been used, not in each individual state but in the states as a whole, is shown, and the tendencies and progress throughout the thirty-year period are examined. So, also, the average age limits and the typical age limits of the children affected by these requirements are discussed. An educational requirement provision does not necessarily embody only a single class of educational requirement, but often includes various combinations of the different classes. Accordingly, the different kinds of provisions are shown in summary for all of the states as a whole, and the different statuses of the states in regard to educational requirements is shown in

summary. What is a typical educational-requirement provision is discussed. Finally, the progress from period to period in the number of states possessing educational qualifications is estimated.

#### CLASSES OF EDUCATIONAL REQUIREMENTS DEFINED

The natures of the different educational requirement provisions are quite various. When analyzed they are found to consist of a few fundamental elements, the combinations of which produce the variety. These are four in number and will be spoken of throughout the discussions as classes of educational requirements. They are as follows :

*Curriculum.*—To have studied a specified course of studies or the completion of a specified curriculum is required of children before they are qualified for employment. Some of the laws only stipulate the most elementary studies, while others demand advancement as high as the eighth grade in the public schools. Specifications of studies required are too detailed to tabulate; so, then, any curriculum above the ability to read and write is tabulated as this class, except a few cases where the curriculum at a night school is stipulated. Cases where the completion of a certain grade in a graded school is required are included in this class.

*Attendance.*—A specified attendance at some school or the pursuit of studies for a certain length of time is required on the part of the child as requisite for its legal employment. This is usually required prior to employment; but, in a few cases, children are permitted to work part of the year and attend school part of the year. This, however, is not the usual case of exemption during vacation. Cases of attendance at night school or at day school during time of employment are not included in

this class. Some laws require several years' attendance and in others the attendance required is small. Both cases are tabulated in this category.

*Read and write.*—Children are required to be able to read and write before entering remunerative employment. In some cases the requirement is the ability "to read and write simple sentences" in the English language; other provisions do not specify the language required. In many laws this requirement is in addition to the completion of a specified curriculum or of a specified attendance. It would seem that either of these two requirements would imply ability to read and write; yet, nevertheless, the latter is stated in addition.

*Night school.*—This requirement means that children may work and at the same time attend a night school until ability to read and write is achieved or until a certain proficiency in school studies is acquired. There is also included in this class those few cases where children may work part time and attend a day school until certain requirements are fulfilled. This latter case is not the same as the usual exemption during hours out of school.

The various educational requirements of the laws do not necessarily include one only of the above classes, as has been remarked previously. They may and do specify several classes of requirements at the same time in the same provisions and applying to the same children. The complete and distinct statement of an educational qualification, whether it includes one or more classes of requirements, constitutes what is spoken of throughout the discussion as a provision. It does not invariably follow that a law always possesses only one provision, although this is the usual case. Moreover, a state may have several laws each containing educational-requirement provisions. A state's total possession in educational-re-

quirement provisions is spoken of as the educational requirements of a state. The possession on the part of a state of an educational requirement does not necessarily imply a certificate or signed statement to that effect. These papers and certificates are discussed in another section of the study.

#### EDUCATIONAL REQUIREMENTS BY STATES

In Table L is shown the status of each state at each period, in educational requirements. The presence of the mark, I, indicates the possession on the part of the state of that class of requirements designated by the heading of the column in which it appears. Each line possessing one or more of the marks, I, and an age-limit, indicates the presence of an educational requirement provision and its nature. It is observed that many provisions possess more than one class of requirements. This means that in that particular state a child must qualify in all of the classes designated before being permitted to be employed. In cases where the marks are italicized, a child need qualify, not in all thus indicated, but in any one. Some states have different standards of qualification for children of different ages, though this is not a very common occurrence, and is probably more often found in the earlier years than later. There is no distinction in age limits between boys and girls. The appearance among all the states of what seems an unusually large number of provisions is explained on several grounds. First, a single legislative enactment may contain more than one provision. Some states enact a special law for the sole and specific purpose of regulating the schooling of children, and at the same time possess an educational requirement provision in their general child-labor law. Finally, different occupations are affected by different enactments, and thus, probably, by different educational provisions.

TABLE L.—CLASSIFIED EDUCATIONAL REQUIREMENTS BY STATES <sup>1</sup>\*

	1879.					1884.					1889.					1894.					
	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.	
California . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	16
Colorado . . . . .	.	.	.	.	.	.	.	.	.	.	<i>I</i>	<i>I</i>	.	.	14	<i>I</i>	<i>I</i>	.	.	.	14
Connecticut . . . . .	<i>I</i>	<i>I</i>	.	14	.	<i>I</i>	.	14	.	.	.	<i>I</i>	.	14	.	.	<i>I</i>	.	.	.	14
												<i>I</i>	.	13			<i>I</i>	.	.	.	13
												<i>I</i>	.	14			<i>I</i>	.	.	.	14
Illinois . . . . .	.	.	<i>I</i>	14	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Kansas . . . . .	.	.	.	.	.	.	<i>I</i>	16	.	.	.	<i>I</i>	.	16	.	.	.	<i>I</i>	.	.	16
Louisiana . . . . .	.	.	.	.	.	.	.	.	.	.	<i>I</i>	<i>I</i>	.	14	<i>I</i>	<i>I</i>	.	.	.	.	14
Maine . . . . .	.	<i>I</i>	.	12	.	<i>I</i>	.	12	<i>I</i>	<i>I</i>	.	.	.	15	<i>I</i>	<i>I</i>	.	.	.	.	15
		<i>I</i>	.	15	.	<i>I</i>	.	15	.	.	.	.	.	.							.
Massachusetts . . . . .	.	.	<i>I</i>	14	.	.	<i>I</i>	14	.	.	<i>I</i>	.	13	.	.	.	.	.	.	.	14
											<i>I</i>	.	14	.			<i>I</i>	<i>I</i>	<i>I</i>	<i>I</i>	13
												<i>I</i>	<i>I</i>	21			<i>I</i>	<i>I</i>	<i>I</i>	<i>I</i>	14
Michigan . . . . .	.	.	.	.	.	<i>I</i>	.	14	.	.	<i>I</i>	.	14	.	.	<i>I</i>	.	.	.	.	14
												<i>I</i>	.	14			<i>I</i>	.	.	.	14
Missouri . . . . .	.	.	.	.	.	.	.	.	.	.	.	<i>I</i>	.	14	.	.	.	<i>I</i>	.	.	14
New Hampshire . . . . .	<i>I</i>	<i>I</i>	.	12	<i>I</i>	<i>I</i>	.	12	<i>I</i>	<i>I</i>	.	.	12	<i>I</i>	<i>I</i>	.	.	.	.	.	12
	<i>I</i>	<i>I</i>	.	15	<i>I</i>	<i>I</i>	.	14	<i>I</i>	<i>I</i>	.	.	14	<i>I</i>	<i>I</i>	.	.	.	.	.	14
						<i>I</i>	<i>I</i>	16	<i>I</i>	<i>I</i>	.	.	16	<i>I</i>	<i>I</i>	.	.	.	.	.	16
New Jersey . . . . .	.	.	.	.	.	<i>I</i>	.	15	.	.	<i>I</i>	.	15	.	.	<i>I</i>	.	.	.	.	15
											<i>I</i>	.	15			<i>I</i>	.	.	.	.	15
New York . . . . .	<i>I</i>	<i>I</i>	<i>I</i>	14	<i>I</i>	<i>I</i>	<i>I</i>	14	<i>I</i>	<i>I</i>	<i>I</i>	.	14	<i>I</i>	<i>I</i>	.	.	.	.	.	14
											<i>I</i>	.	16			<i>I</i>	.	.	.	.	16
North Dakota . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	<i>I</i>	.	.	.	14
Ohio . . . . .	.	.	<i>I</i>	16	.	.	<i>I</i>	16	.	.	<i>I</i>	.	16	.	.	<i>I</i>	.	.	.	.	16
											<i>I</i>	.	16			<i>I</i>	<i>I</i>	<i>I</i>	<i>I</i>	<i>I</i>	16
												<i>I</i>	.	14			<i>I</i>	.	.	.	14
Pennsylvania . . . . .	.	<i>I</i>	.	16	.	<i>I</i>	.	16	.	.	<i>I</i>	.	16	.	.	<i>I</i>	.	.	.	.	16
Rhode Island . . . . .	.	<i>I</i>	.	15	.	<i>I</i>	.	14	<i>I</i>	<i>I</i>	.	.	15	<i>I</i>	<i>I</i>	.	.	.	.	.	15
							<i>I</i>	15													
South Dakota . . . . .	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	<i>I</i>	.	.	.	14
Vermont . . . . .	.	<i>I</i>	.	14	.	<i>I</i>	.	14	.	<i>I</i>	.	.	14	.	<i>I</i>	.	.	.	.	.	15
																			<i>I</i>	<i>I</i>	14
West Virginia . . . . .	.	.	.	.	.	.	.	.	.	.	.	<i>I</i>	.	12	.	.	.	.	.	.	.
Wisconsin . . . . .	.	.	.	.	.	.	.	.	.	.	.	<i>I</i>	.	13	.	.	<i>I</i>	.	.	.	13

<sup>1</sup> Wherever, in the table, two or more of the marks, *I*, are in italics, it means that any one of the educational requirements indicated by the italicized marks will sufficiently qualify a child for work.

\* The following states, each of which has no educational-requirement provisions, are omitted from the list in the table: Alabama, Alaska, Arizona, Arkansas, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indiana, Indian Territory, Iowa, Kentucky, Maryland, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, Oregon, Porto Rico, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, Wyoming.

TABLE L. CLASSIFIED EDUCATIONAL REQUIREMENTS BY STATES.—Continued<sup>1</sup>

	1899.					1904.					1909.				
	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.
Alabama . . . . .												I			16
Alaska . . . . .															
Arizona . . . . .												I			14
Arkansas . . . . .			I		16			I		16			I		16
							I	I		14			I		14
												I			16
												I			18
California . . . . .													I	I	16
Colorado . . . . .	I	I			14	I	I			14	I	I			14
			I		16			I		16			I		16
			I	I	16			I	I	16			I	I	16
Connecticut . . . . .			I	I	16			I	I	16			I	I	16
													I		14
			I		13		I			13			I		13
			I		14		I			14	I				16
Delaware . . . . .												I	I		16
District of Columbia . . . . .												I	I	I	16
Florida . . . . .															
Georgia . . . . .													I		18
													I	I	14
Hawaii . . . . .															
Idaho . . . . .												I		I	16
Illinois . . . . .								I	I	16			I	I	16
Indiana . . . . .				I	16			I		16			I		16
Indian Territory . . . . .															
Iowa . . . . .															
Kansas . . . . .				I	16			I		16			I		16
Kentucky . . . . .													I	I	16
Louisiana . . . . .	I	I			14	I	I			14					
Maine . . . . .	I	I			15	I	I			15	I				15
															16
Maryland . . . . .								I		16				I	16
															16
Massachusetts . . . . .				I	16			I		16			I		16
					16				I	16				I	16
Michigan . . . . .													I	I	16
Minnesota . . . . .	I		I		16	I		I		16	I	I	I		16
Mis-issippi . . . . .															
Missouri . . . . .				I	14			I		14				I	16
														I	14

<sup>1</sup> Wherever, in the table, two or more marks, *i*, are in italics, it means that any one of the educational requirements indicated by the italicized marks will sufficiently qualify a child for work.

TABLE L. CLASSIFIED EDUCATIONAL REQUIREMENTS BY STATES—*Concluded*<sup>1</sup>

	1899.					1904.					1909.				
	Curricu. um.	Attendance.	Read and write.	Night school.	Age limit	Curriculum.	Attendance.	Read and write.	Night school	Age limit.	Curriculum.	Attendance.	Read and write.	Night school.	Age limit.
Montana . . . . .						<i>I</i>				14	<i>I</i>				14
								<i>I</i>		16			<i>I</i>		16
Nebraska . . . . .	<i>I</i>	<i>I</i>			14	<i>I</i>	<i>I</i>			14	<i>I</i>	<i>I</i>	<i>I</i>	<i>I</i>	16
Nevada . . . . .											<i>I</i>	<i>I</i>			16
New Hampshire . . . . .		<i>I</i>			12			<i>I</i>	<i>I</i>	21			<i>I</i>	<i>I</i>	21
		<i>I</i>			14			<i>I</i>		16			<i>I</i>		16
		<i>I</i>			16										
New Jersey . . . . .		<i>I</i>			15										
		<i>I</i>			15										
New Mexico . . . . .															
New York . . . . .		<i>I</i>			14	<i>I</i>	<i>I</i>			16	<i>I</i>	<i>I</i>	<i>I</i>	<i>I</i>	16
			<i>I</i>		16			<i>I</i>		16	<i>I</i>	<i>I</i>	<i>I</i>		16
	<i>I</i>	<i>I</i>	<i>I</i>		16	<i>I</i>	<i>I</i>	<i>I</i>		16	<i>I</i>	<i>I</i>	<i>I</i>		16
			<i>I</i>		14			<i>I</i>		12	<i>I</i>	<i>I</i>	<i>I</i>		16
North Carolina . . . . .	<i>I</i>	<i>I</i>	<i>I</i>		16	<i>I</i>	<i>I</i>	<i>I</i>		16					13
North Dakota . . . . .		<i>I</i>			14		<i>I</i>			14		<i>I</i>			14
											<i>I</i>	<i>I</i>			16
Ohio . . . . .	<i>I</i>	<i>I</i>			14	<i>I</i>				14	<i>I</i>				14
			<i>I</i>	<i>I</i>	16			<i>I</i>	<i>I</i>	16			<i>I</i>	<i>I</i>	16
Oklahoma . . . . .												<i>I</i>	<i>I</i>		16
Oregon . . . . .								<i>I</i>		16	<i>I</i>	<i>I</i>	<i>I</i>		16
Pennsylvania . . . . .		<i>I</i>	<i>I</i>	<i>I</i>	16		<i>I</i>	<i>I</i>		16	<i>I</i>	<i>I</i>	<i>I</i>		16
												<i>I</i>			16
Porto Rico . . . . .															
Rhode Island . . . . .	<i>I</i>	<i>I</i>			15										
South Carolina . . . . .							<i>I</i>	<i>I</i>		12		<i>I</i>	<i>I</i>		12
South Dakota . . . . .		<i>I</i>			14		<i>I</i>			14		<i>I</i>			14
Tennessee . . . . .															
Texas . . . . .								<i>I</i>		14			<i>I</i>		14
Utah . . . . .															
Vermont . . . . .			<i>I</i>		<i>I</i>		<i>I</i>			16		<i>I</i>			16
		<i>I</i>			15										
Virginia . . . . .															
Washington . . . . .	<i>I</i>	<i>I</i>			15	<i>I</i>	<i>I</i>			15	<i>I</i>				15
			<i>I</i>		16			<i>I</i>		16					
West Virginia . . . . .															
Wisconsin . . . . .											<i>I</i>	<i>I</i>			14
													<i>I</i>		16
Wyoming . . . . .															

<sup>1</sup> Wherever, in the table, two or more marks, *i*, are in italics, it means that any one of the educational requirements indicated by the italicized marks will sufficiently qualify a child for work.



## EDUCATIONAL REQUIREMENTS BY OCCUPATION GROUPS

The question next arises as to what occupations are affected by these educational phases of the laws. Many concern approximately the same groups of occupations or the same combinations of groups that the other phases of a child-labor law affect. Those laws that are enacted for the sole and specific purpose of regulating the schooling of the children usually concern only the manufacturing industries or more probably refer only to any gainful occupation. There are more educational requirements that are applicable to mining than would ordinarily be supposed. These are found not only in the general child-labor laws, but in enactments which regulate the many details of mining and mining inspection. The ability to read and write is usually the sort of requirement that applies to children employed in mines. The dangerous occupations are little affected. No presentation is made with reference to what occupation groups the provisions in each state apply, but the summary of the provisions that affect each occupation group is shown in Table LI. In interpreting this table it should be remembered that a provision may apply to more than one occupation group, and consequently each provision is counted more than once. The last line of data in this table shows the total number of provisions existing at the various periods. By comparing with this data, each of the other lines showing the number of provisions affecting each occupation group, relative progress may be estimated. About one-half of all the provisions apply to manufacturing, except in the early years, when the proportion was slightly more. Legislation touching the mercantile pursuits has increased considerably during the last fifteen years. About one-third of the provisions relate to any gainful occupation. In the very early years the manufacturing group was almost the only one affected.

TABLE LI.—SUMMARY OF THE NUMBERS OF EDUCATIONAL-REQUIREMENT PROVISIONS AFFECTING EACH OCCUPATION GROUP AND ANY OCCUPATION GROUP

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Occupation Group A.—Manufacturing .....	8	11	13	14	19	18	32
Occupation Group B.—Mercantile .....	..	1	3	5	11	12	20
Occupation Group C.—Hotels, offices, etc. ....	..	..	1	1	..	2	7
Occupation Group D.—Street trades.....	..	..	1	2	3	4	10
Occupation Group E.—Mining .....	2	3	7	9	8	8	18
Occupation Group F.—Any gainful occupation .....	2	3	10	16	13	16	20
Occupation Group G.—Dangerous occupations .....	..	..	2	2	3	3	4
Any Occupation Group.....	12	16	28	33	36	39	60

#### EXEMPTIONS TO EDUCATIONAL REQUIREMENTS

In Table LII are presented the various classes of exemptions which qualify each of the state's laws for each of the five-year periods. The exemptions tabulated here have as their basis, not the number of provisions but the number of laws, so that the total number of exemptions should be compared not with the total number of provisions but with the total number of laws. In Table LIII, the total number of each class of exemptions is tabulated for each period. The most frequent exemption is that permitting children without educational qualifications to be employed when school is not in session. This has at all times been the most frequent modification and has kept pace with the growth in the number of the laws. Several states permit poor and destitute children to be employed contrary to the rule. Some states also stipulate that farm and domestic labor shall not be affected. There are one or two states that permit children to work without attending at the same time a night school because their health is not strong enough to do both. The tendency to make different educational requirements for children in cities of different sizes is due almost entirely to New York's example. The total number of exemptions has increased at about the same rate as the total number of laws.

TABLE LII.—CLASSIFIED EXEMPTIONS TO EDUCATIONAL REQUIREMENTS BY STATES<sup>1</sup>

a. In vacation. b. During hours out of school. c. During specified times. d. Orphans. e. Children of widows. f. Children of disabled parents, g. Farm labor. h. Domestic labor. i. Labor on perishable goods. n. By special permit. o. Because of physical health. p. Miscellaneous. q. Certain counties. r. Cities of certain sizes.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama . . . . .	.	.	.	.	.	.	.
Alaska . . . . .	.	.	.	.	.	.	.
Arizona . . . . .	.	.	.	.	.	.	b. o.
Arkansas . . . . .	.	.	.	.	.	.	b. i. q.
California . . . . .	.	.	.	.	.	.	b. g. h.
Colorado . . . . .	.	.	a. b.	a. b.	a.	a.	a.
Connecticut . . . . .	.	.	p.	p.	p.	p.	p.
Delaware . . . . .	.	.	.	.	.	.	g. h. i.
District of Columbia . . . . .	.	.	.	.	.	.	n.
Florida . . . . .	.	.	.	.	.	.	.
Georgia . . . . .	.	.	.	.	.	.	.
Hawaii . . . . .	.	.	.	.	.	.	.
Idaho . . . . .	.	.	.	.	.	.	a.
Illinois . . . . .	.	.	.	.	.	.	.
Indiana . . . . .	.	.	.	.	a.	a.	a.
Indian Territory . . . . .	.	.	.	.	.	.	.
Maine . . . . .	.	.	a. i.	a. i.	a. i.	a. i.	b. i.
Maryland . . . . .	.	.	.	.	.	.	g.
Massachusetts . . . . .	b.	b.	a.	a. e. f. n.	o.	o.	b. i.
Minnesota . . . . .	.	.	.	.	a. b. e. f.	a. b. e. f.	a. d. e. f.
Missouri . . . . .	.	.	.	.	.	.	d. e. f.
Montana . . . . .	.	.	.	.	.	a.	a.
Nebraska . . . . .	.	.	.	.	a.	a.	.
Nevada . . . . .	.	.	.	.	.	.	e. f.
New Hampshire . . . . .	.	.	.	.	.	a. o.	a. o.
New York . . . . .	b.	b.	a.	a.	a. r.	r. r.	r. r. r. r.
North Dakota . . . . .	.	.	.	b. e. f. h.	b. e. f. h.	b. e. f. h.	b. e. f. h.
Ohio . . . . .	.	.	a.	a.	a.	a.	a.
Rhode Island . . . . .	c.	a.	a. n.	a.	a.	a.	a.
South Carolina . . . . .	.	.	.	.	.	c.	c.
South Dakota . . . . .	.	.	.	b. g. h.	b. g. h.	b. g. h.	b. g. h.
Texas . . . . .	.	.	.	.	.	e. f.	e. f.
Vermont . . . . .	.	.	.	a. b.	a. b.	.	a. b.
Washington . . . . .	.	.	.	.	a. r.	a. r.	a.
Wisconsin . . . . .	.	.	.	.	.	.	g. r.

<sup>1</sup>The following states, each of which possesses no exemptions to educational requirements, are omitted from the list in the table: Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, New Jersey, New Mexico, North Carolina, Oklahoma, Oregon, Pennsylvania, Porto Rico, Tennessee, Utah, Virginia, West Virginia, Wyoming.

TABLE LIII. CLASSIFIED SUMMARY OF THE NUMBER OF EXEMPTIONS TO EDUCATIONAL REQUIREMENTS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Exemption a.—In vacation .....	..	1	6	7	10	10	10
Exemption b.—During hours out of school...	2	2	1	4	4	3	8
Exemption c.—During specified times .....	1	..	..	..	..	1	1
Exemption d.—Orphans .....	..	..	..	..	..	..	2
Exemption e.—Children of widows .....	..	..	..	2	2	3	5
Exemption f.—Children of disabled parents..	..	..	..	2	2	3	5
Exemption g.—Farm labor.....	..	..	..	1	1	1	5
Exemption h.—Domestic labor .....	..	..	..	2	2	2	4
Exemption i.—Labor on perishable goods ...	..	..	1	1	1	1	4
Exemption j.—Labor on rush goods.....	..	..	..	..	..	..	..
Exemption k.—To make repairs.....	..	..	..	..	..	..	..
Exemption l.—To shorten last day .....	..	..	..	..	..	..	..
Exemption m.—To make up lost time .....	..	..	..	..	..	..	..
Exemption n.—By special permit .....	..	..	1	1	..	..	1
Exemption o.—Because of physical health ...	..	..	..	..	1	2	2
Exemption p.—Miscellaneous .....	..	..	1	1	1	1	1
Exemption q.—Certain counties.....	..	..	..	..	..	..	1
Exemption r.—Cities of certain sizes .....	..	..	..	..	2	3	5

## AVERAGE AGE LIMITS

The average age limit for educational requirements, in 1909, was 15 years and 6 months, while, in 1879, it was 14 years and 3 months. Its course of development has been one of almost continuous increase. The average age limit for educational requirements is higher than the average general age limit but lower than the average age limit for hours of labor. The age limit which most of the educational regulations set was 14 years for the first twenty years studied, but for the last fifteen years it has been 16 years. These data are presented in Table LIV. The averages in this table are arithmetic averages derived from the data in Table L, each age limit there being taken as a unit.

TABLE LIV.—AVERAGE AGE LIMITS AND TYPICAL AGE LIMITS IN EDUCATIONAL REQUIREMENTS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Number of cases . . . .	12	16	28	33	36	39	60
Average age limits . . . .	14.25	14.44	14.64	14.45	14.92	15.23	15.55
Typical age limits . . . .	14	14	14	14	16	16	16

NUMBERS OF THE DIFFERENT CLASSES AND OF THE  
DIFFERENT PROVISIONS

It is seen from Table LV what classes of requirements are most often stipulated by the provisions. In the 80's and 90's there were more qualifications regarding attendance at school than of any other provision. Since 1900 there has been more insistence on ability to read and write than upon any other requirement. It should be remembered, however, that many states require attendance at schools or work in specified studies at the same time that they demand ability to read and write. The number of provisions, then, whose sole requirement is ability to read and write, is much smaller than the number of provisions that possess this requirement; it is, in fact, only about one-third as many. The like holds true of each of the other classes of educational requirements. The last line in this table presents the total number of provisions in existence in each period; by comparing with these data the numbers of the various classes, the relative progress of each class can be estimated. The completion of specified studies has been prominent as a qualification throughout the period, but especially so during the last five years. During this period the number has more than doubled, while the total number of provisions has increased by only one-

third. There have been very few provisions requiring attendance at night school, but the increase in the number of instances of this requirement has been as rapid as the increase in the total number of provisions.

The information in the table which has just been discussed does not show how many states possess each of the classes, because a state may have more than one law, and a law may have more than one provision. For this reason it is desirable to present the total numbers of states that possessed each class of requirements. This has been done in Table LVI. This table calls for no special explanation, since what has been said regarding the former table applies in the main to this one.

TOTAL LV.—TOTAL NUMBERS OF EACH CLASS OF EDUCATIONAL REQUIREMENTS AND THE TOTAL NUMBERS OF PROVISIONS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Curriculum . . . . .	4	4	8	7	10	11	23
Attendance . . . . .	9	12	19	22	21	16	32
Read and write . . . . .	4	5	10	12	17	25	36
Night school . . . . .	.	.	1	5	5	6	9
Total number of provisions	12	16	28	33	36	39	60

TABLE LVI.—TOTAL NUMBERS OF STATES POSSESSING EACH CLASS OF EDUCATIONAL REQUIREMENTS AND THE TOTAL NUMBERS OF STATES POSSESSING ANY CLASS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Curriculum . . . . .	3	2	6	5	9	9	19
Attendance . . . . .	7	9	13	15	15	13	24
Read and write . . . . .	4	5	8	10	13	20	27
Night school . . . . .	.	.	1	3	5	6	9
Total number of states . .	10	12	17	19	21	25	37

Since that part of a child-labor law which requires some education of children before they may be employed is quite likely to include more than one of the classes of requirements, it is proper to ask what classes they tend to require in the individual child-labor laws; just what combinations of these classes occur in the various laws. Are there certain combinations of these classes that most of the laws tend to adopt in their provisions? What then are the distinct forms of the educational-requirements provisions? What different kinds are there? How often do these different kinds occur from time to time? What are their tendencies? The answers to these questions are to be found in Table LVII. It appears from this table that there are fifteen different kinds of educational requirement provisions, that some are closely alike and some different, and that they occur with different frequencies. Which of these different kinds is the typical one? Looking at the year 1909, there seems to have been no clearly defined tendency. There are 14 provisions whose sole requirement is ability to read and write, and 12 whose sole requirement is the completion of specified attendance. But in these two kinds of provisions, whose frequencies are large, there has been little or no increase in the last ten or fifteen years. The kind that has increased most in later years is that one which requires attendance, a curriculum, and ability to read and write. In this case it would seem that the requirement to be able to read and write is added for the sake of emphasis only, as the required curriculum implies ability to read and write. If this be so, then this kind is virtually the same as the kind which includes only required attendance and curriculum. There are, then, 14 of this kind; and since it has been increasing in use in the later years, it would seem that this might be called

the typical kind of educational requirement provision. The other different kinds are small in number. The requirement of ability to read and write and to attend night school has occurred in 6 provisions. The only kinds that have been continuously adopted throughout the thirty years studied are those mentioned above as being most frequent.

Just as the educational requirement provisions are different, so the complete status of a state in its educational requirements is different from that of some other state. The numbers of the different provisions are different from the numbers of the different statuses of the states, as a state may have more than one kind of provision. Table LVIII affords this information. It is observed that only a few states possess only one class of requirements. This table calls for no special comment, since the remarks concerning the previous table apply in the main to this one.

TABLE LVII.—NUMBERS OF THE DIFFERENT KINDS OF EDUCATIONAL-REQUIREMENT PROVISIONS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Curriculum .....	..	..	..	..	..	2	6
Attendance .....	5	8	11	13	11	5	12
Read and write .....	3	4	8	8	10	14	14
Night school .....	..	..	..	1	1	1	1
Curriculum and attendance.....	3	3	5	5	5	4	5
Curriculum or attendance .....	..	..	2	2	2	2	..
Attendance, and read and write.....	..	..	..	..	..	3	4
Curriculum, attendance, and read and write..	1	1	1	..	2	2	9
Curriculum, attendance, read and write, and night school .....	..	..	..	..	..	..	1
Curriculum, attendance, read and write, or night school .....	..	..	..	..	..	..	1
Read and write, and night school.....	..	..	1	1	1	2	3
Read and write, or night school .....	..	..	..	1	2	3	3
Curriculum, and read and write.....	..	..	..	..	1	1	1
Attendance, read and write, or night school...	..	..	..	2	..	..	..
Attendance, or read and write, or night school.	..	..	..	..	1	..	..



TABLE LVIII.—NUMBERS OF THE DIFFERENT STATUSES OF THE STATES IN EDUCATIONAL REQUIREMENTS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Curriculum .....	..	..	..	..	..	..	2
Attendance .....	4	6	5	5	3	3	5
Read and write .....	3	3	4	4	5	6	4
Night school .....	..	..	..	..	..	..	..
Curriculum and attendance.....	2	1	2	2	2	1	3
Curriculum or attendance .....	..	..	2	2	2	2	..
Attendance, and read and write.....	..	1	1	2	1	3	5
Curriculum, attendance and read and write...	1	1	1	1	2	2	7
Curriculum, attendance, read and write, and night school .....	..	..	..	..	1	..	1
Curriculum, attendance, read and write, or night school .....	..	..	..	..	1	1	3
Read and write, and night school .....	..	..	1	..	1	2	3
Read and write, or night school .....	..	..	..	..	..	1	1
Curriculum, and read and write .....	..	..	..	..	1	2	2
Curriculum, read and write, and night school.	..	..	..	..	..	1	1
Attendance, read and write, or night school...	..	..	1	1	..	..	..
Attendance, read and write, or night school ..	..	..	..	2	1	1	..
Attendance, or read and write, or night school.	..	..	..	..	1	..	..

PROGRESS IN THE TOTAL NUMBERS OF STATES POSSESSING  
EDUCATIONAL REQUIREMENTS

It is desirable to know how many states at each period possessed an educational requirement. In 1879, there were 10 states. In 1909, there were 37, nearly four times as many. The greatest progress has been in the last five years. The second line of the table shows the number of states that possessed a provision or provisions requiring children to qualify in either attendance or in curriculum or both and omitting those states whose sole qualification was that of ability to read and write or attendance at night school or both. The progress, by states, in educational requirements has not been as great as that in general age limits, but has been almost equal to that in hours of labor.

TABLE LIX. THE TOTAL NUMBER OF STATES, AT EACH FIVE-YEAR PERIOD, POSSESSING EDUCATIONAL-REQUIREMENT PROVISIONS

Nature of the requirement.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Any .....	10	12	17	19	21	25	37
Curriculum, attendance .....	7	9	13	15	16	16	29

## CHAPTER VI

### WORKING PAPERS

#### CLASSES OF WORKING PAPERS DEFINED

THE presentation of the data and results on the working-paper requirements of the child-labor laws follows the same method which was used in presenting the information on educational requirements, inasmuch as the essential results shown in regard to educational requirements are of the same character as those shown in regard to working papers. To avoid repetition the method of presentation used will not be set forth in this place.

Working papers usually either tell the age of the child or give evidence of its schooling or both. Other items are sometimes included. Important among these is the statement by a physician of the child's physical fitness for labor. The working papers first adopted were simple in their content: now, however, the more advanced states demand rather full and detailed statements. They require a description of the physical features of each child, such as, color of hair, color of eyes, complexion, height, etc. Furthermore the statement regarding age must be based upon authoritative evidence, such as baptismal records, and the like. A statement of the child's birth-place, place of residence, and the names of parents is also required. Most laws require adequate working papers prior to and during employment and provide that they be placed on an accessible file. But some of the laws, especially in earlier years, required only that the employer

produce a certificate showing the age of a child when there was doubt concerning its age, or simply gave authority to an inspector or some other party to demand an employment certificate.

It is important to note what authorities sign these papers for the source of the certificates is taken as the basis for a differentiation and classification of the different working papers. On this basis four classes have been made.

*School authorities.*—Certificates issued by any school authority constitute one class. Such certificates are issued by the school board, by a school committee, by the clerk of the board of school trustees, or, more commonly, by the school principal or the school superintendent, or by any other authoritative person connected with the schools. In many of the earlier laws authorizing school authorities to issue certificates, a special educational law was used rather than the more common general child-labor law. In later years certificates have been issued under both kinds of laws.

*Parents.*—This class of working papers includes those issued or signed by a parent, parents, guardian, or some person standing in the relation of a parent. Cases where baptismal record, passport, or record of birth are demanded, are also included under this head. The evidence furnished by the parent may be orally sworn, or it may be written, or both.

*Inspectors.*—Recently some states have intrusted the issuing of working papers to the regularly appointed factory inspectors. In these cases it is often stipulated that evidence be accurately ascertained from either parents or school authorities, or both; but the responsibility for issuing lies with the inspectors. There are a few cases where the issuing of papers is intrusted to health in-

spectors or to health authorities. Such cases also are tabulated in this category. It should be noted that they are different from cases in which the physician certifies to physical fitness for labor.

*Other authorities.*—This class is miscellaneous, as, outside of the categories mentioned above, the laws exhibit little uniformity in the class of authorities specified. Such authorities may be the state labor department, the county judge, the town clerk, the registrar of births and deaths, the juvenile court judge, the bureau of statistics, or the commissioner of agriculture. Included in this class also are those papers in which the authority issuing is not specified.

That section of a child-labor law which regulates the issuing of working papers may require that a certificate be issued or signed by more than one of the above-named authorities. The complete and distinct statement in an enactment of the working-paper requirements is designated throughout this chapter as a provision. A single legislative enactment may possess more than one provision, though this is not usually the case. Several states have more than one law with working-paper provisions. The working-paper requirements of a state constitute the complete status of a state in this respect.

#### WORKING-PAPER REQUIREMENTS BY STATES

In Table LX is shown the status of each state in classes and provisions of working papers. The age limits of the children affected are also included. Each line in the table possessing the mark, 1, indicates the possession of a working-paper provision by the state designated. A provision often requires the signature of more than one class of authorities. Most of the laws which provide for working papers require them prior to

employment. There are, however, many cases in which it seems that a child may be employed without actually presenting at the time of employment properly-signed certificates. The usual wording of the law regarding such cases is that the inspector may demand or may require a certificate; or that, when there is doubt regarding the age of a child, a certificate may or shall be required. From the point of view of enforcement, such cases are very different from those in which certificates are required prior to employment. This difference is indicated in the table by italicizing the marks indicating the former cases.

There are several cases where it is doubtful what are the lowest ages at which children are exempt from the necessity of presenting working papers. In these cases no age limit is specified in the laws and the determination of age limits, therefore, depends entirely upon the interpretation put upon the word, "child." Two interpretations are possible. "Child" may mean (1) any person under twenty-one years of age, or (2) any person under the age limit set in the educational qualifications. It is important to decide which of these interpretations is to be used, as there are sufficiently numerous cases and the discrepancies sufficiently great to make a material difference in the average age limits. In the text of the law it seems that the age limit set for the term, "child," as used in this case, is the same as that set as an age limit in educational requirements. It does not seem probable that the legislature intended that when the general age limit is not more than 14 years, children should present certificates until they were 21 years of age. Besides, where the age limit has been definitely stated, there is no instance of its being so high as 21 years. We seem justified, then, in abandoning the interpretation

that the age limit for working papers in these cases is 21 years and in adopting the interpretation that the age limit is the same as that set in educational requirements. When both these age limits are specifically set they are usually the same. A very few cases appear in the tables in which no age limit is tabulated. In these cases it could not be ascertained what age limit was implied or whether any age limit was implied at all. In laws in which the age limit is set at "about 14 years" or "about 16 years," the age limits have been tabulated as 14 years and 16 years. Two age limits sometimes occur in a single provision, because a single working-paper-requirement provision applies two educational-requirement provisions, or because two classes of children are affected. The appearance of so great a number of provisions is explained on the same grounds mentioned in the case of educational requirements. The purpose of Table LX is to furnish detailed information regarding each state; for this reason it calls for no further comment than the necessary explanations.

TABLE LX. CLASSIFIED WORKING-PAPERS REQUIREMENTS BY STATES<sup>1</sup>\*

	1879.					1884.					1889.					1894.				
	School authorities.	Parents.	Inspectors.	Other authorities.	Age limit.	School authorities.	Parents.	Inspectors.	Other authorities.	Age limit.	School authorities.	Parents.	Inspectors.	Other authorities.	Age limit.	School authorities.	Parents.	Inspectors.	Other authorities.	Age limit.
California .....	..	..	..	..	..	..	..	..	..	..	..	I	..	..	16	..	I	..	..	16
Colorado .....	..	..	..	..	..	..	..	..	..	..	..	I	..	..	14	..	I	..	..	14
Connecticut .....	..	..	..	..	..	I	I	..	..	14	..	I	I	..	14	..	I	I	..	14
											I	I	..	..	13	..	I	..	..	13
											I	..	..	..	16	..	I	..	..	16
											..	..	..	..	16	..	..	..	..	16
Illinois .....	..	..	..	..	..	..	..	..	..	..	..	I	..	..	16	..	I	..	..	16
															..	..	I	..	..	16
															..	..	I	..	..	13
Indiana .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	I	..	..	14
Iowa .....	..	..	..	..	..	..	I	..	..	..	..	I	..	..	..	..	I	..	..	..
Kansas .....	..	..	..	..	..	I	..	..	..	16	..	I	..	..	16	..	I	..	..	16
Louisiana .....	..	..	..	..	..	..	..	..	..	..	..	I	..	..	14	..	I	..	..	14
Maine .....	I	..	..	..	12, 15	I	..	..	..	12, 15	..	I	..	..	16	..	I	..	..	16
Massachusetts ..	I	..	..	..	14	I	I	..	..	16	I	I	..	..	14	I	I	..	..	14, 16
												I	..	..	16	..	..	..	..	..
Michigan .....	..	..	..	..	..	I	..	..	..	14	..	I	..	..	14	..	I	..	..	14
												I	..	..	14	..	I	..	..	14
															..	..	I	..	..	16
New Hampshire	I	..	..	..	15	I	..	..	..	16	..	I	..	..	16	..	I	..	..	16
											I	..	..	..	18	..	I	..	..	18
New Jersey .....	..	..	..	..	..	I	..	..	..	15	..	I	..	..	15	..	I	..	..	15
New York .....	I	..	..	..	14	I	..	..	..	14	..	I	..	..	14	..	I	..	..	14
												I	..	..	16	..	I	..	..	16
North Dakota ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	I	..	..	14
Ohio .....	..	..	..	..	..	..	..	..	..	..	..	I	..	..	16	..	I	..	..	16
												I	..	..	14	..	I	..	..	14
Pennsylvania ..	..	..	..	I	14	..	I	..	..	14	..	I	..	..	16	..	I	..	..	16
												I	..	..	16	..	I	..	..	16
															..	..	I	..	..	16
Rhode Island ..	..	..	..	..	..	I	..	..	..	14	..	I	..	..	15	..	I	..	..	15
															..	..	I	..	..	16
South Dakota ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	I	..	..	14
Tennessee .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	I	..	..	12
Vermont .....	..	..	..	..	..	..	..	..	..	..	..	I	..	..	14	..	I	..	..	15
Washington .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	I	..	..	14
West Virginia ..	..	..	..	..	..	..	..	..	..	..	..	I	..	..	..	..	I	..	..	..
Wisconsin .....	..	..	..	..	..	..	..	..	..	..	..	..	..	I	13	..	..	..	I	13

<sup>1</sup> Where the mark, *I*, is italicized, it means that the kind of working papers designated is not necessarily required to be filed prior to employment, but may be demanded; or that, only when there is doubt concerning the age, papers are required.

\* The following states, each of which has no working-papers-requirements provisions, are omitted from the list in the table: Alabama, Alaska, Arizona, Arkansas, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indian Territory, Kentucky, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, Oregon, Porto Rico, South Carolina, Texas, Utah, Virginia, Wyoming.

TABLE LX. CLASSIFIED WORKING-PAPERS REQUIREMENTS BY STATES.—  
Continued <sup>1</sup>\*

	1899.				1904.				1909.				
	School authorities.	Parents.	Inspectors.	Other authorities.	School authorities.	Parents.	Inspectors.	Other authorities.	School authorities.	Parents.	Inspectors.	Other authorities.	Age limit.
Alabama . . . . .	.	.	.	.	.	I	.	14	.	I	.	.	18
Arkansas . . . . .	.	.	.	.	.	I	.	14	.	I	.	.	14
California . . . . .	.	I	.	16	.	I	.	16	I	I	.	.	16
Colorado . . . . .	I	.	.	14	I	.	.	14	I	.	.	.	14
Connecticut . . . . .	I	.	.	14	I	.	.	16	I	.	.	I	14
	I	.	.	16	I	.	.	16	I	.	.	I	16
		<i>I</i>	.	16		<i>I</i>	.	16			.		.
Delaware . . . . .	.	.	.	.	.	.	.	.	I	I	.	.	16
District of Columbia . . . . .	.	.	.	.	.	.	.	.	I	I	.	.	16
Florida . . . . .	.	.	.	.	.	.	.	.	.	I	.	I	12
Georgia . . . . .	.	.	.	.	.	.	.	.	.	I	.	.	14, 16
Idaho . . . . .	.	.	.	.	.	.	.	.	.	I	.	I	16
Illinois . . . . .	.	I	.	16	I	I	.	16	I	I	.	.	16
	.	I	.	16	.	I	.	16	.	I	.	.	16
	.	I	.	16	.	I	.	16	.	I	.	.	16
Indiana . . . . .	I	.	.	13	.	I	.	16	.	I	.	.	16
	.	<i>I</i>	.	14	<i>I</i>	.	.	14	<i>I</i>	.	.	.	16
	.	I	.	16	.	I	.	16	.	I	.	.	16
Iowa . . . . .	.	<i>I</i>	.	.	.	<i>I</i>	.	.	.	<i>I</i>	.	.	.
Kansas . . . . .	I	.	.	16	I	.	.	16	I	<i>I</i>	.	I	16
									I	I	.	.	16
Kentucky . . . . .	.	.	.	.	.	I	.	16	I	I	.	.	16
Louisiana . . . . .	I	.	.	14	I	.	.	14	I	I	I	.	16
Maine . . . . .	.	I	.	16	.	I	.	16	I	I	.	.	16
Maryland . . . . .	.	.	.	.	.	.	.	.	.	.	I	I	16
Massachusetts . . . . .	I	I	.	16	I	I	.	16	I	I	.	.	16
Michigan . . . . .	.	I	.	16	.	I	.	16	.	.	.	.	.
	.	I	.	14	.	I	.	14	I	I	.	I	16
Minnesota . . . . .	I	I	.	16	I	I	.	16	I	I	.	.	16
Mississippi . . . . .	.	.	.	.	.	.	.	.	.	I	.	.	16
Missouri . . . . .	.	.	.	.	.	.	.	.	.	.	I	I	16
Montana . . . . .	.	.	.	.	I	.	.	16	I	.	.	.	16
	.	.	.	.	I	.	.	14	I	.	.	.	14
	.	.	.	.	.	.	.	.	.	.	I	.	18

<sup>1</sup> Where the mark, *i*, is italicized, it means that the kind of working papers designated is not necessarily required to be filed prior to employment, but may be demanded; or that, only when there is doubt concerning the age, papers are required.

\* The following states, each of which has no working-paper requirements, are omitted from the list in the table: Alaska, Arizona, Hawaii, Indian Territory.



TABLE LX. CLASSIFIED WORKING-PAPERS REQUIREMENTS BY STATES --  
*Concluded* <sup>1\*</sup>

	1899.				1904.				1909.			
	School authorities. Parents.	Inspectors.	Other authorities.	Age limit.	School authorities. Parents.	Inspectors.	Other authorities.	Age limit.	School authorities. Parents.	Inspectors.	Other authorities.	Age limit.
Nebraska . . . . .	I . . . .			16	I . . . .			16	I I . . .			16
	I . . . .			14	I . . . .			14	. . . . .			.
New Hampshire . . .	. I . . .			18	. I . . .			18	. . I . . .			18
	I . . . .			16	I I . . .			16	I I . . .			16
New Jersey . . . . .	I . . . .			15	. I . . .			16	. I . . . I			16
									I . . . .			16
New York . . . . .	I . . . .			14	I . . . .			16	I I . . .			14
	I I . . .			16	I I . . .			14	I I I . .			16
					I I I . .			16	I I I . .			16
									I . . . .			16
									I I I . .			16
North Carolina . . .					. I . . .			14	. I . . .			14, 15
North Dakota . . . .	I . . . .			14	I . . . .			14	I . . . .			14
									I I . . .			16
Ohio . . . . .			I	16, 17			I	16			I	16
	I . . . .			16	I . . . .			14, 16	I . . . .			14, 16
			I	18			I	18			I	16, 18
	I . . . .			14	I . . . .			16	I . . . .			16
Oklahoma . . . . .									I I . . .			16
									. I . . .			16
Oregon . . . . .					. I . . .			16	I I . . .			16
Pennsylvania . . . .	. I . . .			16	. I . . .			16	I I . . .			16
	I . . . .			16	. I . . .			16	I I . . .			16
Rhode Island . . . .			I	16			I	16	I . . . .			16
	I . . . .			15	I . . . .			15	I . . . .			15
South Carolina . . .					. I . . .			12	. I . . .			12
									I . . . .			14
South Dakota . . . .	I . . . .			14	I . . . .			14	I . . . .			14
Tennessee . . . . .	. I . . .			12	. I . . .			14	. I . . .			14
Vermont . . . . .	I . . . .			15	I . . . .			16	I . . . .			16
Washington . . . . .	I . . . .			15	I . . . .			15	I . . . .			15
	. I . . .			14	. I . . .			14	. I . . .			.
West Virginia . . . .	. I . . .			.	. I . . .			.	. I . . .			.
Wisconsin . . . . .	. I . . .			16	. I I I .			16	I I I I .			16
									I I I I .			14
									I I I I .			14

<sup>1</sup> Where the mark, *i*, is italicized, it means that the kind of working papers designated is not necessarily required to be filed prior to employment, but may be demanded; or that, only when there is doubt concerning the age, papers are required.

\* The following states, each of which has no working-paper requirements, are omitted from the list in the table: Nevada, New Mexico, Porto Rico, Texas, Utah, Virginia, Wyoming.

THE OCCUPATIONS IN WHICH WORKING PAPERS ARE  
REQUIRED

The distribution of occupations in which working papers are required is very nearly the same as that in which educational qualifications are demanded. As usual manufacturing affords the greatest number of instances throughout the period studied. With respect to mercantile pursuits, street trades, employment in hotels, theatres, etc., there is not much child-labor legislation. Most of the laws, however, that apply to such occupations require working papers, as only the most advanced child-labor laws affect these employments and only the most advanced legislation requires working papers. The amount of legislation requiring working papers in mining and the dangerous occupations is much smaller than that involving educational requirements. Table LXI shows the extent to which each occupation group is affected by the requirement of working papers. The last line of this table shows the total number of provisions requiring working papers at any one period, and by comparison of any preceding line with this data the relative progress in regard to each occupation group may be estimated. In studying this table it should be remembered that a single provision may apply to more than one employment group.

TABLE LXI. SUMMARY OF THE NUMBERS OF WORKING-PAPERS REQUIREMENT  
PROVISIONS AFFECTING EACH OCCUPATION GROUP AND ANY  
OCCUPATION GROUP

	1879.	1884.	1889.	1894.	1899	1904.	1909.
Occupation Group A.—Manufacturing .....	3	5	15	22	28	33	43
Occupation Group B.—Mercantile .....	1	..	8	12	20	22	29
Occupation Group C.—Hotels, offices, etc. ....	..	..	..	1	1	5	18
Occupation Group D.—Street trades .....	..	..	1	2	5	7	20
Occupation Group E.—Mining . . . . .	1	4	6	13	11	15	20
Occupation Group F.—Any gainful occupation .....	1	3	6	9	9	10	19
Occupation Group G.—Dangerous occupations .....	..	..	1	2	3	6	14
Any Occupation Group .....	5	11	27	38	43	52	70

## EXEMPTIONS

The most striking fact about the exemptions that qualify this phase of the child-labor laws, as presented in Tables LXII and LXIII, is their scarcity. There are no special exemptions peculiar to the requirement of working papers. To the requiring of a statement of the age of children employed there would seem to be no reason for excepting any cases other than those cases which are exempted from the operation of all of the phases of the law. To the requiring of a statement of the schooling of children, there would also seem to be no reason why there should be any exceptions other than those for educational requirements. That there are any exemptions to working papers is usually due to the fact that in some laws it is stated that all of the provisions of the law are inoperative in certain cases. This would seem to include the requiring of working papers. For instance, in vacation children may work without the usual educational requirement, and consequently without the certificate stating that educational requirements have been fulfilled. So also, since children may be employed in domestic and in farm labor under the age limit, it is not necessary that an age certificate be presented in these occupations. The tables, then, are indicative of the exemptions that apply to the laws, each law taken as a whole.

TABLE LXII. CLASSIFIED EXEMPTIONS TO WORKING-PAPERS REQUIREMENTS  
BY STATES<sup>1</sup>

a. In vacation. b. During hours out of school. c. During specified times.  
d. Orphans. e. Children of widows. f. Children of disabled parents. g. Farm  
labor. h. Domestic labor. i. Labor on perishable goods. n. By special per-  
mit. q. Certain counties. r. Cities of certain sizes.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama . . . . .	.	.	.	.	.	.	.
Alaska . . . . .	.	.	.	.	.	.	.
Arizona . . . . .	.	.	.	.	.	.	.
Arkansas . . . . .	.	.	.	.	.	.	b. i. q.
California . . . . .	.	.	.	.	.	.	g. h.
Colorado . . . . .	.	.	a. b.	a. b.	a.	a.	a.
Connecticut . . . . .	.	.	.	.	.	.	.
Delaware . . . . .	.	.	.	.	.	.	g. h. i.
Dist. of Columbia.	.	.	.	.	.	.	.
Florida . . . . .	.	.	.	.	.	.	c. g. h.
Georgia . . . . .	.	.	.	.	.	.	.
Hawaii . . . . .	.	.	.	.	.	.	.
Idaho . . . . .	.	.	.	.	.	.	.
Illinois . . . . .	.	.	.	.	.	.	.
Indiana . . . . .	.	.	.	.	.	.	.
Indian Territory . . . . .	.	.	.	.	.	.	.
Iowa . . . . .	.	.	.	.	.	.	.
Louisiana . . . . .	.	.	.	.	.	.	g. h.
Maine . . . . .	.	.	i.	i.	i.	i.	.
Maryland . . . . .	.	.	.	.	.	.	g.
Massachusetts . . . . .	b.	b.	a.	a.	.	.	.
Minnesota . . . . .	.	.	.	.	.	.	a. d. e. f.
Missouri . . . . .	.	.	.	.	.	.	d. e. f.
Montana . . . . .	.	.	.	.	.	a.	a.
Nebraska . . . . .	.	.	.	.	a.	a.	.
New Hampshire . . . . .	.	.	.	.	.	a.	a.
New York . . . . .	b.	b.	.	.	r.	r. r.	r. r. r. r.
North Dakota . . . . .	.	.	.	b. e. f. h.	b. e. f. h.	b. e. f. h.	b. e. f. h.
Ohio . . . . .	.	.	.	.	.	a.	a.
Pennsylvania . . . . .	.	.	.	c.	.	.	.
Rhode Island . . . . .	.	a.	a. n.	a.	a.	a.	a.
South Dakota . . . . .	.	.	.	b. g. h.	b. g. h.	b. g. h.	b. g. h.
Vermont . . . . .	.	.	.	.	.	.	a. b.
Washington . . . . .	.	.	.	.	a. r.	a. r.	a.
Wisconsin . . . . .	.	.	.	.	.	.	g. n.

<sup>1</sup> The following states, each of which possess no exemptions to working-papers requirements, are omitted from the list in the table: Kansas, Kentucky, Michigan, Mississippi, Nevada, New Jersey, New Mexico, North Carolina, Oklahoma, Oregon, Porto Rico, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia, Wyoming.

TABLE LXIII. CLASSIFIED SUMMARY OF THE NUMBERS OF EXEMPTIONS TO WORKING-PAPERS REQUIREMENTS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Exemption a.—In vacation .....	..	1	3	3	4	7	8
Exemption b.—During hours out of school...	2	2	1	3	2	2	4
Exemption c.—During specified times.....	..	..	..	1	..	..	1
Exemption d.—Orphans .....	..	..	..	..	..	..	2
Exemption e.—Children of widows.....	..	..	..	1	1	1	3
Exemption f.—Children of disabled parents..	..	..	..	1	1	1	3
Exemption g.—Farm labor.....	..	..	..	1	1	1	7
Exemption h.—Domestic labor.....	..	..	..	2	2	2	6
Exemption i.—Labor on perishable goods...	..	..	1	1	1	1	2
Exemption j.—Labor on rush goods .....	..	..	..	..	..	..	..
Exemption k.—To make repairs .....	..	..	..	..	..	..	..
Exemption l.—To shorten last day.....	..	..	..	..	..	..	..
Exemption m.—To make up lost time .....	..	..	..	..	..	..	..
Exemption n.—By special permit .....	..	..	1	..	..	..	1
Exemption o.—Because of physical health...	..	..	..	..	..	..	..
Exemption p.—Miscellaneous.....	..	..	..	..	..	..	..
Exemption q.—Certain counties .....	..	..	..	..	..	..	1
Exemption r.—Cities of certain sizes.....	..	..	..	..	2	3	4

## AVERAGE AGE LIMITS

The average age limit under which working papers are required for legal employment was 14 years in 1879; and, in 1909, 15 years and a little more than 6 months. The rise in the average age limit was rather rapid in the first fifteen years, slower in later years. Most states adopted 16 years as the age limit in 1909. In 1879 it was 14 years. The successive average age limits for working papers is about the same as those for educational requirements. In fact, in 1909, they were the same to the month. Their averages are from a year to two years higher than the general age limits and about a year lower than those for hours of labor. These averages, in Table LXIV, are arithmetic averages and are derived from the data in Table LX, each age limit in this table being considered as a unit.

TABLE LXIV. AVERAGE AGE LIMITS AND TYPICAL AGE LIMITS IN WORKING-PAPERS REQUIREMENTS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Number of cases .....	6	11	24	37	42	51	71
Average age limits.....	14	14.54	15.12	14.92	15.29	15.33	15.56
Typical age limits .....	14	14	16	16	16	16	16

## NUMBERS OF THE DIFFERENT CLASSES AND OF THE DIFFERENT PROVISIONS

Nearly all of the working papers must be signed by either the parents, or by the school authorities, or by both. In the very early years most of the working papers were signed by school authorities. This was due to the fact that the earliest forms of working papers were the kind required in connection with the education laws rather than with the general child-labor laws. But very soon working papers were required in connection with the general child-labor laws, and since 1884 there have been more certificates from parents than from any other source. The issuing of certificates by factory inspectors began only after 1904. In 1909 there were only 9 out of 70 provisions which gave the authority of issuing certificates to inspectors. The giving of this certificate-granting power to authorities other than those mentioned above has not been widely adopted; and in these rare cases such authorities are mentioned often as alternates or they are instructed to act in conjunction with school authorities or with parents. These data are presented in Table LXV. It should be remembered in studying this table that any single provision may require the signature of more than one authority. The working papers indicated by the figures in this table are both those that are required to be presented prior to employment and those

which may be demanded when there is doubt concerning the age. There are not very many cases of the latter kind and they affect usually those which the parents sign rather than those which the school authorities sign. The numbers of these working papers which are not required prior to employment but which may be demanded, are, for the last six five-year periods respectively, 2, 5, 9, 7, 6 and 6. Thus it is seen that such working-paper requirements are diminishing both absolutely and relatively.

The data which have just been discussed are based entirely on the number of provisions; and since a state often possesses more than one provision requiring employment certificates, these data do not show the number of states that possess each class of working-paper requirements. This information is presented in Table LXVI. For instance, in 1909, 29 states required working papers signed by school authorities; 33 states, by parents; 5 states, by inspectors; and 12 states, by miscellaneous authorities. In the earlier years no states required working papers signed by the two latter classes of authorities, and more states required signatures by the authorities of the schools than by parents.

TABLE LXV. TOTAL NUMBERS OF EACH CLASS OF WORKING PAPERS AND THE TOTAL NUMBERS OF PROVISIONS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
School authorities .....	4	9	13	19	20	23	42
Parents .....	..	4	16	20	21	31	48
Inspectors.....	..	..	..	..	1	2	9
Other authorities .....	1	..	..	2	4	6	15
Total numbers of provisions.	5	11	27	38	43	52	70

TABLE LXVI. TOTAL NUMBERS OF STATES POSSESSING EACH CLASS OF WORKING PAPERS AND THE TOTAL NUMBERS OF STATES POSSESSING ANY CLASS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
School authorities .....	4	9	12	15	17	17	29
Parents .....	..	4	12	14	16	23	33
Inspectors .....	..	..	..	..	1	2	5
Other authorities .....	1	..	..	2	3	5	12
Total numbers of states....	5	11	19	24	26	33	42

Many states require certificates signed by more than one authority; since this is true it is desirable to know what authorities are required to sign the different kinds of working papers. This information is presented in Table LXVII. In 1909, 19 provisions required evidence from parents only; 15 provisions, from school authorities only; and 17 provisions from both school authorities and parents only. In 9 other provisions parents and school authorities are associated in the issuing of certificates not only with each other, but with other classes of authorities also. If these 9 provisions be added to the 17 provisions there are 26 provisions in which working papers are required to be signed by both parents and school authorities. Looked at from this point of view, working papers signed by both parents and school authorities may be said to be the typical working papers in 1909. It is only since 1904 that it has been required to any extent that both parents and school authorities sign the working papers.

The foregoing data are arranged on the basis of the number of provisions and not on the basis of the number of states, since a state may possess more than one kind of requirement for working papers or more than one law requiring working papers. It is desirable to know what authorities are associated in issuing certificates, not on



the basis of the number of provisions, but on the basis of the number of states. These data are presented in Table LXVIII. It should be observed in regard to this table, that when both parents and school authorities are required to give evidence for working papers, both are not necessarily required in the same law or for the same certificate. The same is true of any other combination of classes of authorities. In this table, it is quite clear that most states, in 1909, required both parents and school authorities as sources for the signing and issuing of certificates. The association of both these authorities by states has been a well-defined tendency since 1880.

TABLE LXVII. NUMBERS OF THE DIFFERENT KINDS OF WORKING-PAPERS PROVISIONS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
School authorities.....	4	7	10	16	18	16	15
Parents .....	..	2	13	17	18	24	19
Inspectors .....	..	..	..	..	..	..	..
Other authorities.....	1	..	1	2	4	4	4
School authorities, parents .....	..	2	3	3	2	5	17
School authorities, parents, inspectors.....	..	..	..	..	..	1	4
Inspectors, other authorities.....	..	..	..	..	..	..	2
Parents, inspectors, other authorities.....	..	..	..	..	..	1	..
Parents, inspectors.....	..	..	..	..	1	..	..
School authorities, other authorities.....	..	..	..	..	..	1	1
Parents, other authorities.....	..	..	..	..	..	..	3
School authorities, parents, other authorities ..	..	..	..	..	..	..	2
School authorities, parents, inspectors, other authorities .....	..	..	..	..	..	..	3

TABLE LXVIII. NUMBERS OF THE DIFFERENT STATUSES OF THE STATES IN WORKING-PAPERS REQUIREMENTS

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
School authorities.....	4	7	6	8	7	7	3
Parents .....	..	2	6	8	9	15	8
Inspectors .....	..	..	..	..	..	..	..
Other authorities .....	1	..	1	1	..	..	..
School authorities, parents .....	..	2	6	6	6	5	16
School authorities, parents, inspectors .....	..	..	..	..	1	1	3
Inspectors, other authorities .....	..	..	..	..	..	..	4
Parents, inspectors, other authorities.....	..	..	..	..	..	1	..
Parents, inspectors .....	..	..	..	..	..	..	..
School authorities, other authorities.....	..	..	..	1	3	3	2
Parents, other authorities.....	..	..	..	..	..	..	3
School authorities, parents, other authorities..	..	..	..	..	..	1	2
School authorities, parents, inspectors, other authorities.....	..	..	..	..	..	..	1

## CERTIFICATES OF SOUND HEALTH

Many states make provision for the prevention of the employment of any children who are physically unfit. This is done in two ways. Some states require a certificate, usually by a physician, saying that the child to be employed is physically sound and normal before it is permitted to be employed. Other states authorize an inspector to require from a physician such a certificate for certain children whom they have discovered and designated and whose physical fitness they question. If the children or the employer do not or cannot secure such a certificate the child must not be employed. In 1909, there were 9 provisions that required a health certificate prior to employment and 11 provisions that stipulated that a certificate might be demanded; a total of 20 provisions. There were 7 states that required a health certificate and 8 states that gave authority to require a certificate; a total of 15 states making provision regarding physical fitness. It is observed from Table LXIX, which presents these data, that there have been more provisions and more states providing that a certificate from a physician *may* be required than those which provide that it *shall* be required. This idea of protecting those physically unfit is not found in the earlier laws, but has developed rapidly in the later years.

TABLE LXIX. TOTAL NUMBERS OF STATES PROVIDING HEALTH CERTIFICATES AND THE TOTAL NUMBERS OF SUCH PROVISIONS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Number of provisions.	Requiring certificates .....	..	..	2	2	2	2	9
	Authority to require certificates.	..	1	1	4	6	8	11
	Total .....	..	1	3	6	8	10	20
Number of states.	Requiring certificates .....	..	..	2	1	2	2	7
	Authority to require certificates.	..	1	1	4	5	7	8
	Total .....	..	1	3	5	7	9	15

PROGRESS IN THE TOTAL NUMBERS OF STATES REQUIRING  
WORKING PAPERS

In 1909, there were more than eight times as many states requiring working papers than in 1879. In 1879, there were 5 states with these provisions and, in 1909, 42 states. Progress has been continuous. These data are shown in Table LXX. This progress has been greater and more rapid than the progress in states requiring educational qualifications. It has been more rapid than that for hours of labor, but not so great as that for the requiring of general age limits. There were fewer states in 1879 possessing requirements for working papers than there were possessing other requirements regarding child labor.

TABLE LXX. THE TOTAL NUMBER OF STATES, AT EACH FIVE-YEAR PERIOD,  
POSSESSING A WORKING-PAPER PROVISION

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Number of states .....	5	11	19	24	26	33	42

## CHAPTER VII

### PENALTIES

#### DATA AND RESULTS TO BE PRESENTED

The following discussion of the penalties provided in the various child-labor laws presents first a general description of penalties. It has seemed best, for the sake of clearness, to arrange the penalties in separate groups for each class of child-labor laws. The four classes of child-labor laws are accordingly defined and described. There follows a presentation of the penalties in fines that exist in each state. This is shown for each of the four classes of the laws. Average terms of imprisonment as penalties are shown. The average fines and the typical fines have been ascertained for each five-year period. The amount of uniformity in the penalties is discussed and its estimate in figures is given.

#### THE NATURE OF PENALTIES

All legislative enactments regarding child labor provide for the infliction of some kind of penalty upon the violators of the statutes. The penalty is usually a fine payable in money; the amount of this fine is set, in most cases, by a minimum limit and by a maximum limit; the actual fine imposed must be between these limits. The maximum penalty alone is often named; rarely is there a minimum fine without a corresponding maximum fine. A small percentage of the enactments names a definite amount as the penalty, thus leaving no discretion to the penalizer as to the amount to be paid. A few laws name

a penalty of imprisonment for lengths of time, similarly expressed. This penalty of imprisonment may be imposed in default of payment of the fine, or it may be imposed in conjunction with the fine. Some laws vary the severity and sometimes the nature of the penalties for the second or third or successive violations. There are a few cases where each day of illegal employment constitutes a distinct violation, thus multiplying the severity of a penalty according to the number of the days that the law has been violated.

A few laws impose a penalty which is neither a fine nor imprisonment. There are instances where the violating establishment is restrained from operating; or where violators are only reprimanded; or where the provision may simply call for a trial of the offender and nothing is said about the nature of the penalty. The laws that are in the constitutions of the states provide no penalty. Such cases, however, constitute only a small percentage of all the laws. When a law contains several phases or provisions usually a single penalty covers the violation of any or all of the provisions. However, there are laws that possess a general penalty and also one or more special penalties for one or more of the provisions. Thus, the provision regarding hours of labor or the one regarding working papers may be affected by special penalties. In many laws, but not in a majority of them, there are two penalties differing in severity, one for the employer and the other for the parent of the child employed, the larger penalty being imposed upon the employer. In other laws the parents and the employer are subject to the same penalty. In most laws these two sorts of offenders are not differentiated. There are two other types of special penalties found in some of the more modern enactments, one

penalizing false swearing and the other imposing a special penalty for refusing to show the employment certificates of the children on request.

#### CLASSES OF CHILD-LABOR LAWS DEFINED

In the preceding discussions wherever it seemed desirable to differentiate kinds of child-labor laws it was done on the basis of the occupations affected. In the discussions of the penalties and of the provisions regarding inspection, it seems desirable to differentiate the enactments on a different basis. Four kinds of child-labor laws have been found in the state laws and are described in the following paragraphs. The names which have been chosen to designate these four classes of laws are not so precise as might be desired. However it is believed that the description will make them clear and will remove any ambiguities resulting from the nomenclature.

*Dangerous—occupation laws.*—Most of the states possess enactments regulating or prohibiting the labor of children in only those occupations which have been previously classed in the category of dangerous occupations. These enactments do not apply to occupations other than one, or occasionally more than one, of these dangerous occupations. To illustrate, there are laws prohibiting the employment of children as beggars, gymnasts and in public exhibitions, or in places where whiskey is sold. These enactments are usually simple in form, containing only a general age-limit qualification and a penalty. They rarely ever prescribe inspection, working papers, educational requirements, or hours of labor. The number of provisions in a law are usually not more than two or three. This class of child-labor laws includes laws enacted for dangerous occupations.

exclusively. General child-labor laws affect dangerous as well as other occupations but such laws are not included in this class. The laws in this class are distinct and complete enactments on the statute books. The number of these enactments for all the states is large.

*Mining laws.*—The regulation or prohibition of the labor of children in mines is often provided for in an extensive enactment regulating the conditions of the mining industry. These enactments are usually long and cover many details of the mining industry. The sections in these enactments concerned with the labor of children are relatively a brief part of the whole enactment. These sections concern the age limits for children working in mines and they sometimes provide for educational requirements or working papers. The penalty for illegally employing children may be named in these sections; more often the penalty is in the last paragraphs of the enactment and is the same as that for violations of other provisions. Provision is usually made in these laws for a mining inspector, whose duty is, among other things, to see that children are not employed illegally.

There are also laws regarding mining that are enacted for the sole purpose of regulating the labor of children in mines. They do not customarily provide for educational requirements, or working papers, or inspection; nor do they regulate the hours of labor. They are complete and distinct enactments.

These two kinds of enactments constitute the enactments that are placed in this class. Their total number is large.

*Educational laws.*—There is a small body of laws, the purpose of which seems not so much to concern the labor of children as to provide for their schooling. These laws prohibit the employment, under certain ages,

of children who do not possess certain prescribed educational qualifications. They usually require a certificate to this effect. Truant officers or school authorities rather than factory inspectors see to their enforcement. A small fine is imposed for violation. The regulations usually apply to any gainful occupation. Sometimes they prohibit the employment of children under certain ages except in vacation or during hours out of school. Emphasis is placed upon the amount of attendance or the nature of the curriculum or upon the educational features of the certificate, rather than upon the employment of the children or the nature of the employment or the occupations affected. These are distinct enactments and do not occur in conjunction with others having different provisions.

*Distinctive child-labor laws.*—There exists a class of laws, other than the three previously mentioned classes of child-labor laws, which is composed of such laws as are usually included under the term child-labor laws. These will be spoken of here, for want of a better name, as distinctive child-labor laws. These are enacted for the specific purpose of regulating the labor rather than the education of children, and in one or more ordinary occupations rather than in especially dangerous occupations or in mining. The emphasis is not so much on the occupation or the education as on the labor of the children. These laws vary in form and content. Some merely prohibit labor under certain ages and provide a penalty. Others include an educational qualification or require working papers, or do both. Most of the more modern laws provide for inspection. Most laws of this class affect manufacturing occupations, and often apply also to several others. This class includes all laws not classed in any of the three preceding categories, and is the largest class of laws.



PENALTIES IN FINES, BY STATES, FOR EACH CLASS OF  
CHILD-LABOR LAWS

Tables LXXI, LXXII, LXXIII and LXXIV present the the data on penalties for each of the four classes of child-labor laws by states. These penalties are fines payable in dollars. Sometimes the amount of the fine is fixed; sometimes only the maximum fine is stated, sometimes only the minimum fine is stated, sometimes both are given. Most states show in the table more than one penalty. Each line of the table represents a single penalty. Many of the states possess more than one law. Where a law includes more than one penalty, each penalty is recorded in the table. Special penalties for false swearing and for refusing to show certificates are not here recorded, since these are not violations of any of the provisions studied. Penalties applying both to parents and to employers are included. These are not differently designated in the table, however, as it cannot be determined in every case whether the penalty applies to the parent or to the employer. The penalties here tabulated do not include those specified for successive offenses unless they are the same as for the first. A few of the laws state that the punishment should be the same as for a misdemeanor. In these cases, the fine recorded has been that set in the statutes or codes of that state for a misdemeanor. In a very few cases the limits of a fine for misdemeanor were not established. The classification of the laws into four classes has been in accordance with the description of these classes given in the preceding pages. However, there are few cases in which two classes of laws occurring in the same enactment are put in separate classes. This has been done only in a few cases where it seemed that the two laws were essentially different.

TABLE LXXI. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE DANGEROUS OCCUPATION LAWS IN THE DIFFERENT STATES<sup>1</sup>

	1879.			1884.			1889.			1894.		
	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
California .....	..	..	500	..	..	500	50	..	250	50	..	250
	50	*	250	50	..	250	..	..	..	..	..	..
Colorado .....	..	..	..	..	..	..	..	..	100	..	..	100
Connecticut .....	..	..	..	..	..	250	..	..	250	5	..	25
	..	..	..	..	*	..	..	*	..	..	*	250
	..	..	..	..	..	..	..	..	..	..	..	..
Delaware .....	20	..	100	20	..	100	20	..	100	20	..	100
District of Columbia ..	..	..	..	..	..	..	..	..	250	..	..	250
	..	..	..	..	..	..	..	..	..	50	..	200
Georgia .....	..	..	1000	..	..	1000	..	..	1000	..	..	1000
	..	..	..	..	..	1000	..	..	1000	..	..	1000
Illinois .....	..	..	100	..	..	100	..	..	100	..	..	100
Indiana .....	..	..	..	..	..	..	10	..	100	10	..	100
	..	..	..	..	..	..	5	..	100	5	..	100
Kansas .....	..	..	..	..	..	..	..	..	250	..	..	250
Kentucky .....	..	..	..	..	..	..	..	..	..	..	..	20
Louisiana .....	..	..	..	..	..	..	..	..	..	10	..	25
	..	..	..	..	..	..	..	..	..	10	..	25
Maryland .....	50	..	250	50	..	250	50	..	250	50	..	250
	..	..	..	..	..	..	..	..	..	..	..	10
Massachusetts .....	..	..	200	..	..	200	..	..	200	..	50	..
	..	..	..	..	..	..	50	..	..	..	..	100
	..	..	..	..	..	..	..	..	100	..	..	..
Michigan .....	..	..	..	..	..	250	..	..	250	..	..	250
Minnesota .....	50	..	250	50	..	250	50	..	250	50	..	250
Missouri .....	..	..	..	..	..	..	..	..	..	25	..	200
Montana .....	..	..	..	..	..	..	50	..	100	50	..	100
New Hampshire .....	..	..	100	..	..	100	..	..	100	..	..	100
	..	..	..	..	..	..	25	..	..	..	..	100
New Jersey .....	..	..	..	50	..	100	50	..	100	50	..	100
	..	..	..	..	..	..	..	..	1000	..	..	1000
	..	..	..	..	..	..	50	..	250	50	..	250
	..	..	..	..	..	..	..	..	..	..	..	..
New York .....	50	..	250	..	..	500	..	..	500	..	..	500
	..	..	250	..	..	..	50	..	1000	..	..	..
	..	..	500	..	..	..	..	..	..	..	..	..
Ohio .....	..	..	200	..	..	200	..	..	200	..	..	200
Pennsylvania .....	50	..	100	50	..	100	50	..	100	50	..	100
	..	..	..	..	..	..	..	..	..	25	..	100
Rhode Island .....	..	..	250	..	..	250	..	..	250	..	..	250
	..	..	..	..	..	..	..	..	..	*	..	..
West Virginia .....	..	..	..	..	..	100	..	..	100	..	..	100
Wisconsin .....	..	..	..	..	..	..	..	..	..	100	..	500
Wyoming .....	..	..	..	..	..	..	..	..	..	25	..	100

<sup>1</sup>The following states, each of which has no special enactment on the dangerous occupations alone, are omitted from the list in the table: Alabama, Alaska, Arizona, Arkansas, Florida, Hawaii, Idaho, Indian Territory, Iowa, Maine, Mississippi, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, Porto Rico, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington.

\* The penalty for violation of this law is not a fine in money.

TABLE LXXI. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE DANGEROUS OCCUPATION LAWS IN THE DIFFERENT STATES.—Continued<sup>1</sup>

	1899.			1904.			1909.		
	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
Alaska .....	50	..	250	50	..	250	50	..	250
Arizona .....	..	..	..	..	..	300	..	..	300
Arkansas .....	..	..	..	..	..	..	50	..	300
California .....	50	..	250	50	..	250	50	..	250
Colorado .....	..	*	..	..	..	500	..	..	500
Connecticut .....	..	..	100	..	..	100	..	..	100
Delaware .....	..	..	250	..	..	250	..	..	250
District of Columbia .....	5	..	25	5	..	25	5	..	25
Florida .....	..	..	..	10	..	200	10	..	200
Georgia .....	20	..	100	20	..	100	20	..	100
Hawaii .....	..	..	250	..	..	250	..	..	250
Idaho .....	50	..	200	50	..	200	50	..	200
Illinois .....	..	..	..	..	..	500	..	..	500
Indiana .....	..	..	1000	..	..	1000	..	..	1000
Iowa .....	..	..	1000	..	..	1000	..	..	1000
Kansas .....	..	..	..	25	..	100	25	..	100
Kentucky .....	..	..	..	..	..	..	50	..	250
Louisiana .....	..	..	..	..	..	..	50	..	..
Maine .....	5	..	200	5	..	200	5	..	200
Maryland .....	10	..	100	10	..	100	10	..	100
Massachusetts .....	10	..	100	10	..	100	10	..	100
Michigan .....	5	..	100	5	..	100	5	..	100
Minnesota .....	..	..	250	..	..	250	..	..	250
Missouri .....	..	..	20	..	..	20	..	..	20
Montana .....	10	..	25	10	..	25	10	..	25
Nebraska .....	10	..	25	10	..	25	10	..	25
Nevada .....	..	..	..	..	..	..	25	..	100
New Hampshire .....	..	..	..	..	..	..	..	..	100
New Jersey .....	50	..	250	..	..	100	..	..	100
New York .....	..	..	10	..	..	10	..	..	10
North Carolina .....	10	..	100	10	..	100	10	..	100
North Dakota .....	..	..	..	..	..	100	..	..	100
Ohio .....	..	50	..	..	50	..	..	50	..
Oklahoma .....	50	..	..	50	..	..	50	..	..
Oregon .....	..	..	250	..	..	250	..	..	250
Rhode Island .....	..	..	250	..	..	250	..	..	250
South Carolina .....	50	..	250	50	..	250	50	..	250
South Dakota .....	25	..	200	25	..	200	25	..	200
Tennessee .....	..	..	100	..	..	100	..	..	100
Texas .....	10	..	100	10	..	100	10	..	100
Vermont .....	..	..	..	..	..	..	..	..	..
Virginia .....	..	..	..	..	..	..	..	..	..
Washington .....	..	..	..	..	..	..	..	..	..
West Virginia .....	..	..	..	..	..	..	..	..	..
Wisconsin .....	..	..	..	..	..	..	..	..	..
Wyoming .....	..	..	..	..	..	..	..	..	..

<sup>1</sup> The following states, each of which has no special enactment on the dangerous occupations alone, are omitted from the list in the table: Alabama, Indian Territory, Iowa, Mississippi.

\* The penalty for violation of this law is not a fine in money.

TABLE LXXI. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE DANGEROUS OCCUPATION LAWS IN THE DIFFERENT STATES.—*Concluded*<sup>1</sup>

	1899.			1904.			1909.		
	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
Montana .....	..	..	500	..	..	500	..	..	500
Nebraska .....	..	..	..	..	..	..	..	..	..
Nevada .....	..	..	..	..	..	..	..	..	..
New Hampshire .....	..	..	100	..	..	100	..	..	100
			100			100			100
New Jersey .....	50	..	100	50	..	100	50	..	100
			1000			1000			1000
		50	..		100	..		50	..
New Mexico.....	..	..	..	..	..	..	..	..	..
New York.....	..	..	500	..	..	500	..	..	500
		50	..		50	..		..	..
North Carolina.....	..	..	..	..	..	..	..	..	..
Ohio .....	..	..	200	..	..	200	..	..	200
	10	..	50	10	..	50	10	..	50
Oregon .....	..	..	..	..	..	..	10	..	100
								*	
Pennsylvania .....	50	..	100	50	..	100	50	..	100
	25	..	100	25	..	100	20	..	50
				20	..	50	..	..	1000
Porto Rico .....	..	..	..	5	..	15	5	..	15
						250	..	..	250
Rhode Island.....	..	..	250	..	..	250	..	..	250
		*	..		*	..	..	*	..
South Dakota .....	50	..	500	50	..	500	50	..	500
						100	..	..	100
Vermont .....	..	..	..	50	..	200	50	..	200
Virginia.....	..	..	200	..	..	200	..	..	200
Washington .....	..	..	..	25	..	50	25	..	50
									250
West Virginia .....	..	..	..	20	..	100	20	..	100
				5	..	100	5	..	100
Wisconsin .....	..	..	100	..	..	100	..	..	100
			100			100			100
	10	..	25	10	..	25	10	..	25
Wyoming .....	..	..	100	..	..	100	..	..	100

<sup>1</sup> The following states, each of which has no special enactment on the dangerous occupations alone, are omitted from the list in the table: North Dakota, Oklahoma, South Carolina, Tennessee, Texas, Utah.

\* The penalty for violation of this law is not a fine in money.

TABLE LXXII. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE MINING LAWS IN THE DIFFERENT STATES <sup>1</sup>

	1879.			1884.			1889.			1894.		
	Minimum penalty.	Penalty.	Maximum penalty.	Minimum Penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
Alabama .....	..	..	..	..	..	..	..	..	..	..	..	..
Alaska .....	..	..	..	..	..	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	..	..	..	25	..	..
California .....	..	..	..	..	..	..	..	..	..	..	..	..
Colorado .....	..	..	500	..	..	500	100	..	500	100	..	500
Idaho .....	..	..	..	..	..	..	..	*	..	..	*	..
Illinois .....	50	..	200	50	..	200	10	..	100	10	..	100
Indiana .....	..	..	500	..	..	500	..	..	500	..	..	500
Indian Territory .....	..	..	..	..	..	..	5	..	50	5	..	200
Iowa .....	10	..	25	..	..	500	..	..	500	..	..	500
Kansas .....	..	..	..	..	..	50	..	..	50	..	..	50
Maryland .....	..	..	..	..	..	..	..	..	..	..	..	..
Michigan .....	..	..	..	..	..	..	..	..	..	..	..	..
Minnesota .....	..	..	..	..	..	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	..	..	200	..	..	200
Montana .....	..	..	..	..	..	..	10	..	50	10	..	50
Nevada .....	..	..	..	..	..	..	..	..	1000	..	..	1000
New Jersey .....	..	..	..	10	..	50	10	..	50	10	..	50
New Mexico .....	..	..	..	..	..	..	..	..	..	..	..	100
New York .....	..	..	..	..	..	..	..	..	..	..	..	..
North Carolina .....	..	..	..	..	..	..	..	..	..	..	..	..
Ohio .....	..	*	..	..	*	..	..	..	50	..	..	50
Pennsylvania .....	..	..	500	..	..	500	200	..	500	200	..	500
	10	..	50	10	..	50	10	..	50	10	..	50
									50	..	..	50
South Dakota .....	..	..	..	..	..	..	..	..	..	..	..	500
Utah .....	..	..	..	..	..	..	..	..	..	..	..	100
Washington .....	..	..	..	..	..	..	500	..	1000	200	..	500
West Virginia .....	..	..	..	..	..	..	10	..	100	50	..	500
Wyoming .....	..	..	..	..	..	..	200	..	500	25	..	100

<sup>1</sup> The following states, each of which has no special enactment on the mining occupations alone, are omitted from the list in the table: Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, Nebraska, New Hampshire, North Dakota, Oklahoma, Oregon, Porto Rico, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia and Wisconsin.

\* The penalty for violation of this law is not a fine in money.

TABLE LXXII. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE MINING LAWS IN THE DIFFERENT STATES.—*Concluded*<sup>1</sup>

	1899.			1904.			1909.		
	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
Alabama .....	..	*	..	..	*	..	..	*	..
Alaska .....	..	..	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..	..	..
Arkansas .....	25	..	..	25	..	..	25	..	..
California .....	..	..	..	..	..	..	..	..	..
Colorado .....	100	..	500	100	..	500	100	..	500
Idaho .....	..	*	..	..	*	..	..	..	..
Illinois .....	10	..	100	10	..	100	..	..	500
Indiana .....	5	..	50	5	..	50	5	..	50
	5	..	200	5	..	200	..	..	500
			500	..	..	500	..	..	..
Indian Territory .....	..	..	100	..	..	100	..	..	..
Iowa .....	..	..	500	..	..	500	..	..	500
Kansas .....	..	..	50	..	..	50	..	..	50
Maryland .....	..	..	..	..	..	500	..	..	500
Michigan .....	..	..	..	..	..	..	..	..	..
Minnesota .....	..	..	..	..	..	..	..	..	..
Missouri .....	..	..	200	..	..	200	..	..	200
Montana .....	..	..	1000	..	..	1000	..	..	..
Nevada .....	..	..	..	..	..	..	..	..	..
New Jersey .....	..	..	..	..	..	..	..	..	..
New Mexico .....	..	..	100	..	..	100	..	..	100
New York .....	..	..	..	..	..	..	20	..	100
North Carolina .....	..	*	..	..	*	..	..	*	..
North Dakota .....	..	..	..	..	..	..	..	..	..
Ohio .....	..	*	..	..	*	..	..	*	..
Oklahoma .....	..	..	..	..	..	..	..	..	500
Oregon .....	..	..	..	..	..	..	..	..	..
Pennsylvania .....	..	..	500	..	..	500	10	..	25
			..	..	..	..	..	..	..
South Carolina .....	..	..	..	..	..	..	..	..	..
South Dakota .....	..	..	1000	..	..	1000	..	..	1000
Utah .....	..	..	300	..	..	300	..	..	300
Washington .....	200	..	500	200	..	500	200	..	500
West Virginia .....	50	..	500	50	..	500	10	..	500
Wyoming .....	25	..	100	25	..	100	25	..	100

<sup>1</sup> The following states, each of which has no special enactment on the mining occupations alone, are omitted from the list in the table: Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, Nebraska, New Hampshire, Porto Rico, Rhode Island, Tennessee, Texas, Vermont, Virginia and Wisconsin.

\* The penalty for violation of this law is not a fine in money.

TABLE LXXIII. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE EDUCATIONAL LAWS IN THE DIFFERENT STATES<sup>1</sup>

	1789.			1884.			1889.			1894.		
	Minimum Penalty.	Penalty.	Maximum Penalty.	Minimum Penalty.	Penalty.	Maximum Penalty.	Minimum Penalty.	Penalty.	Maximum Penalty.	Minimum Penalty.	Penalty.	Maximum Penalty.
Alabama .....	..	..	..	..	..	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	..	..	..	..	..	..	..
Colorado .....	..	..	..	..	..	..	25	..	50	25	..	50
Connecticut .....	..	100	..	..	..	60	..	..	60	..	..	60
Illinois .....	..	..	..	..	..	..	..	..	5	..	..	5
Indiana .....	..	..	..	..	..	..	..	..	..	..	..	..
Iowa .....	..	..	..	..	..	..	..	..	..	..	..	..
Maine .....	..	..	..	..	..	..	..	..	..	..	..	..
Maryland .....	..	..	..	..	..	..	..	..	..	..	..	..
Massachusetts .....	..	..	..	..	..	..	50	..	100	..	..	..
Michigan .....	..	..	..	5	..	10	5	..	10	5	..	10
Minnesota .....	..	..	..	..	..	..	..	..	..	..	..	..
Mississippi .....	..	..	..	..	..	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	..	..	..	..	..	..
Montana .....	..	..	..	..	..	..	..	..	..	..	..	..
Nebraska .....	..	..	..	..	..	..	..	..	..	..	..	..
Nevada .....	..	..	..	..	..	..	..	..	..	..	..	..
New Hampshire .....	..	..	20	..	..	20	..	..	20	..	..	..
New Jersey .....	..	..	..	..	..	..	10	..	25	10	..	25
New York .....	..	50	..	..	50	..	..	50	..	..	50	..
North Dakota .....	..	..	..	..	..	..	..	..	..	20	..	50
Ohio .....	..	..	..	..	..	..	..	50	..	25	..	50
Oregon .....	..	..	..	..	..	..	..	..	..	..	..	..
Pennsylvania .....	..	..	..	..	..	..	..	..	..	..	..	..
Rhode Island .....	..	..	..	..	..	..	..	..	..	..	..	20
South Dakota .....	..	..	..	..	..	..	..	..	..	10	..	20
Vermont .....	10	..	20	10	..	20	10	..	50	5	..	25
Virginia .....	..	..	..	..	..	..	..	..	..	..	..	..
Washington .....	..	..	..	..	..	..	..	..	..	..	..	..
West Virginia .....	..	..	..	..	..	..	10	..	20	..	..	..
Wisconsin .....	..	..	..	..	..	..	..	..	..	..	..	..
Wyoming .....	..	..	..	..	..	..	..	..	..	..	..	..

<sup>1</sup> The following states, each of which has not regulated the labor of children by an educational law, are omitted from the list in the table: Alaska, California, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indian Territory, Kansas, Kentucky, Louisiana, New Mexico, North Carolina, Oklahoma, Porto Rico, South Carolina, Tennessee, Texas and Utah.

TABLE LXXIII. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE EDUCATIONAL LAWS IN THE DIFFERENT STATES—*Concluded*<sup>1</sup>

	1889.			1904.			1909.		
	Minimum Penalty.	Penalty.	Maximum Penalty.	Minimum Penalty.	Penalty.	Maximum Penalty.	Minimum Penalty.	Penalty.	Maximum Penalty.
Alabama .....	..	..	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	25	..	100
Arkansas .....	..	..	..	..	..	..	10	..	30
Colorado .....	25	..	50	25	..	50	25	..	50
Connecticut .....	25	..	100	25	..	100	25	..	100
Illinois .....	..	..	20	..	..	20	..	..	20
Indiana .....	..	..	50	..	..	50	..	..	50
Iowa .....	..	..	5	..	..	5	..	..	5
Maine .....	..	..	..	..	..	..	..	..	..
Maryland .....	..	..	..	..	..	..	..	..	..
Massachusetts .....	..	..	..	..	..	..	..	..	..
Michigan .....	..	..	..	..	..	..	..	..	..
Minnesota .....	..	..	..	..	..	..	..	..	..
Mississippi .....	..	..	..	..	..	..	..	..	..
Missouri .....	..	..	..	..	..	..	20	..	50
Montana .....	..	..	..	25	..	50	25	..	50
Nebraska .....	..	..	..	..	..	..	..	..	..
Nevada .....	..	..	..	..	..	..	..	..	50
New Hampshire .....	..	..	..	..	..	..	..	..	..
New Jersey .....	10	..	25	..	..	..	..	..	..
New York .....	..	50	..	..	50	..	20	..	50
North Dakota .....	20	..	50	20	..	50	20	..	50
Ohio .....	25	..	50	25	..	50	25	..	50
Oregon .....	..	..	..	..	..	..	..	..	..
Pennsylvania .....	..	..	..	..	..	..	..	..	..
Rhode Island .....	..	..	20	..	..	20	..	..	20
South Dakota .....	10	..	20	10	..	20	10	..	20
Vermont .....	5	..	25	..	..	..	..	..	..
Virginia .....	..	..	..	..	..	..	..	..	..
Washington .....	..	..	25	..	..	25	..	..	25
West Virginia .....	..	..	..	..	..	..	..	..	..
Wisconsin .....	..	..	..	..	..	..	..	..	..
Wyoming .....	..	..	..	..	..	..	..	..	..

<sup>1</sup> The following states, each of which has not regulated the labor of children by an educational law, are omitted from the list in the table: Alaska, California, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Indian Territory, Kansas, Kentucky, Louisiana, New Mexico, North Carolina, Oklahoma, Porto Rico, South Carolina, Tennessee, Texas and Utah.





TABLE LXXIV. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE DISTINCTIVE CHILD-LABOR LAWS IN THE DIFFERENT STATES.—Continued

	1879.			1884.			1889.			1894.		
	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
Missouri .....	..	..	..	..	..	..	..	..	..	..	..	..
Montana .....	..	..	..	..	..	..	..	..	..	..	..	..
Nebraska .....	..	..	..	..	..	..	10	..	50	10	..	50
Nevada .....	..	..	..	..	..	..	..	..	..	..	..	..
New Hampshire.....	20	..	100	20	..	100	20	..	100	..	..	50
New Jersey.....	..	50	..	..	50	..	..	50	..	..	50	..
					50	..	..	50	..	..	50	..
						50	..	50	..	..	..	50
New Mexico .....	..	..	..	..	..	..	..	..	..	..	..	..
New York .....	..	..	..	..	..	..	20	..	100	20	..	50
North Carolina .....	..	..	..	..	..	..	..	..	..	..	..	..
North Dakota.....	..	..	..	..	..	..	..	..	..	10	..	100
										*	..	..
Ohio.....	5	..	50	5	..	50	50	..	100	50	..	100
Oklahoma .....	..	..	..	..	..	..	..	..	..	10	..	100
Oregon .....	..	..	..	..	..	..	..	..	..	..	..	..
Pennsylvania .....	..	50	..	..	50	..	..	..	500	..	..	500
	10	..	50	10	..	50	10	50	..	..	50	..
							10	..	50	10	..	50
							20	..	100	20	..	100
Porto Rico .....	..	..	..	..	..	..	..	..	..	..	..	..
Rhode Island.....	..	20	..	..	..	20	..	..	20	..	..	20
									20	..	..	500
South Carolina .....	..	..	..	..	..	..	..	..	..	..	..	..
South Dakota.....	10	..	100	10	..	100	10	..	100	10	..	100
Tennessee .....	..	..	..	..	..	..	..	..	..	50	..	500
Texas .....	..	..	..	..	..	..	..	..	..	..	..	..
Utah .....	..	..	..	..	..	..	..	..	..	..	..	..
Vermont .....	..	50	..	..	50	..	..	50	..	..	50	..
Virginia.....	..	..	..	..	..	..	..	..	..	5	..	20
Washington .....	..	..	..	..	..	..	..	..	..	..	..	..
West Virginia.....	..	..	..	..	..	..	..	..	..	10	..	20
Wisconsin .....	5	..	50	5	..	50	5	..	50	5	..	50
	10	..	50	..	..	..	10	..	50	10	..	50
										10	..	50
Wyoming .....	..	..	..	..	..	..	..	..	..	..	..	..

\* The penalty for violation of this law is not a fine in money.

TABLE LXXIV. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE DISTINCTIVE CHILD-LABOR LAWS IN THE DIFFERENT STATES.—*Continued*

	1899.			1904.			1909.		
	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
Alabama .....	..	..	..	..	..	200	50	..	100
Alaska .....	..	..	..	..	..	..	..	..	..
Arizona .....	..	..	..	..	..	..	..	..	..
Arkansas .....	..	..	..	..	..	500	..	..	100
California .....	50	..	200	50	..	100	50	..	100
Colorado .....	10	..	50	50	..	500	150	..	500
Connecticut .....	..	..	20	..	..	20	..	..	20
Delaware .....	..	..	60	..	..	60	..	..	60
District of Columbia ...	..	..	..	..	..	..	50	..	100
Florida .....	..	..	..	..	..	..	..	..	50
Georgia .....	..	..	..	..	..	..	..	..	1000
Hawaii .....	..	..	..	..	..	..	..	..	1000
Idaho .....	..	..	..	..	..	..	..	..	..
Illinois .....	10	..	100	5	..	25	5	..	25
Indiana .....	3	..	100	5	..	100	5	..	100
Indian Territory .....	10	..	50	10	..	100	10	..	100
Iowa .....	..	..	..	3	..	100	3	..	100
Kansas .....	..	..	50	..	..	50	..	..	50
Kentucky .....	..	..	..	25	..	250	..	..	50
Louisiana .....	10	..	100	10	..	100	25	..	50
Maine .....	25	..	50	25	..	50	25	..	50
Maryland .....	100	100	..	100	100	..	1	..	50
Massachusetts .....	50	..	100	50	*	100	..	*	..
Michigan .....	20	..	50	20	..	50	20	..	50
Minnesota .....	..	..	50	..	..	50	..	..	100
Mississippi .....	..	..	100	..	..	100	..	..	20
Missouri .....	20	..	20	..	..	20	..	..	300
Montana .....	25	..	100	..	..	200	..	..	200
Nebraska .....	50	..	100	25	..	100	25	..	100
Nevada .....	..	..	..	..	100	..	..	100	..
New Hampshire .....	..	..	100	50	..	100	50	..	100
New Jersey .....	5	..	100	..	..	100	10	..	100
New Mexico .....	..	..	5	..	..	100	..	..	..
New York .....	20	..	50	20	..	50	..	..	50
North Carolina .....	..	..	..	..	..	..	50	..	100
North Dakota .....	10	..	100	10	..	100	10	..	100
Ohio .....	..	..	..	..	..	..	25	..	100
Oklahoma .....	..	..	..	..	..	..	..	..	..
Oregon .....	..	..	..	..	..	..	..	..	..
Rhode Island .....	..	..	..	..	..	..	..	..	..
South Carolina .....	..	..	..	..	..	..	..	..	..
South Dakota .....	..	..	..	..	..	..	..	..	..
Tennessee .....	..	..	..	..	..	..	..	..	..
Texas .....	..	..	..	..	..	..	..	..	..
Vermont .....	..	..	..	..	..	..	..	..	..
Virginia .....	..	..	..	..	..	..	..	..	..
Washington .....	..	..	..	..	..	..	..	..	..
West Virginia .....	..	..	..	..	..	..	..	..	..
Wisconsin .....	..	..	..	..	..	..	..	..	..
Wyoming .....	..	..	..	..	..	..	..	..	..

\* The penalty for violation of this law is not a fine in money.

TABLE LXXIV. PENALTIES, EXPRESSED IN DOLLARS, FOR VIOLATIONS OF THE PROVISIONS IN THE DISTINCTIVE CHILD-LABOR LAWS IN THE DIFFERENT STATES—*Concluded*

	1899.			1904.			1909.		
	Minimum Penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.	Minimum penalty.	Penalty.	Maximum penalty.
Montana .....	..	..	..	..	..	..	25	..	500
Nebraska .....	20	..	50	20	..	50	..	..	50
Nevada .....	..	..	..	..	..	..	..	..	..
New Hampshire .....	..	..	50	..	..	50	..	..	50
New Jersey .....	..	50	50	..	..	50	..	..	50
		100	..	..	100	..	..	100	..
							50	..	..
New Mexico.....	..	..	..	..	..	..	..	..	..
New York.....	20	..	100	20	..	100	20	..	100
	20	..	100	20	..	100	20	..	100
North Carolina.....	..	..	..	..	*	..	..	*	..
North Dakota .....	10	..	100	10	..	100	10	..	100
		*	..	..	*	..	20	..	50
Ohio.....	20	..	50	10	..	50	25	..	50
Oklahoma.....	10	..	100	10	..	100	10	..	50
							10	..	100
Oregon.....	..	..	..	10	..	25	10	..	25
				5	..	25	5	..	25
Pennsylvania.....	..	..	500	..	..	500	10	..	25
Porto Rico .....	..	..	..	..	..	..	..	..	..
Rhode Island .....	..	..	500	..	..	500	..	..	500
		20	..	..	..	20	..	..	20
South Carolina.....	..	..	..	10	..	50	10	..	50
							50	..	100
South Dakota .....	10	..	100	10	..	100	10	..	100
							10	..	50
Tennessee.....	25	..	250	25	..	250	25	..	250
							25	..	100
Texas.....	..	..	..	50	..	200	50	..	200
Utah.....	..	..	..	..	..	..	..	..	..
Vermont .....	..	50	..	..	50	..	..	50	..
Virginia.....	5	..	20	5	..	20	5	..	20
				25	..	100	25	..	100
Washington .....	..	..	..	50	..	100	10	..	500
								..	250
West Virginia .....	10	..	20	10	..	20	10	..	20
							25	..	..
Wisconsin.....	5	..	50	5	..	50	5	..	50
	10	..	50	10	..	50	25	..	100
	10	..	100	10	..	100	5	..	25
	5	..	25	5	..	25	..	*	..
Wyoming .....	..	..	..	..	..	..	..	..	..

\* The penalty for violation of this law is not a fine in money.

## AVERAGE PENALTIES

*Average terms of imprisonment.* There are no laws that make imprisonment the only punishment. Whenever imprisonment is permitted it is as an alternative to a fine. About one-fifth of the laws classed as distinctive child-labor laws provide for imprisonment, stating the length of time. The average maximum time limits for imprisonment provided for in this class of laws, beginning in 1899 and for succeeding five-year periods are 60 days, 80 days, 70 days, 88 days, 109 days; a month being calculated as 30 days. The average minimum penalties are between 20 days and 30 days varying from period to period. In the mining laws about one-third of the laws provide for imprisonment. The average maximum numbers of days of imprisonment permitted in this class of laws for 1884 and the following five-year periods are 273, 133, 133, 165, 154 and 180. The usual maximum limit is 180 days. There is only one case where a minimum limit is set. In the dangerous occupation laws, about one-third of the laws provide for imprisonment. The average longest terms of imprisonment permitted in the successive five-year periods are 295, 279, 323, 279, 283, 247 and 239 days; six months is the most usual time stated. When the minimum term of imprisonment is stated, the average is usually a few days more than a month. In the educational laws there are no provisions for imprisonment.

*Average fines.*—The average maximum fines are greatest in the mining laws and least in the educational laws. The fines in the dangerous-occupation laws are nearly as large as those in the mining laws. The average maximum fines for the distinctive child-labor laws are about three times as large as those in the educational laws and

one-third as large as those in the mining laws. The average minimum fines for each class of laws occupy the same position on the scale of relative sizes as do the average maximum penalties. The difference in the sizes of the minimum penalties for each of the classes of laws is not so great. In 1909, the largest average minimum penalty, found in the mining laws, is about twice as large as the smallest minimum limit, found in the educational laws. The average smallest fines that can be imposed are nearly the same in 1909 in the educational laws, the dangerous occupation laws, and the distinctive child-labor laws. About one-half as many laws fix the smallest fine as fix the largest. The fines as determined by the enactments tend to increase, approximately doubling in the thirty years, in all of the classes of laws save the dangerous-occupation laws, where they have decreased about one-fourth or one-third. The penalties that are definitely set, without stating a maximum or a minimum limit, are mainly in the distinctive child-labor laws, and there the number of such laws has shown an absolute decrease. In recent years about one-eighth of the laws set this fixed penalty. This information is presented in Tables LXXV, LXXVI, and LXXVII. These are arithmetic averages determined from the data presented in Tables LXXI, LXXII, LXXIII, LXXIV. The units from which the averages are derived have already been described. They are the averages of the numbers of different penalties set by the different laws.

TABLE LXXV. AVERAGE MINIMUM PENALTIES IN DOLLARS FOR EACH OF THE CLASSES OF CHILD-LABOR LAWS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Distinctive child-labor laws..	Number of cases	9	10	21	31	29	38	49
	Average.....	15.56	23.00	20.48	23.16	19.93	23.24	22.94
Educational laws.....	Number of cases	1	2	6	7	7	6	10
	Average.....	10.00	7.50	18.33	14.28	17.14	21.67	20.50
Mining laws.....	Number of cases	3	3	10	12	8	8	8
	Average.....	23.33	23.33	105.50	54.17	52.50	52.50	49.37
Dangerous-occupation laws..	Number of cases	6	6	13	19	22	30	35
	Average.....	45.00	45.00	39.23	33.95	27.50	24.16	25.57

TABLE LXXVI. AVERAGE MAXIMUM PENALTIES IN DOLLARS FOR EACH OF THE CLASSES OF CHILD-LABOR LAWS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Distinctive child-labor laws..	Number of cases	11	13	30	40	41	52	71
	Average.....	68.18	70.78	85.67	108.50	99.63	124.23	143.45
Educational laws.....	Number of cases	2	4	9	11	12	11	16
	Average.....	20.00	27.50	37.78	33.18	36.67	40.00	45.00
Mining laws.....	Number of cases	6	8	17	23	17	18	17
	Average.....	295.83	293.75	308.82	293.48	364.71	372.22	348.53
Dangerous-occupation laws..	Number of cases	15	18	27	37	42	57	65
	Average.....	286.67	305.55	305.55	227.16	224.52	208.68	216.85

TABLE LXXVII. AVERAGE FIXED PENALTIES IN DOLLARS FOR EACH OF THE CLASSES OF CHILD-LABOR LAWS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Distinctive child-labor laws..	Number of cases	7	7	8	8	4	5	6
	Average.....	40.00	51.43	56.25	62.50	75.00	80.00	62.50
Educational laws.....	Number of cases	2	1	2	1	1	1	..
	Average.....	75.00	50.00	50.00	50.00	50.00	50.00	..
Mining laws.....	Number of cases	..	..	..	..	..	..	1
	Average.....	..	..	..	..	..	..	10.00
Dangerous-occupation laws..	Number of cases	..	..	2	2	..	3	2
	Average.....	..	..	50.00	50.00	..	66.67	50

If the penalty that occurs most frequently at a particular time be called the typical penalty, then the typical minimum penalty for the distinctive child-labor laws has

usually been \$10, and the typical maximum penalty for the earlier years has been \$50 and for the later years \$100. For the dangerous-occupation laws, the typical minimum fine has been \$50, the typical maximum fine \$100. In the mining laws, the typical minimum and maximum fines are \$50 and \$500; in the educational laws they are in the later years \$25 and \$50. The data regarding the typical penalties are presented in Table LXXVIII. Penalties of different sizes sometimes occur with equal frequency; this explains the presence of the plural numbers in the table.

TABLE LXXVIII. THE TYPICAL PENALTIES, EXPRESSED IN DOLLARS, FOR EACH OF THE CLASSES OF CHILD-LABOR LAWS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Minimum Penalties.	Distinctive child-labor laws..	10	10, 50	10	10	10	10	10, 25
	Educational laws .....	..	..	10	5, 10, 25	25	25	25
	Mining laws.....	10	10	10	10	5, 25	5, 25	10, 25
	Dangerous-occupation laws..	50	50	50	50	50	50, 10	50
Maximum Penalties.	Distinctive child-labor laws..	50	50, 100	50	100	100	100	100
	Educational laws .....	20	20	20, 50	50	50	50	50
	Mining laws.....	500	500	50	50, 500	500	500	500
	Dangerous-occupation laws..	250	100, 250	100	100	100	100	100
Fixed Penalties.	Distinctive child-labor laws..	50	50	50	50	50	100	50
	Educational laws .....	..	..	50	..	..	..	..
	Mining laws.....	..	..	..	..	..	..	..
	Dangerous-occupation laws..	..	..	50	50	50	50	50

#### THE UNIFORMITY IN FINES

Two methods have been used previously in estimating uniformity. The first deals with the approximation of the individual cases to the average; the other determines what percentage of all the cases the number of cases of the type is. The former method, because of the wide numerical differences among units, does not seem to be applicable for estimating the uniformity in the prescribed fines. There seems to be no reason why the latter method should not be applicable to these data



as well as to previous data. This method must determine (1) the number of cases of the fine that occurs most often; (2) what percentage of the total number of cases is this number. It is interesting to note whether this relative number is decreasing or increasing. If the number of typical fines is large, then a large number are of one form, that is, they are uniform. According to this conception of uniformity, the uniformity in both the maximum fines and the minimum fines has slightly decreased in that class of laws which has been called the distinctive child-labor laws. On the other hand there seems to have been an increase in uniformity in the educational laws. During the later years the uniformity in the maximum fines in the mining laws has increased. There has been little change in uniformity in the maximum fines of the dangerous-occupation laws. In recent years the uniformity has been greatest in the educational laws and least in the distinctive child-labor laws. These data are presented in Table LXXIX. In interpreting this table it should be remembered that in the early years the numbers of cases are small.

TABLE LXXIX. UNIFORMITY IN PENALTIES, AS PERCENTAGES OF EXACT RESEMBLANCES TO TYPES, FOR EACH OF THE CLASSES OF CHILD-LABOR LAWS

*The Ratio of the Number of Cases of Greatest Frequency to the  
Total Number of Cases*

(Larger figures mean more uniformity)

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Minimum penalties.	Distinctive child-labor laws.....	0.44	0.30	0.43	0.45	0.38	0.32	0.26
	Educational laws .....	..	..	0.50	0.28	0.43	0.66	0.50
	Mining laws.....	0.66	0.66	0.50	0.33	0.25	0.25	0.25
	Dangerous occupation laws.....	0.83	0.83	0.69	0.42	0.41	0.30	0.39
Maximum penalties.	Distinctive child-labor laws.....	0.70	0.46	0.43	0.40	0.39	0.40	0.38
	Educational laws .....	0.50	0.50	0.22	0.36	0.33	0.36	0.50
	Mining laws.....	0.50	0.50	0.41	0.31	0.35	0.39	0.47
	Dangerous occupation laws.....	0.40	0.33	0.41	0.38	0.36	0.37	0.38

## CHAPTER VIII

### INSPECTION

#### DATA AND RESULTS TO BE PRESENTED

IN this chapter the phase of child-labor laws which has been called inspection is described. The approach to a measurement of inspection is outlined, and the different classes of inspection are established. The status of each state in regard to inspection provisions is shown. This is done for each of the four classes of child-labor laws, previously defined. Summaries are presented showing to what extent each class of inspection has been used in the state statutes as a whole. The type of inspection is determined. Increasing or decreasing uniformity among the laws regarding inspection is shown throughout the period studied, and for each kind of child-labor laws. Finally, the progress in the total number of states possessing inspection provisions is presented.

#### THE NATURE OF INSPECTION

All the stipulations of a law providing for its enforcement, save those dealing with the penalties, are subject matter for treatment under the heading, inspection. Many laws state nothing regarding enforcement except to name the penalty. Other laws name some person or persons and state that it is their duty to see that the law is enforced. The better laws make lengthy and detailed provisions regarding inspections. They state the number of inspectors; what proportion of the inspectors shall

be women; how they shall be appointed; what their ages and qualifications shall be; the length of term of office; how often inspections shall be made; when and to whom their reports shall be made; in what form their reports shall be made; amounts of allowance and salaries; what illegal hindrances to the carrying out their duties there may be; how complaints and prosecutions shall be made; and what records shall be kept.

The kind of person appointed to see that the provisions of the law are enforced is of especial importance. Some laws appoint truant officers; others appoint school authorities; some, factory inspectors; others, labor officials; some, constables or sheriffs or police; others, officers of humane societies. The list might be extended further. In some cases where the power to enforce the provisions of the law is given, there is no requirement that they be enforced, while in other cases there is such a requirement. The various details of inspection mentioned in the preceding paragraph, because of their variety and the scarcity of each detail, do not lend themselves well to quantitative treatment. However, this is not true of the various kinds of inspectors appointed. This fact and the importance of the proper inspector account for using the kinds of inspectors as the basis for a classification of the various kinds of inspection.

#### CLASSES OF INSPECTION DEFINED

The various classes of inspection, then, are determined on the basis of the nature of the individuals who are given the power in the law to enforce its provisions. There are ten such classes and they are defined as follows:

*Inspection a.*—*No inspection.* All laws that make no mention whatsoever of any person or persons who can or shall see that the provisions of the laws are enforced are classed in this category.

*Inspection b.—Special inspectors.* Some laws appoint an inspector, whose only duty is to enforce the provisions of the child-labor laws. Others add this duty to those of the already constituted body of factory inspectors, where manufacturing is the main employment in which children are employed. In the mining occupations this duty is added to those of the mining inspectors. This body of inspectors in some states consists of a chief, an assistant and deputies. They are usually paid officials. All such inspection is classed in this category. This seems to be the most thorough method of inspection yet employed.

*Inspection c.—Truant officers* may be appointed not only to enforce the child-labor provisions of the educational law in addition to the other features of an educational law but to enforce the distinctive child-labor laws themselves. In such cases they are expected to perform those duties assigned in other laws to the special inspectors. Some states appoint persons, called attendance officers, who have the specific duty of enforcing child-labor provisions. One case where such duties are given to probation officers is included in this class. Detailed requirements regarding visits and reports may be required. Payment for services may or may not be stipulated.

*Inspection d.—Peace officers,* police, constables, sheriffs, and marshals are given the power or the duty of enforcing these laws. When inspection is of this class no detailed instruction as to enforcement is given.

*Inspection e.—School authorities,* other than truant officers, may be given the power to enforce the law. This power may be given in rather a broad and loose manner to a board of education, school board, superintendents of schools, or other school officials. Such pro-

visions are more often found in the educational laws than elsewhere.

*Inspection f.—Health officers*, physicians and medical inspectors are in a few cases required to inspect for violations of the law.

*Inspection g.—Judicial officers*, judges, justices of the peace, juvenile court officers, and juries are specifically mentioned as possessing enforcing power. It seems, however, that it is the power to enforce rather than the power to inspect which is given to this class of officers.

*Inspection h.—Humane societies*, societies of beneficence, Societies for the Prevention of Cruelty to Animals, and similar bureaus are either required, requested or permitted to add this duty to their functions. Usually they are not paid.

*Inspection i.—Any citizen*, in a few laws, is specifically given the power to inspect, to report, and to initiate prosecution for violations of the laws.

*Inspection j.—State officers*, officers or commissions or bureaus of cities, of counties or of states other than those previously mentioned are endowed with this power and may be required to inspect or to provide for inspection regularly and to render reports. A single enactment often combines this class of inspection with some other class, as that of special inspectors. This class includes cases where the power is delegated to commissions or bureaus of labor or prosecuting attorneys or attorney-generals. There are rare cases that seem not to come within the scope of any of the preceding classes. These cases are placed in this last class. When the authority of inspection is given to certain state commissions or bureaus of labor, such bodies are expected merely to direct the inspection; often special inspectors are appointed to do the actual inspecting.

INSPECTION, BY STATES, FOR EACH CLASS OF CHILD-  
LABOR LAWS

In most cases a single enactment places inspection in the hands of only one of the classes of inspection here defined. However, a few laws possess two kinds of inspectors or even more sometimes. In some cases both truant officers and school authorities are required to enforce the provisions. Sometimes both a state board or bureau and the factory inspectors are given power, one being the higher authority. In some laws both truant officers and special inspectors do the inspecting. Many states, of course, have more than one class of child-labor laws. These two facts explain the presence of more than one class of inspection in the total body of any state's laws, as appears in Tables LXXX, LXXXI, LXXXII and LXXXIII. The status of each state with regard to inspection is shown in these tables. In classifying the provisions regarding inspection according to classes of laws, the same method of classification was employed, that was used in the part of the study which dealt with penalties. Since the aim of these tables is to present detailed information regarding each state they call for no comment other than the necessary explanations.

TABLE LXXX. CLASSES OF INSPECTION, BY STATES, FOR THE DANGEROUS OCCUPATION LAWS<sup>1</sup>

a. No inspection. b. Special inspectors. d. Peace officers. e. School authorities.  
g. Judicial officers. h. Humane societies. j. State officers.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alaska .....	....	..	....	....	a.	a.	a.
Arizona .....	....	..	....	....	..	a.	a. a.
Arkansas .....	....	..	....	....	..	....	a.
California .....	a. a. a.	a. a. a.	a.	a.	a.	a. a.	a. a.
Colorado .....	....	..	a. a.	g.	g.	g.	g.
Connecticut .....	....	a. a.	a. a.	a. a. a.	a. a. a.	a. a. a.	a. a. a.
Delaware.....	d.	d.	d.	d.	d.	d.	d.
Dist. of Columbia.	....	..	h.	a. h.	a. h.	a. h.	a. h.
Florida .....	....	..	....	....	..	a.	a.
Georgia .....	a.	a. a.	a. a. a.	a. a.	a. a.	a. a.	a. a.
Hawaii .....	....	..	....	....	..	a.	a.
Idaho .....	....	..	....	....	..	....	a. e.
Illinois.....	a.	..	a. a.	a.	a.	a.	a.
Indiana .....	....	..	a. a.	a. a.	a. a. a.	a. a. a.	a. a. a.
Kansas.....	....	..	a.	a.	a.	a.	a.
Kentucky .....	....	..	....	d.	d.	d.	d.
Louisiana .....	....	..	....	a. a.	a. a.	a. a.	a. a.
Maine .....	....	..	....	....	..	....	a. a.
Maryland .....	a.	a.	a.	a. a.	a. a.	a. a. a. a.	a. a. a. a.
Massachusetts ...	a.	a.	a. a. a.	a. a.	a. a.	a. a.	a. a.
Michigan.....	....	a.	a.	a.	a.	a.	a.
Minnesota .....	a.	a.	a.	a.	a.	a.	a.
Missouri .....	....	..	....	b.	a. b. j.	a. b. j.	a. a. b.
Montana .....	....	..	a.	a.	a.	a.	a.
New Hampshire..	a.	a.	a. a. a.	a. a.	a. a.	a. a.	a. a.
New Jersey.....	....	a.	a. a. a. a. a.	a. a. a. a.	a. a. a.	a. a. b.	a. a. b.
New York .....	a. a. a. a.	a.	a. a. a.	a.	a. a.	a. b.	a.
Ohio .....	a.	a.	a.	a. b.	a. b.	a. b.	a. b.
Pennsylvania ...	a.	a.	a.	a. a.	a. a.	a. a. b.	a. a. b.
Porto Rico .....	....	..	....	....	..	a. a.	a. a.
Rhode Island....	a.	a.	a.	a. b.	b. d.	b. d.	b. d.
South Dakota....	....	..	....	....	a.	a. a.	a. a.
Tennessee .....	....	..	....	....	..	....	a.
Vermont .....	....	..	....	....	..	d.	d.
Virginia .....	....	..	....	....	h.	h.	h.
Washington .....	....	..	....	....	..	j.	a. j.
Wisconsin .....	....	a.	a.	a.	a. a. b.	a. a. b.	a. a. a. b.
Wyoming .....	....	..	....	h. h.	g.	g.	g.

<sup>1</sup> The following states, each of which has no special enactment affecting the dangerous occupations alone, are omitted from the list in the table: Alabama, Indian Territory, Iowa, Mississippi, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, Texas, Utah, West Virginia.

TABLE LXXXI. CLASSES OF INSPECTION, BY STATES, FOR THE MINING LAWS <sup>1</sup>

a. No inspection. b. Special inspectors. c. Truant officers.  
h. Humane societies. j. State officers.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama . . . . .	.	.	.	.	b.	b.	b.
Alaska . . . . .	.	.	.	.	.	.	.
Arizona . . . . .	.	.	.	.	.	.	.
Arkansas . . . . .	.	.	.	b.	b.	b.	b.
California . . . . .	.	.	.	.	.	.	.
Colorado . . . . .	j.	j.	b.	b.	b.	b.	b.
Connecticut . . . . .	.	.	.	.	.	.	.
Delaware . . . . .	.	.	.	.	.	.	.
District of Columbia . . . . .	.	.	.	.	.	.	.
Florida . . . . .	.	.	.	.	.	.	.
Georgia . . . . .	.	.	.	.	.	.	.
Hawaii . . . . .	.	.	.	.	.	.	.
Idaho . . . . .	.	.	a.	a.	a.	a.	.
Illinois . . . . .	b.	b.	b.	b.	b.	b.	b.
Indiana . . . . .	b.	b.	a. b.	a. b. b.	a. b. b.	a. b. b.	a. b.
Indian Territory . . . . .	.	.	.	b.	b.	b.	.
Iowa . . . . .	b.	b.	b.	b.	b.	b.	b.
Kansas . . . . .	.	b.	b.	b.	b.	b.	b.
Kentucky . . . . .	.	.	.	.	.	.	.
Louisiana . . . . .	.	.	.	.	.	.	.
Maine . . . . .	.	.	.	.	.	.	.
Maryland . . . . .	.	.	.	.	.	b.	b.
Massachusetts . . . . .	.	.	.	.	.	.	.
Michigan . . . . .	.	.	.	.	.	.	.
Minnesota . . . . .	.	.	.	.	.	.	.
Mississippi . . . . .	.	.	.	.	.	.	.
Missouri . . . . .	.	.	b.	b.	b.	b.	b.
Montana . . . . .	.	.	a. b.	a. b.	b.	b.	.
New Jersey . . . . .	.	a.	a.	a.	.	.	.
New Mexico . . . . .	.	.	.	b.	b.	b.	h.
New York . . . . .	.	.	.	.	.	.	b.
North Carolina . . . . .	.	.	.	.	b.	b.	b.
Ohio . . . . .	b.	b.	b.	b.	b.	b.	b.
Oklahoma . . . . .	.	.	.	.	.	.	b.
Pennsylvania . . . . .	a. b.	a. b.	a. b. b.	a. b. b. b.	b.	b.	b. b. c.
South Dakota . . . . .	.	.	.	b.	b.	b.	b.
Utah . . . . .	.	.	.	b.	a.	a.	a.
Washington . . . . .	.	.	b.	b.	b.	b.	b.
West Virginia . . . . .	.	.	b.	b.	b.	b.	b.
Wyoming . . . . .	.	.	b.	h.	h.	a.	a.

<sup>1</sup>The following states, each of which has no special enactments affecting the mining occupations exclusively, are omitted from the list in the table: Nebraska, Nevada, New Hampshire, North Dakota, Oregon, Porto Rico, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia and Wisconsin.



TABLE LXXXII. CLASSES OF INSPECTION, BY STATES, FOR THE EDUCATIONAL LAWS<sup>1</sup>

a. No inspection. c. Truant officers. d. peace officers. e. School authorities.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama .....	..	..	..	....	....	....	....
Alaska .....	..	..	..	....	....	....	....
Arizona .....	..	..	..	....	....	....	a.
Arkansas .....	..	..	..	....	....	....	c.
California .....	..	..	..	....	....	....	....
Colorado .....	..	..	e.	e.	c. e. e.	c. e. e.	c. e. e.
Connecticut .....	e.	e.	a. e.	a. c. e. e.	a. c. c.	a. c. c.	a. c. c.
Delaware .....	..	..	..	....	....	....	....
Dist. of Columbia.	..	..	..	....	....	....	....
Florida .....	..	..	..	....	....	....	....
Georgia .....	..	..	..	....	....	....	....
Hawaii .....	..	..	..	....	....	....	....
Idaho .....	..	..	..	....	....	....	....
Illinois .....	..	..	..	....	....	....	....
Indiana .....	..	..	..	....	....	....	....
Indian Territory..	..	..	..	....	....	....	....
Iowa .....	..	..	..	....	....	....	....
Kansas .....	..	..	..	....	....	....	....
Kentucky .....	..	..	..	....	....	....	....
Louisiana .....	..	..	..	....	....	....	....
Maine .....	..	..	..	....	....	....	....
Maryland .....	..	..	..	....	....	....	....
Massachusetts....	..	..	a.	....	....	....	....
Michigan .....	..	d.	d.	d.	....	....	....
Minnesota .....	..	..	..	....	....	....	....
Mississippi .....	..	..	..	....	....	....	....
Missouri .....	..	..	..	....	....	....	c. e.
Montana .....	..	..	..	....	....	c.	c.
Nebraska .....	..	..	..	....	....	....	....
Nevada .....	..	..	..	....	....	....	c.
New Hampshire..	a.	c.	c.	....	....	....	....
New Jersey .....	..	..	c. d.	c. d.	c. d.	....	....
New Mexico .....	..	..	..	....	....	....	....
New York .....	e.	e.	e.	c.	c.	c.	c.
North Dakota....	..	..	..	e.	e.	c. e.	c. e.
Ohio .....	..	..	a.	c. d.	c. d.	c. d.	c. d.
Rhode Island....	..	..	..	c.	c.	a.	a.
South Dakota....	..	..	..	e.	e.	e.	e.
Vermont .....	a.	a.	e.	c.	c.	....	....
Washington .....	..	..	..	....	c.	c.	c.
West Virginia ...	..	..	a.	....	....	....	....

<sup>1</sup> The following states, each of which has no educational laws, are omitted from the list in the table: North Carolina, Oklahoma, Oregon, Pennsylvania, Porto Rico, South Carolina, Tennessee, Texas, Utah, Virginia, Wisconsin, Wyoming.

TABLE LXXXIII. CLASSES OF INSPECTION, BY STATES, FOR THE DISTINCTIVE CHILD-LABOR LAWS<sup>1</sup>

a. No inspection. b. Special inspectors. c. Truant officers. d. Peace officers.  
 e. School authorities. f. Health officers. g. Judicial officers.  
 h. Humane societies. i. Any citizen. j. State officers.

	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Alabama	..	..	a.	....	....	a.	b.
Arkansas	..	..	....	....	....	a.	a.
California	..	..	a.	a.	a.	a.	j.
Colorado	..	..	d. g. i.	d. g. i.	d. g. i.	i.	j.
Connecticut	d. g.	d. g.	a. e.	a. e.	a. c. e.	a. c. e.	b. c. e.
Delaware	..	..	....	....	....	....	b.
Dist. of Columbia	..	..	....	....	....	....	b. c.
Florida	..	..	....	....	....	....	d.
Georgia	..	..	....	....	....	....	a.
Idaho	..	..	....	....	....	....	c. e.
Illinois	..	..	....	a. b.	a. b. b.	b. b. b.	b. b. b.
Indiana	a.	a.	a. a.	a. a.	b.	b.	b.
Iowa	..	..	....	....	....	....	b. d. j.
Kansas	..	..	....	....	....	....	b.
Kentucky	..	..	....	....	....	b.	b. c.
Louisiana	..	..	d.	d.	d.	d.	b. j.
Maine	e.	e.	b.	b.	b.	b.	b.
Maryland	a.	a.	a.	a. a.	a. a.	a. a.	a. b.
Massachusetts	a. c.	a. a. c.	a. a. b. c.	b. c.	b. c.	b. c.	b. c.
Michigan	..	..	a. a. d.	a. a. b. d.	a. b. j.	a. b. j.	b. j.
Minnesota	a.	a.	a.	a.	e.	e.	b. c.
Mississippi	..	..	....	....	....	....	d. f.
Missouri	..	..	....	....	a.	a.	b.
Montana	..	..	....	....	....	....	h. j.
Nebraska	..	..	d.	d.	j.	j.	b.
New Hampshire	a.	a.	a. a.	a. c.	a. c.	a. c. j.	a. c. j.
New Jersey	a.	a. b.	a. b. b.	a. b. b.	b. b.	b. b.	b. b. b. j.
New York	..	..	b.	b.	b. b. j.	b. b. d. j.	b. b. d. f. j.
North Carolina	..	..	....	....	....	....	a.
North Dakota	..	..	....	a. a.	a. a.	a. a.	a. d. e.
Ohio	a.	a.	b.	b.	b.	b.	b.
Oklahoma	..	..	....	a.	a.	a.	b. b. j.
Oregon	..	..	....	....	....	b.	b.
Pennsylvania	a. d.	a. d.	a. a. a. b.	a. a. a. b.	b.	b.	b.
Rhode Island	a.	a.	a. c.	a. b.	a. b.	a. b.	a. b.
South Carolina	..	..	....	....	....	a.	b. b. j. j.
South Dakota	a.	a.	a.	a.	a.	a.	a. c. e.
Tennessee	..	..	....	a.	g.	g.	a. g.
Texas	..	..	....	....	....	a.	j.
Vermont	d. g.	d. g.	d. g.	d. g.	d. g.	c.	c. e.
Virginia	..	..	....	a.	....	a. a.	a. a.
Washington	..	..	....	....	....	a.	a. a.
West Virginia	..	..	....	a.	a.	a.	a. j.
Wisconsin	a. a.	a.	a. a.	a. a. b. j.	a. a. b. j.	a. a. b. j.	b. b. c. c. d. j.

<sup>1</sup> The following states, each of which has no distinctive child-labor laws, are omitted from the list in the table: Alaska, Arizona, Hawaii, Indian Territory, Nevada, New Mexico, Porto Rico, Utah, Wyoming.

## NUMBERS OF EACH CLASS OF INSPECTION

It is important to know the relative extent to which each class of inspection has been adopted by the states as a whole; which particular classes have been developed; and which have decreased. This description in summary is presented in table LXXXIV. It is based on the data in the four preceding tables. In those laws that have been called the distinctive child-labor laws, the laws not providing for inspection have shown a continuous relative decrease, 70 per cent had no inspection in 1879 and 22 per cent in 1909. There has been an absolute decrease since 1894. The one class of inspection which has come most prominently into use has been that of special inspectors. Use of this class of inspection has shown continuous growth since its beginning and in the last five years the number of laws providing for this kind of inspection has doubled. There has also been a tendency in a small percentage of the laws to give the power of inspection to truant officers and to state officers and bureaus. The other classes of inspection are few and more or less scattered. It is clear, however, that the type is that of special inspectors.

There are a few educational laws that make no provision for inspection. The typical inspection in the educational laws is that of truant officers. There has been a continuous growth of the use of truant officers. Some laws require both truant officers and other school authorities; however, there has been no increase in the tendency to employ school authorities for inspection. The third class of inspection found in educational laws is that by officers of the peace. In mining laws there is practically only one class of inspection, that by mining inspectors. A few mining laws make no provision for inspection. Almost all dangerous-occupation laws

fail to provide for inspection. There does not seem to be much tendency to deviate from this course, though in later years a few cases have occurred where the duty of inspecting dangerous occupations has been given to special authorities.

TABLE LXXXIV. SUMMARY OF THE CLASSES OF INSPECTION FOR EACH OF THE CLASSES OF CHILD-LABOR LAWS

		1879.	1884.	1889.	1894.	1899.	1904.	1909.
Distinctive child-labor laws.	No inspection .....	12	12	21	25	17	22	14
	Special inspectors...	..	1	7	11	14	17	34
	Truant officers.....	1	1	2	2	3	4	12
	Peace officers .....	3	3	5	5	3	2	6
	School authorities ..	1	1	1	1	2	2	5
	Health officers .....	..	..	..	..	..	..	2
	Judicial officers.....	2	2	2	2	3	1	1
	Humane societies...	..	..	..	..	..	..	1
	Any citizen .....	..	..	1	1	1	1	..
State officers.....	..	..	..	1	4	5	15	
Educational laws.	No inspection .....	2	1	4	1	1	1	3
	Truant officers.....	..	1	2	6	9	8	11
	Peace officers .....	..	1	2	3	2	1	1
	School authorities ..	2	2	4	5	4	4	5
Mining laws.	No inspection.....	1	2	5	5	3	4	3
	Special inspectors...	5	6	13	19	18	19	19
	Truant officers .....	..	..	..	..	..	..	1
	Humane societies...	..	..	..	1	1	..	..
	State officers .....	1	1	..	..	..	..	..
Dangerous occupation laws.	No inspection .....	16	19	29	32	36	43	52
	Special inspectors...	..	..	..	3	4	7	6
	Peace officers .....	1	1	1	2	3	4	4
	School authorities...	..	..	..	..	..	..	1
	Judicial officers.....	..	..	..	1	2	2	2
	Humane societies...	..	..	1	3	2	2	2
	State officers .....	..	..	..	..	1	2	1

#### UNIFORMITY in INSPECTION

The extent to which the state laws have increased or decreased in uniformity in their provisions for inspection cannot be estimated by the method previously used, of measuring the closeness of approximation to the average.

It can be estimated by measuring the extent to which adherence to the type has increased or decreased. The conception of type is that previously used, namely the category of greatest frequency, and the units for measuring uniformity are the classes of inspection which have been previously established. In the class of laws called the distinctive child-labor laws, 69 per cent of the laws possessing any provision for inspection possessed that class of inspection which was the type, in 1909. For each preceding five-year period the figures are as follows: 65 per cent, 64 per cent, 61 per cent, 50 per cent, 50 per cent, and 60 per cent. By looking at the inspection provisions from this point of view, it can be seen that there has been a continuous increase in uniformity. The educational laws have likewise become more uniform in their inspection provisions. The figures, beginning in 1894 and for each succeeding five-year period, are 65 per cent, 75 per cent, 80 per cent, and 85 per cent. There is here a greater uniformity than in the distinctive child-labor laws. In mining laws providing for inspection, there has always been high uniformity, as in practically all cases there is provision for special inspectors. In dangerous occupations, nearly all the laws fail to provide for inspection.

#### PROGRESS IN THE TOTAL NUMBERS OF STATES PROVIDING INSPECTION

The progress in the numbers of states that possess provisions for inspection is considered next. The number of states possessing any kind of inspection for any class of child-labor laws in 1879 was 12, and in 1909 it was 46. Progress began early and has been rapid. It should be remembered that in many of these states the inspection is very lax, and that many inspection provisions apply

only to mining. These figures are for the broadest conception of inspection and for the broadest conception of child-labor laws. A person in speaking of child-labor laws usually refers to those laws called in this study the distinctive child-labor laws. What has been the progress of inspection in the distinctive child-labor laws? In 1879 there were 5 states providing for inspections; in 1909 there were 39. The progress was slow in the early years but rapid in the last ten years. It should be remembered that some states possess only an inferior kind of inspection, hardly worthy of the name of inspection. The inspection most commonly referred to is inspection by special inspectors. The progress in the number of states providing for special inspectors has not been great. Beginning in 1884, the number of states, at each five-year period, providing for this inspection is 1, 6, 10, 11, 13 and 26, respectively. It will be observed that there was a great increase in the last five-year period.

TABLE LXXXV. THE TOTAL NUMBER OF STATES, AT EACH FIVE-YEAR PERIOD, PROVIDING INSPECTION FOR EACH AND ANY CLASS OF CHILD-LABOR LAWS

The class of child-labor laws.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
Distinctive child-labor laws.	5	6	13	16	19	21	39
Educational laws .....	2	4	7	10	10	8	11
Mining laws .....	6	7	12	17	18	18	18
Dangerous occupation laws.	1	1	2	8	10	15	15
Any .....	12	16	25	33	37	39	46

## CHAPTER IX

### THE ENACTMENT AS A WHOLE

#### THE DIFFERENT KINDS OF ENACTMENTS

IN the previous parts of the study, the child-labor enactments have been considered in their several phases and a quantitative study has been made of each phase. The study has been made upon each provision considered separately and upon each occupation group considered separately. It is known, for instance, how many laws there are that possess a phase dealing with general age limits. It is also known how often the laws include an hours-of-labor provision. Similar information has been presented regarding educational requirements, working papers, penalties and inspection.

In this section of the study it is the purpose to look at the enactment as a whole, to ask: What provisions did the various legislative enactments as a whole contain in 1879? and what in 1909? What is the typical child-labor law? What provisions did the typical child-labor enactment contain in each of the five-year periods? What have been the changes in the forms of the enactments thus described? What has been the tendency to uniformity? Tables are presented showing, from 1879 to 1910, the number of each different kind of enactment according to the different combinations of provisions embodied in each. This is done for each class of child-labor laws. The question of type and the question of uniformity are also considered. In a

similar manner the enactments are considered with reference to the groups of occupations that each affects.

Enactments are differentiated into kinds as follows: If an enactment contains an age limit provision and a penalty provision only, it is to be placed in one class, in which all enactments that possess just those two provisions, although the substances of the provisions be different, are grouped. Likewise, all enactments that provide for a general age limit, for hours of labor, and for penalties constitute another class. Different kinds of enactments then embody different combinations of two or more of the six provisions. The total possible number of different kinds of enactments is very large. However, of the distinctive child-labor laws, there actually occur only 23 different kinds; of the educational laws, only 7 different kinds; of the mining laws, there are 7, and of the dangerous-occupation laws, only 4. Just what these different kinds of enactments are, is shown in the left-hand sides of Tables LXXXVI, LXXXVII, LXXXVIII, and LXXXIX. The mark, 1, under any provision, indicates its possession by the enactment. The right-hand sides of these tables show the number of each kind of enactment for each of the five-year periods. For instance, in the distinctive child-labor laws in 1879 there were seven enactments possessing only an hours-of-labor provision and a penalty provision.

In looking at these tables, it appears that there has not been much change in the different kinds of enactments nor in their relative frequencies in the educational laws, in the mining laws and in the dangerous-occupation laws. This, however, is not true of the distinctive child-labor laws. There is found a considerable growth in later years of those kinds of enactments that are composed of combinations of all, or nearly all, of the provisions. In the earlier years they were more simple. This characterizes the general progress.





TABLE LXXXVII. SUMMARY OF THE NUMBERS OF DIFFERENT KINDS OF ENACTMENTS, ACCORDING TO THE PROVISIONS EMBODIED IN EACH, FOR THE EDUCATIONAL LAWS<sup>1</sup>

The different kinds of enactments.						The numbers of each kind.						
Age limit.	Hours of labor.	Educational requirement.	Working papers.	Penalty.	Inspection.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
::	::	I	::	I	::	I	I	3	I	I	I	2
::	::	I	::	I	I	I	::	I	I	I	::	I
I	::	::	I	I	::	::	::	::	::	I	I	I
::	::	I	I	I	I	I	I	I	I	I	I	I
::	::	I	I	I	I	I	4	6	8	8	6	7
I	::	I	I	I	I	::	::	::	I	I	I	I

<sup>1</sup>The reading of this table is the same as Table LXXXVI.

TABLE LXXXVIII. SUMMARY OF THE NUMBERS OF THE DIFFERENT KINDS OF ENACTMENTS, ACCORDING TO THE PROVISIONS EMBODIED IN EACH, FOR THE MINING LAWS<sup>1</sup>

The different kinds of enactments.						The numbers of each kind.						
Age limit.	Hours of labor.	Educational requirement.	Working papers.	Penalty.	Inspection.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
I	::	::	::	I	::	I	2	3	4	3	4	3
I	::	::	::	I	I	2	2	4	6	6	5	5
I	::	I	::	I	I	2	I	3	4	3	4	4
I	::	::	I	I	I	I	2	4	6	5	5	4
I	I	I	I	I	I	::	I	I	I	I	I	2
I	::	I	I	I	I	::	::	::	::	::	::	I
I	::	::	::	::	::	::	::	I	I	I	I	::

<sup>1</sup>The reading of this table is the same as of Table LXXXVI.

TABLE LXXXIX. SUMMARY OF THE NUMBERS OF THE DIFFERENT KINDS OF ENACTMENTS, ACCORDING TO THE PROVISIONS EMBODIED IN EACH, FOR THE DANGEROUS OCCUPATION LAWS<sup>1</sup>

The different kinds of enactments.						The numbers of each kind.						
Age limit.	Hours of labor.	Educational requirement.	Working papers.	Penalty.	Inspection.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
I	..	..	..	I	..	15	19	29	31	37	45	54
I	..	..	..	I	I	I	I	2	8	9	12	12
..	I	..	..	I	I	..	..	..	..	I	4	4
I	I	..	..	I	I	..	..	..	..	I	I	I

<sup>1</sup>The reading of this table is the same as Table LXXXVI

*The Type.* What combination of provisions, or rather, what kind of an enactment is the type? Heretofore that category which occurred most frequently has been considered the type. There seems to be no objection to this where the conception of the thing measured is simple; for instance, the age limit of greatest frequency may be called the type. However, some complication seems to enter into this idea of type when the units enumerated are each conceived of not so much as a single unified thing, but as a thing composite in its make-up. Then the thought is rather upon the parts that make up the whole. This is true of the kinds of enactments the enumerations of which have just been presented. Here one does not think of the enactment as a whole but rather of the provisions that compose it, since they are differentiated on the basis of their composition. This difficulty seems to be due to the fact that equal weight or value cannot be attached to each part making up the whole. The idea is made clearer by examining Table LXXXVIII, which enumerates the different kinds of enact-

ments for the mining laws. In this table the frequencies of four of the different kinds of enactments are nearly the same and show no clearly defined type. The reader, however, may feel that in the mining occupations educational requirements or working-paper provisions are not nearly so important as the age limits, the penalty, or the inspection provisions. If looked at from this standpoint of valuation, all those laws containing an educational-requirement provision or a working-papers provision or both would be classed with enactments to which they would otherwise belong if they did not possess these two provisions, or they would be classed together as a distinct kind. In the table which is being considered this method would yield a distinct type in either case whereas, as the table stands, there is none. Thus, if, in a determination of type, attention is given to its meaning rather than to its character as an abstract term or as a result of a method of calculation, some account must be taken of the viewpoint expressed in the foregoing discussion. Thus, in trying to discover what may be called a type, attention must be paid not only to the frequencies, but to the concepts back of them. Then, both the greatest frequency and the conception of the things measured must be well marked before the type can be well defined. This, it is thought, is the reason why the expression, type, is used so loosely in common usage. It is not always possible to define it rigidly for the above reason.

What, then, is the typical kind of enactment with reference to the combinations of provisions embodied in it? In the education laws, as seen from the data presented in Table LXXXVII, there is a clearly defined type throughout most of the period studied. It is that kind of an enactment which provides for only educational requirements, working papers, penalty and inspection. In the dangerous-occupation laws there is also a clearly defined type for the whole period. It

is that enactment which only regulates the age limit and provides a penalty. In the mining laws, if each provision is given equal weight there is no clearly-defined type. In the distinctive child-labor laws, since 1899, there has been a clearly defined type. It is the one which embodies all six provisions. Previous to that it is difficult to say what was the type, if equal value is assigned to each of the six provisions. It is observed that, in Table LXXXVI, which is the table containing the data for the distinctive child-labor laws, the first five lines of the table represent those kinds of enactments which regulate hours of labor and do not regulate general age limits. The first two lines represent the kinds of enactments that provide for hours of labor and a penalty and those that provide for hours of labor, a penalty and inspection. The frequencies of these kinds are relatively large and suggest that there has been a tendency to regulate hours of labor in enactments separate and distinct from those that regulate the general age limits and the other provisions of the laws. This has been true to a certain extent, though not particularly in recent years.

*Uniformity.* Uniformity in the different kinds of enactments cannot be determined by the method of approximation to the average. In estimating uniformity by the method of expressing the frequencies of the type in percentages of the total frequencies, the same remarks, that were made in the foregoing regarding the type, are applicable to the idea of uniformity, since this uniformity is dependent upon the type. Uniformity can be estimated only where the type is clearly defined. In the distinctive child-labor laws, the uniformity in 1909 is, by this method, found to be 0.31 and, in 1905, 0.18, a considerable decrease. In the educational laws the figures representing uniformity, beginning in 1879, and for each succeeding five-year period, are 0.66, 0.55, 0.66, 0.62, 0.55, 0.50; a slight decrease. In

the dangerous-occupation laws, the uniformity is quite high, the figures being 0.94, 0.95, 0.94, 0.80, 0.77, 0.73 and 0.76. There is a slight decrease throughout the whole period. In the mining laws there is no clearly-defined type, consequently uniformity cannot be well estimated.

#### THE COMBINATIONS OF OCCUPATION GROUPS AFFECTED

In this chapter of the study, which deals with the enactment as a whole rather than its analyzed parts, attention has been paid to the provisions only and it has been shown in what combinations they are found in the different kinds of enactments. It is now proposed to treat in similar manner the occupation groups. In this case attention will be devoted only to the distinctive child-labor laws since the dangerous-occupation laws deal with only one occupation group each. In the education laws the occupations affected seem to be of less importance. Table XC shows what combinations of occupation groups are affected by the enactments. It is seen from this table that throughout the period studied most enactments have affected the manufacturing group alone. This then may be said to be the clearly-defined type. The tendency, however, has been rather away from this type than toward it. The trend of the enactments has been toward the inclusion of more and more occupation groups in the list of occupations affected. In 1884, there was not a single enactment that affected more than two groups of occupations. In 1894, there were no enactments affecting more than four groups. In 1909, about one-half of the enactments affected more than three occupation groups. The tendency has very clearly been to extend the number of groups affected. The combinations of occupation groups affected is shown in Table XC. If the measurement of uniformity in the different kinds of enactments, ac-

According to the combinations of occupation affected by each, be made by the method of expressing the frequencies of the type in percentages of the total frequencies, it is found that there is a constantly decreasing uniformity. Beginning in 1879, and for each succeeding five-year period, the figures are 0.88, 0.83, 0.47, 0.50, 0.36, 0.30 and 0.22, a rapid decrease in uniformity.

TABLE XC. SUMMARY OF THE NUMBERS OF THE DIFFERENT KINDS OF ENACTMENTS, ACCORDING TO THE OCCUPATIONS AFFECTED BY EACH, FOR THE DISTINCTIVE CHILD-LABOR LAWS

(This table should be read as follows: In 1894, there were 7 enactments, the only occupation groups affected by which were manufacturing and mining.)

The different kinds of enactments.							The numbers of each kind.						
Manufacturing.	Mercantile.	Hotels, offices, etc.	Street trades.	Mining.	Dangerous occupations.	Any gainful occupation.	1879.	1884.	1889.	1894.	1899.	1904.	1909.
1	..	..	..	..	..	..	15	15	16	21	14	15	14
..	1	..	..	..	..	..	..	1	..	..	..	..	1
..	..	..	..	..	..	1	..	..	..	..	..	1	2
..	..	..	..	..	..	..	..	..	1	..	..	..	1
1	1	..	..	..	..	..	1	..	4	4	4	5	2
1	..	..	1	..	..	..	..	..	..	..	..	1	..
1	..	..	..	1	..	..	..	1	5	7	5	6	2
1	..	..	..	..	1	..	..	2	2	2	4	4	4
..	1	..	..	..	1	..	1	1	1	..	1	..	1
..	..	..	..	..	1	1	..	..	..	..	1	1	..
..	..	..	..	..	1	1	..	..	..	..	..	..	1
1	1	..	1	..	..	..	..	..	1	..	..	..	2
1	1	..	..	1	..	..	..	..	..	..	..	..	2
1	1	..	..	..	1	..	..	..	1	1	2	2	..
1	..	1	..	1	..	..	..	2	2	3	1	1	2
1	1	..	1	1	1	..	..	..	1	1	1	1	..
..	1	1	1	1	1	..	..	..	..	..	1	1	1
..	..	..	..	..	1	1	..	..	..	..	1	1	..
..	1	1	1	..	1	..	..	..	..	..	1	1	1
1	1	1	1	..	1	..	..	..	..	..	..	..	2
1	1	1	1	..	..	1	..	..	..	..	..	..	2
1	1	..	1	1	1	..	..	..	..	1	..	..	..
1	..	1	..	1	1	1	..	..	..	..	..	1	1
1	..	..	1	1	1	1	..	..	..	..	..	..	1
1	1	1	1	1	1	..	..	..	..	..	1	1	2
1	1	1	1	..	1	1	..	..	..	1	2	4	4
1	1	..	1	1	1	1	..	..	..	1	1	..	..
1	..	1	1	1	1	1	..	..	..	..	..	1	1
1	1	1	1	1	1	1	..	..	..	..	..	..	4



## APPENDIX

### THE LOCATION OF THE CHILD-LABOR LAWS OF EACH STATE

#### ALABAMA.

- 1886-87. Session Laws, number 49, page 90.
- 1894-95. Session Laws, number 15, page 18.
- 1897. Session Laws, number 486, page 1107.
- 1903. Session Laws, number 57, page 68.
- 1907. Session Laws, number 776, page 757.
- 1907. Code, section 1035.
- 1909. Session Laws, number 107, page 158.

#### ALASKA.

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