

PAMPHLET No. 86.

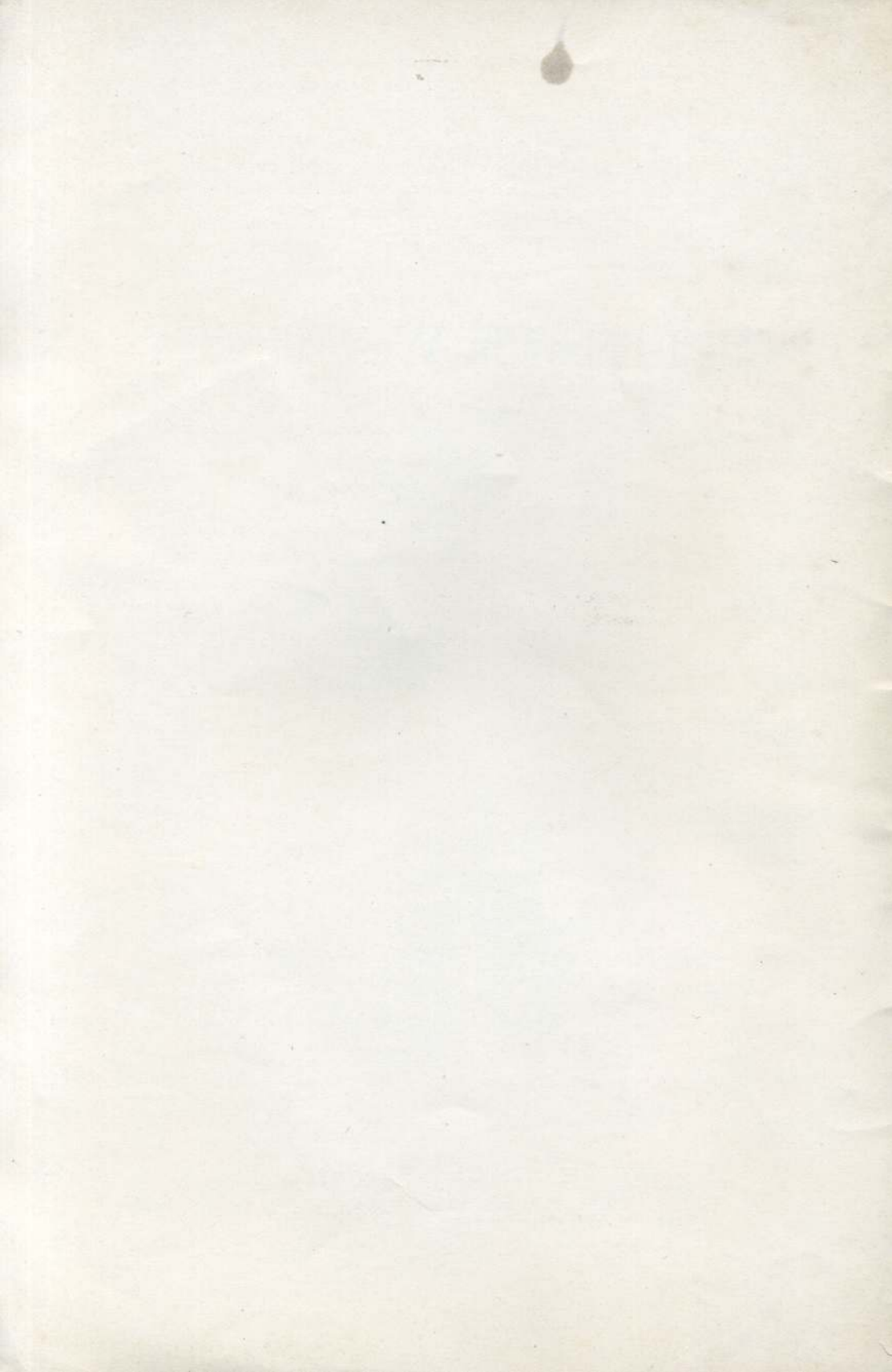
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National Child Labor Committee.
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Child Labor in West Virginia



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CHILD LABOR IN WEST VIRGINIA.

BY E. N. CLOPPER,

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This pamphlet treats of the child labor situation in West Virginia. It is hoped it will have some part to play in the general awakening now taking place in regard to social conditions, and that it will serve to show in some measure to what extent child labor is employed in West Virginia, and what protection the state affords to working children as compared with the restrictive legislation in other sections of the country.

The problem in West Virginia, considering the state at large, relates particularly to the employment of children in mines and glass works; every city and town in the state has its own peculiar problem to solve, as, for example, the employment of children in potteries or in tin-plate mills, or in stogie factories, or in messenger service, but these are almost purely local features, while the problem in mines and glass works is of a general nature.

It is an interesting fact that the people in the southern portion of the state know little or nothing about the people in the northern portion, and vice versa. This is due to the mountainous character of the state. The lines of trade and commerce run from the eastern to the western section and consequently there is very little communication between the people of the north and those of the south. In the southern and central parts of the state, coal mining is the predominating industry and it is of great importance in the north also, but there the manufacture of glassware, tin-plate and steel share with it the attention of the industrial population.

THE LAW.

The present state laws regulating the employment of children, and providing for compulsory education, are confusing to anyone interested in their enforcement. The child labor law provides, (1) That no child under 14 years of age shall be employed during the school term of the district in which he resides; (2) That no child under 12 years of age shall be employed at any time in factories, workshops, mercantile or manufacturing establishments where goods or wares are made or sold. Section 17 of the mining law passed in February, 1907, provides that no boy under 14 years of age, nor girl of any age shall be permitted to work in a coal mine at any time, and in case of doubt

as to the age of a boy, his parent or guardian shall furnish an affidavit. Now comes the new compulsory education law which requires that every child between eight and fifteen years of age shall attend some free school twenty-four weeks yearly, beginning with the opening of the school term.

Consequently:

(1) During the school vacation a child of any age may be legally employed in any kind of work except in mines and the four other establishments specified, and to work in the latter he need be only twelve years of age.

(2) A boy under fourteen years of age cannot be employed legally in a coal mine at any time of the year.

(3) According to the child labor law, a child under fourteen years cannot be legally employed in any kind of work while the schools where he resides are in session.

(4) According to the compulsory education law, every child under fifteen years must attend school during at least twenty-four weeks of the school term.

(5) A child in his fifteenth year can be legally employed in any kind of work if he has attended school twenty-four weeks during that year.

Section 1 of the act of 1905 relating to the employment of children, provides that the law prohibiting the employment of minors under fourteen years of age during the free school term, shall not apply if such employment does not interfere with the regular attendance at school of such minors. This does not refer, however, to the employment of children in coal mines. In other words, the law *permits* children anywhere from infancy up, to work in any occupation except coal mining, in the evening or at night, provided they attend school during school hours. To some it may appear unnecessary to prohibit such employment, believing that no child would work at night and attend school during the day, but some children *do* undertake this tremendous task! **In Indiana and Pennsylvania, young boys attending school have been found working in glass factories from 6 to 10:30 P. M., in violation of the law. The statutes of those states rightly prohibit such debauchery of childhood—the absurdity of it is that the law of West Virginia actually authorizes it!**

Child labor restriction and compulsory education are so closely correlated that it is obviously of vital importance that there should be no conflict between the provisions of the laws regulating these two elements of social progress. **The state legislature in 1908 passed a bill providing for the present revised school law, without a dissenting vote**

in either house, and the next Assembly will doubtless emulate this good example and bring the child labor law up to the standard of other states, having one age limit for the entire year.

CHILD LABOR IN COAL MINES.

Let us consider, first, the employment of children in coal mines, and in this connection it will be well to describe the conditions under which they work. Much public interest has been manifested recently in the conditions surrounding young boys employed in breakers, but these conditions have nothing to do with the situation in West Virginia, inasmuch as breaker boys are employed exclusively at anthracite mines and all the mines in West Virginia are of bituminous coal.

There are different kinds of mines, due to the different levels at which coal is found. The strata, or seams of coal, are more or less level and are found, sometimes near the top of a hill, sometimes half-way up, sometimes several hundred feet below the surface. When the seam is located high up in the hill, it is reached by an inclined plane running from the mouth of the mine down to the "tipple", which is always built immediately above the railroad. The tipple is a wooden structure on which the coal is run out from the mine, weighed and tipped over into the freight cars below. On this inclined plane is a double track over which two cars are operated by cable, hauling the coal down from the entrance above. In the southern section of the state, where the land is mountainous, these inclined planes slope at an angle of about 50° , and consequently riding on these coal cars or "monitors", as they are known, is fraught with danger. Yet in spite of this, the men and boys much prefer to use them than the circuitous paths down the mountain side.

Where the seam of coal is located in the lower part of the hill, it is a comparatively easy matter to bring the coal out of the mine, as the tipple can be erected so that the slope is gentle and the coal cars are run to it directly out of the mouth.

When the seam is located far below the surface, a shaft is sunk to its level, and a rude elevator is used to lift the coal and workmen. This elevator is merely a platform large enough to accommodate one of the little coal cars which run inside the mine.

A mine consists of a system of tunnels, technically known as "entries". Tracks on which the little coal cars run, are laid through the principal entries and coal is dug out of the sides or "ribs", forming

pockets or side-entries. These seams of coal have a thickness averaging about five feet; consequently, in the interior, one is able to stand erect in only a few places.

THE DANGER.

There is ever present an element of danger from one source or another, such as riding on a monitor, explosions, falling of slate from the roof of the mine, bumping of coal cars, or contact with live electric wires, and this lends to the work a certain fascination which the miner admits and which is akin to the lure of the sailor's life. The



Photo, September, 1908, by Lewis W. Hine.

Entrance to a mine in the Bluefield district, showing the electric motor.

Note the live wire. The motor runs two miles into the mine. The boy is a "trapper", and is about to go to work inside with the others.

men stick to their trade. As one old miner expressed it, "They say a rollin' stone don't gather no moss, but I'm afeard I'll git so much moss gathered on me, I never kin roll!"

■ In many mines, the trains of little coal cars, "trips" as they are called, are hauled by an electric motor, current being supplied by a trolley wire attached to the roof of the mine by means of hangers. This wire is charged with over five hundred volts and inasmuch as

the roof is rarely more than five or six feet above the floor, and as the entries are purposely made narrow to prevent as far as possible the fall of rock from above, anyone passing through these entries is constantly in imminent danger of coming in contact with it. The photograph on page 6 shows how easily these men and boys may receive the full shock of the current; indeed, this death-dealing wire added its quota to the list of fatalities in 1907.

As an illustration of the inquiring nature of the American child, a boy about sixteen years of age said that in order to satisfy himself, he had taken a dry board, used it as an insulator to stand upon, and then had taken hold of the wire. No injury resulted on account of the circuit's being interrupted by the dry board, but dry boards are seldom found in mines, as moisture is continually dropping from the roof and everything is damp, and often the employees and sometimes the mules are knocked down by the force of the current.

A constant danger and source of injury to men and boys inside the mines, are the "slate falls", as the caving-in of portions of the roof is commonly known. The stratum of rock overlying the deposits of coal is shale, known here as slate, and this very easily becomes detached from the mass of solid rock above, and falls, sometimes burying workmen beneath it. This is really the cause of most of the injuries and is responsible for a considerable portion of the loss of life. **In West Virginia, in 1907, 144 lives were lost and 104 men and boys were injured as a result of slate falls.** During the same year, however, in West Virginia, 484 men and boys were killed by gas and dust explosions, this large number being accounted for principally by the terrible disaster at Monongah, in which 359 lives were lost. **The slate falls, the live wire, the explosions, the accumulation of gas, the rapid movement of cars through the narrow entries and the blasting of coal, all contribute to make mining a dangerous occupation, and it is only reasonable that the age limit for employment in such work should be raised from fourteen to sixteen years.** This has been done already in six states, and there is no reason why West Virginia, which, after Pennsylvania, had more accidents in mining in 1907 than any other state in the Union, should not follow their example and see to it that none of her children under sixteen years of age are allowed to risk their lives in this very hazardous work. **In West Virginia, in 1907, 729 employees of mines were killed and 245 were injured; the death rate per one thousand employees was 12.35, the heaviest in the country, while the number of tons of coal mined for each life lost, was only 65,909—the least tonnage per life lost in any state of the Union.**

Practically every mine has its own gruesome history of injury

and death. In one mine visited, an explosion had occurred a few months previous in which the foreman had been killed. Conditions were particularly hard here; water dropped from the roof in places as in a shower, and parts of the track were above shoe-tops in water and mud. Some of the side-entries were so low that one was obliged to bend double in order to get through.

The cable system is also used to haul the trips of loaded cars out of the mine and take them back when empty. This cable, however, runs through only the principal entries and this is true also of the



Photo by flashlight, September, 1908, by Lewis W. Hine.

A slate-fall over a mile inside a mine near Thurmond.

electric motor, mules being used to haul the cars into the newly-made entries where there is no installation. These mules are driven usually by boys known as "drivers", whose work is dangerous, as they move about the coal cars and not infrequently are injured by bumping cars.

Many of these boys, who spend ten hours daily in the blackness of the mine, are lank and undeveloped, some are anaemic and all apparently show some effects of being deprived of the health-giving sunlight. Some mines are equipped with an electric lighting system, but the darkness is only a little relieved on account of the incan-

descent lamps, being so far apart, and the installation's not being made in the newer portions of the mines where most of the employees work. The little lard-oil lamps worn in the caps of the miners, afford practically the only light there is and these cast but a feeble glow, merely enough to enable the miner to see the walls about him.

In a shaft mine, a boy named Frank, about fourteen years old, was found, and it was learned that he had been in the mine for three years, helping his father pick coal and load it upon the cars. Some time ago, one of his legs was so badly crushed that he spent a year in the hospital. Arlie, another boy of the same age, shovels coal in this mine, although his father and two brothers also work there.



Photo by flashlight, September, 1908, by Lewis W. Hine.

Drivers far underground in a mine in the Bluefield district.

Spending ten and one-half hours daily underground, with only a cold lunch at noon, would seem to be a very trying, if not unhealthful, condition for labor; but the miners say they become accustomed to it, and do not believe any injury to their health results from the confinement or lack of sunlight. But they have few words of praise for the food they eat. If some of the wives and boarding-house keepers could overhear the caustic comments about their cooking, and especially the abuse heaped upon West Virginia's pride—the baking-powder biscuit—there would be trouble under many a roof. One old miner who had indigestion, declared in the quaint drawl of the mountaineer, "Them dodgahs does right smaht o' hahm: they hain't none of 'em that is fittin foh humans to eat!"

WAGES.

Some employees work for fixed wages, others on the piece plan. Boys are paid from \$0.75 to \$1.25 per day while the miners who pick the coal receive \$0.40 for each ton mined. A miner selects a spot in the rib of an entry, picks at the "mining streak", blasts, and shovels the loosened coal into cars, hanging a brass check bearing his number on every car filled. Each car when loaded holds a little more than



Photo, October, 1908, by Lewis W. Hine.

Harry and Sally. The boy is a driver in a mine near Grafton.

two tons. It is then coupled to other loaded cars and the trip is hauled to the mouth of the mine and run out on the tippie. Here, each car is weighed, 1900 pounds being allowed for the weight of the car, while the balance is credited to the miner whose brass check is on the car, the tippie boss entering the weight and the miner's number

on the register. Then the car is tipped and the coal falls into the freight car on the railroad underneath. An active miner in this way earns from five dollars to nine dollars daily, and in view of the fact that he works more than 200 days a year, on an average, it certainly seems that a father could support his family and send his young children to school rather than allow them to face the dangers inside the mine for the sake of their additional earnings.

On the tippie, a crew unloads the cars as they come from the mine and in these crews are frequently found young boys whose duty is to sweep the tracks and do other jobs as general utility boys.

THE TRAPPER.

A mine has more than one mouth, and it is not unusual to find mines having several, the coal being dug out so as to form the entries. Ventilation is afforded in many by means of large fans, operated by steam, which keep a constant current of air moving through the passages. In this system of ventilation, trap-doors are used. These completely obstruct the entry and thus force the current of air into some other portion of the mine; they swing on hinges and are tended usually by boys whose duty is simply to sit beside them, opening them to allow the passage of coal cars, and closing them after the cars have gone by.

The employment of boys at this work represents one of the crudest phases of labor. The door-boy, or "trapper", sits beside the door, idle a great portion of the time learning practically nothing that will fit him for usefulness in time to come, besides being deprived of all the benefits of education. He begins usually at wages of one dollar per day, the amount ranging from \$0.75 to \$1.25, according to the place of employment. In a coal mine at Simpson, old crippled men, instead of boys, are employed to tend the trap-doors, and this arrangement is certainly an improvement over the employment of children, inasmuch as it affords the means of earning a livelihood to men incapacitated for other work and does not deprive boys of the opportunity to acquire some education.

In one place, a trapper was asked how many times during the day he was required to open the door; he replied that sometimes it was a dozen, sometimes fifty—the remainder of the day he sat idle. When it is considered that work in the mines begins at 7 in the morning, and ends at 5.30 in the evening, some idea of the monotony and deadening influence of this "work" may be had. A foreman was asked whether the trappers ever had any relief from the monotony of

this simple task; "Oh, yes!" he replied, "they change about from door to door!"

In a mine in the southern part of the state, a trapper named Alfred, about fourteen years old, has tended doors for several years during the school vacation period. When asked whether he preferred to attend school because it was more fun than mining, he answered, "This yere work hain't no fun!" At another mine, a boy of about fifteen years said he had trapped in that region for several years; in another place, several trappers were found, one a little fellow known as "Son", who looked to be about twelve years old, and who, the foreman said, had been trapping for more than six years. Another of the boys, Ernest by name, looked to be about thirteen and had been employed there for three years.

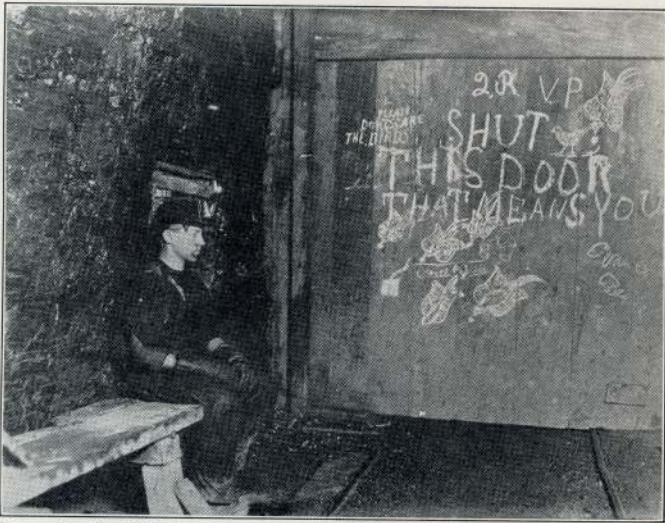


Photo by flashlight, September, 1908, by Lewis W. Hine.

A "trapper boy", fifteen years old, who is paid 75 cents daily for ten hours' work. He has "trapped" for several years. Owing to the intense darkness in the mine, the chalk markings on the door were not noticed until the photographic plate had been developed. These markings tell the tale of the boy's loneliness far underground.

"PROOF" OF AGE.

It was found that the foremen of the mines generally had a fair knowledge of the provisions of the state child labor law, but their willingness to shift the burden of proof and responsibility upon the parents of boys employed was painfully evident. Their object is to

obey merely the letter of the law without any regard for its spirit, and if a boy presents himself as an applicant for employment armed with an affidavit to the effect that he is beyond the age limit, nothing stands in the way of his being engaged, even though he be quite young. A foreman at one mine said, "We would use many more boys if we could get them, but they have to go to school!"

At a mine in the southern part of the state, the photographer had some difficulty in getting the picture of a young driver; for a long time he refused to come into the field of the camera because, as the other boys said, he was afraid he might be compelled to return to school. His picture was secured, however, and is reproduced in this pamphlet.

As an illustration of the operation of the law requiring boys to furnish the affidavit of parent or guardian in case of doubt as to age, the attitude of a certain foreman is characteristic. When asked whether the boys lied about their age so as to secure employment, he said, "Yes, they do; but if they bring an affidavit, that lets us out!"

ENVIRONMENT.

When one thinks of the life the miners lead, spending ten and one half hours daily in the damp and darkness underground, getting out in the evening only to return to the dreary cluster of company-built coops, one wonders what they do for amusement. They have no wholesome entertainment of any kind. A good moving-picture show would be a godsend to any isolated mining village. When questioned about the diversions of the miners, one man said, "Oh, they booze and gamble and go to the dives around here; these dives are something fierce!" Another said, "There ought to be some kind of amusement; miners would pay for it, too; they spend lots."

And what of the children growing up in this atmosphere? Are they getting a square deal?

CHILD LABOR IN THE GLASS INDUSTRY.

The manufacture of glass is confined to the northern and western portions of the state and the factories may be roughly separated into three divisions; those that make window glass, those that make cast and rolled glass, and those that make bottles and tableware. The making of window glass involves much heavier labor than the making of bottles or tableware, consequently this branch of the industry makes no draft upon child labor, and this is true in a lesser degree perhaps, of the cast and rolled glass industry. In the manufacture

of bottles and tableware, however, a great many young children, both boys and girls, are employed. These children work in both the blowing and packing rooms.

Around the tanks and pots of the blowing room, young boys work, waiting upon the blowers, the pressers, and the finishers. The boy who opens and closes the iron mold for the blower is known as the "holding-mold boy"; the one who stands beside the presser receiving tumblers from the large mold on a little tray and placing them on a little table at his side, is, in his own phraseology, the "ketchin'-up boy"; the boy who seizes these blown or pressed objects with a long iron rod and holds them in the flame of the glory-hole for a few seconds before handing them to the finisher, is known as the "sticker-up boy"; the one who takes the finished objects from the finisher to the annealing oven, is known as the "carrying-in boy".

NIGHT WORK.

These boys, in the majority of cases, are employed on the alternating weekly shift, working nine hours daily, the time being divided into two periods of four and a half hours each, with an intermission between of one hour. The day shift begins work at 7 A. M., and quits at 5 P. M., and the night shift usually goes to work at 6 P. M. and quits at 4 A. M. In most of the factories, the force which works during the day one week works at night during the following week, alternating week in and week out. This is a particularly bad arrangement, for it makes regularity of sleep and meals impossible, and yet every mother knows the necessity of such regularity at the tender age at which many of these boys are employed. In a conversation with a man who worked on the alternating shift, he was asked whether this weekly change had any bad effect upon him; he was a fully grown and well-built man, yet he replied, "Yes, indeed! I am not the man to-day I was a year ago; then I was strong and healthy, but this shift of day and night work is slowly knocking me out." If this system has such an effect upon a strong man, what must be its effect upon a young and undeveloped boy!

THE AGE LIMIT.

There is no provision in the law of West Virginia requiring proof of age of children employed in any occupation other than coal mining. The child labor law simply states that no child under fourteen years of age may be employed during any part of the term in which the public schools of the district in which he resides are in session, but



Photo, October, 1908, by Lewis W. Hine.

A blower and a "holding-mold boy" in a glass works at Morgantown. Notice boy's cramped position.

during the vacation period the law lowers this age limit to twelve years for work in factories, workshops and stores,—and to babyhood in all other occupations save mining. The new compulsory school attendance law raises the limit to fifteen years for twenty-four weeks of the year, but there is no requirement of proof of age, and even if there were, there is only one official, in addition to the truant officers, who is charged with the enforcement of the law over the entire state. Consequently, violations are common.

In a conversation with the manager of a glass factory in which ten boys were noticed who seemed to be between twelve and fourteen years old, and who were then working after the public schools in the town had begun their annual session, he said, "If I think a boy is not fourteen years old, I prepare a typewritten statement to the effect that he is fourteen or over, and have his parents sign it." This action, in his opinion, relieves him of all responsibility and throws the fault upon the parents. The law does not require him to do this; he gets this signed statement because he knows he does wrong in employing young children, and instinctively tries to protect himself from possible consequences.

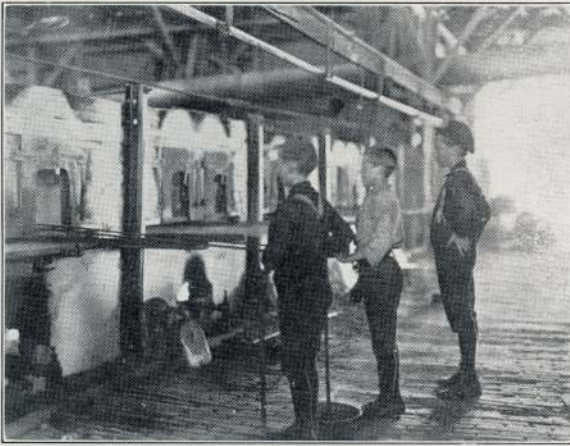
This same manager said also, "A good glass worker makes six or seven dollars a day; the boys begin at one dollar a day. When school commenced this year (September, 1908) we had to discharge a lot of boys, about fifteen in all, and **some of them were as young as nine years.** We give these youngest boys easier jobs and pay them about \$0.70 a day." Asked whether these little fellows worked on the night shift, he replied, "Yes, but they had no difficulty in keeping awake on account of the noise and singing of the other employees."

A fifteen-year-old boy, employed as a driver at a livery stable in the vicinity of this glass works, said that formerly he had been employed in the factory, but had given up the work after a few days, because, he said, "They keep you hustlin' too much." He said he knew of seven-year-old boys who had worked there. When asked how such young boys managed to keep at this work for nine hours, daily, he replied, "They don't! Whenever they get tired, they sneak away and hide."

In another section of the state, there is a union glass works which employs a great many children. A twelve-year-old boy named Joe had been there one year as "ketchin'-up boy" at \$0.70 per day. He said that during the school term he went to school because he "wanted to learn something," although he "didn't have to go." Asked whether he intended to become a glass blower when he grew up, he answered, "Sure! the glass business is all right!"

MORAL EFFECTS.

In another glass works, many small boys were found, among them one who looked to be ten years old, and several apparently between eleven and fourteen. There were also a number of young girls, ranging in age from twelve to eighteen years, working with men and boys in the packing and grinding rooms. As the language of boys employed in glass works is seldom clean and wholesome, the moral atmosphere is decidedly not of the best, and the influences at work among these young girls are extremely bad. In the packing room of a certain glass factory, was a notice hanging on the wall to the



Photo, October, 1908, by Lewis W. Hine.

"Carrying-in boys" at the Lehr.

effect that "Boys found loafing in this room will be fined fifty cents!" Obviously, there must have been reason for complaint, otherwise such a sign would not have been posted.

SCHOOL LAW VIOLATED.

In spite of the fact that most of the public schools were in session at the time, there were found in the factories many children from twelve to thirteen years of age. Two small boys of twelve and men of over forty were found in one place, working side by side, carrying bottles to the annealing oven—an argument in itself that young boys are not necessary to the trade. Girls as young as thirteen were found wrapping, packing and polishing; one, indeed, confessed suddenly that she was only thirteen, and was instantly reprimanded by a man at her

side, who whispered to her to say "fourteen". One who is interested in the child labor problem and who has made personal inquiry into conditions in the homes, told the writer that she had the names of twenty-two boys from nine to thirteen years of age, who are working in a glass factory of the town in which she resides. They work all night one week and all day the next. When asked how they managed to keep awake all night, they said, "*We chew tobacco.*"

These lads declared there were about sixty employees under fourteen years of age working in that one glass factory. Of the twenty-two boys interviewed, *not one could read or write.* This is most significant when it is considered that **in the United States Census Report for 1900, West Virginia with respect to illiteracy stood thirty-third in the list of fifty states and territories,** having a percentage of 11.4 based upon the total population of the state ten years of age and over. In the same report, 10 per cent of the native white population, 21.5 per cent of the foreign white population, and 32.3 per cent of the colored population, were given as illiterate. The officers of some glass works refuse admittance to visitors, particularly to certain parts of their plants, stating that they have trade secrets which they do not want to have revealed; in these same factories young boys were found who were either below the age limit or dangerously close to it.

In one factory were found employed a man and his five sons, the boys ranging in age from twelve years up. Four of them earned \$0.80 each, daily; one, \$1.25, and the father's wages amounted to \$1.75 daily. The combined wages of the six amounted to \$6.20 daily. The family consists of the father, mother and seven children, the two other children being smaller than those employed. They live in one-half of a tumble-down house, and the children are being reared in comparative ignorance. Political economy proves that child labor lowers wages; if boys were not employed, the wages of men would be higher, and fathers would be able to maintain comfortable homes and educate their children. The father earns \$1.75; his boys, \$4.45! What a pitiable comparison!

FIXING THE RESPONSIBILITY.

The greed of parents and the cold indifference of the employer are depriving these young boys of the benefits they might secure from education—robbing them of the better wages they might earn in a few years as a result of the increased intelligence and efficiency that would be acquired at school. Conditions such as obtain in this family are not necessary. They are the result of ignorance, and ignorance not only on the part of the parents but on the part of the public as

well. As long as the public is ignorant of abuses, and indifferent as to consequences, these conditions will continue and the state must be the loser thereby.

SIGNS OF PROGRESS.

The conservatism of a manufacturer is most remarkable. We Americans almost invariably pride ourselves upon the enlightenment and progressiveness which we think characterize the American manu-



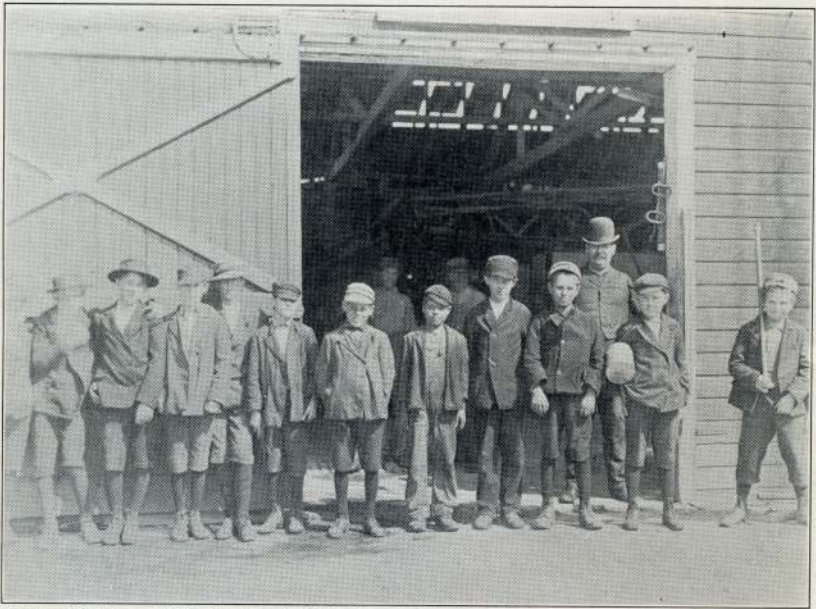
Photo, October, 1908, by Lewis W. Hine.

Scene in a glass works at Wheeling.

facturing spirit, and yet the manufacturers who are willing to experiment and to change their long-followed customs for the sake of improving conditions are the exception rather than the rule. But the few in the end force the others to follow. For these exceptions let us be thankful! Such a factory is to be found at Morgantown. This is a co-operative concern, making bottles and tableware, in which the employer co-operates with the employees to the end that there shall be no work at night. When asked why this was done, one of the workmen said, "We got tired of working nights, and so we started

this co-operative plan.' The manager said, "The men cannot do their most careful work at night for they cannot see so well." This arrangement proves that conditions can be made better, and this without losing business. The prevention of night work is a long step in advance, and child labor reform must also come.

The substitution of machines for hand-labor has been steadily revolutionizing glass manufacture for several years past. The manager of one factory said that one-half of the bottles he manufactured were made by machine blowers; yet he still employed boys to carry the ware to the lehrs. Asked why he did not use machinery for



Photo, October, 1908, by Lewis W. Hine.

Quitting time in a glass works at Fairmont. Boys going home.

carrying-in also, he said, "We'll have that, too, some day, but I am waiting to let somebody else try it first." This is but another instance of the conservatism characterizing the manufacturing world.

Two works in the northern part of the state are blazing the way in West Virginia toward rational and wholesome conditions in this very important industry. One of these factories makes milk bottles; it has built a new plant and installed a great deal of machinery; its managers have been working for years to get the most modern equipment, and they have machines which blow by compressed air, four

bottles each, at a time. The manager said that the use of machinery involved a great saving of expense because the machines turn out more work and do not require such skilled labor. Carrying-in boys are still employed however, although the manager said that in time they would probably install machines to do their work also. "In fact," he said, "the whole business of glassmaking is tending toward the supplanting of hand-labor by machine-work." Asked about the advisability of employing boys, he said, "We have to do it, but the wages of boys are so high that we really might as well employ men in their stead." It was remarked that boy labor did not seem to be really economical, whereupon he replied, "No, it is not."

A new bottle machine is used at the other works, the manager declaring it to be the best so far produced. It keeps a continuous circle of bottles coming; as fast as one bottle is taken off, another mold is being prepared, filled, blown and cooled. At this factory, only large boys are employed to pick off the bottles and carry them to the lehrs. The manager said the company did not believe in employing boys below the compulsory education age, and that they can get along better in the factory with larger boys. They pay them the same as they would smaller boys—one dollar a day. **The manager declared himself squarely to be against the employment of young boys who ought to be in school and also declared that it had been proven to the satisfaction of glass manufacturers, that very young boys are not necessary to the success of the business.** He said further that more machinery has got to come, and is coming rapidly, including devices to take the place of the carrying-in boys, but these have not yet been perfected although they are used now in a few works in Indiana, Ohio and Pennsylvania. A clerk employed in this factory said the manager hired no young girls and always preferred male employees to young women whenever available. There is much hope for better conditions to be derived from the attitude and the system of these two factories; but the industry is extensive in this state, the plants numbering fifty in all, and it may be a long time before their wholesome influence is generally felt.

WEST VIRGINIA'S POSITION WITH RESPECT TO CHILD LABOR RESTRICTION.

For the purpose of calling attention to the deficiencies of West Virginia's law concerning the employment of children, comparison is made below with the child labor laws of many states in the Union, and especially with the states having industries similar to those predominating in this state. Many states have certain provisions in their laws which are either lacking in the West Virginia law or are in advance of its corresponding provisions.

AS TO AGE LIMIT.

Illinois, Montana, New York, Oklahoma and Texas fix sixteen years as the age limit under which no child shall be employed in mines; Pennsylvania fixes the same age limit for employment inside anthracite mines; Kentucky, Minnesota, Missouri, Ohio and Wisconsin fix the same limit for employment in certain other specified dangerous occupations; Massachusetts fixes eighteen years as the age limit for employment in the manufacture of acids; South Dakota fixes fifteen years as the age limit for employment in mines and in eight other specified kinds of work; fourteen states fix fourteen years as the age limit for employment in mines, and eighteen states for employment in factories, for all seasons of the year; Kentucky, Ohio, Pennsylvania and six other states fix the same age limit for employment in messenger service at any time of the year.

West Virginia's child labor law fixes fourteen years as the age limit for employment in coal mines at any time of the year, and for employment in any kind of work during the public school term, which is a period of twenty-four weeks in rural districts and thirty-six weeks in city districts. The law provides further, that during the vacation period, no child under twelve years shall be employed in factories, workshops, mercantile or manufacturing establishments where goods or wares are made or sold. So in West Virginia, the child labor age limit for all kinds of employment is fourteen years during a portion of the year (in mining, all the year), while for the remainder of the year it is twelve years—but in only four kinds of establishments. Then all restrictions are set aside, except as to mining, if the children attend school during school hours.

NIGHT WORK.

Massachusetts prohibits night work for minors under eighteen years in textile mills; Ohio, for boys under sixteen and girls under eighteen; Illinois, Kentucky, Minnesota, Missouri, Iowa, Idaho and California, for children under sixteen in all gainful occupations; New York and many other states prohibit night work for children under sixteen years in specified kinds of employment. In New York the closing hour in factories is 5 p. m.; in Ohio the closing hour at night (for girls under eighteen and boys under sixteen years) is 6 o'clock; in Kentucky it is 7 o'clock; other states fix one or the other of these hours for closing.

West Virginia allows night work for everybody fourteen years of age or over, during the public school term, and during the vacation period it prohibits night work for only those who are under **twelve** years and are working in the four specified kinds of employment. Consequently, a child of any age can be legally employed for any number of hours at night in any occupation other than the four specified, during the school vacation period, which means half of the year in the greater part of the state.

HOURS OF LABOR.

Ohio limits work-hours to eight daily for boys under sixteen and girls under eighteen in ten specified and all other establishments and in the distribution or transmission of merchandise or messages; Illinois and Nebraska fix the same limit for children under sixteen in all gainful occupations, and other states in certain specified kinds of employment; California limits work-hours to nine daily, for children under eighteen years; in all occupations, and four other states for children under sixteen years; Virginia, Maryland, Kentucky and nineteen other states fix ten hours daily as the limit for work of children, their ages varying from fourteen to eighteen years, some in all gainful occupations, others in certain specified kinds of employment.

West Virginia fixes no limit whatsoever to the hours for working children. In this state, a child of any age can be legally employed any number of hours daily during the school vacation period in, for example, a hotel, office, theatre, bowling-alley, messenger service or any kind of street trade. During the public school term, children fourteen years of age or over can be legally employed in any occupation for any number of hours daily, according to the child labor law, while, according to the new compulsory school attendance law, children under fifteen years must attend school during at least twenty-four weeks of the year. During the school vacation period children twelve years of age or over can be legally employed in any occupation other than mining for any number of hours during the day, or at night.

SCHOOL ATTENDANCE.

Nineteen states and two territories make school attendance compulsory to sixteen years if unemployed, fourteen years being the fixed age limit under all circumstances.

In **West Virginia** school attendance is compulsory during twenty-four weeks yearly for children between eight and fifteen years of age.

EDUCATIONAL REQUIREMENTS FOR EMPLOYMENT.

In New York, Kentucky and seven other states, children under sixteen years are required to complete a specified curriculum and present their school records signed by school authorities before they can be legally employed. In Ohio and two other states, children under sixteen years must give satisfactory proof of having completed specified studies; in Washington the same requirement is made of children under fifteen years; sixteen states prohibit the employment of children under certain ages unless they have attended

school for specified periods preceding such employment; nineteen states prohibit the employment of children unless they can read and write English, almost all specifying children under sixteen years, and some applying this law to children engaged in all gainful occupations, others in specified employments; nine states require illiterate working children under certain ages to attend either day or night schools during the period of employment.

West Virginia has no educational requirement whatsoever for working children.

WORKING PAPERS.

Nineteen states require *documentary* proof of age of working children under sixteen years; fifteen states require the affidavit or statement of parent or guardian as proof of age of working children.

West Virginia requires no proof of age, except of boys employed in coal mines, and they are required to get merely the affidavit of parent or guardian in case of doubt as to their age.

DANGEROUS OCCUPATIONS.

Seventeen states prohibit the employment, in certain specified dangerous occupations, of children under certain ages, usually sixteen years.

West Virginia does not specify any dangerous occupation in which the employment of children is prohibited.

ENFORCEMENT OF LAW.

Ohio has 24 factory inspectors, including 8 women; New York has 62 labor inspectors, including 10 women; Pennsylvania has 40 factory inspectors, including 5 women; Illinois has 20, including 7 women; Michigan has 16, including 4 women; other states have varying numbers of such officials.

West Virginia has as many mine inspectors as there are mining districts in the state, but there is only one official, namely, the Commissioner of Labor, charged with enforcing the law in places of employment other than mines.

New York, 1908.