

BULLETIN

OF THE

DEPARTMENT OF LABOR.

No. 32—JANUARY, 1901.

ISSUED EVERY OTHER MONTH.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1901.

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ACCIDENTS TO LABOR AS REGULATED BY LAW IN THE UNITED STATES.^(a)

BY W. F. WILLOUGHBY.

The problem of the prevention of accidents is to a certain extent a different one for different industries. For the purposes of State regulation, however, industries are divided into the four classes of (1) railways, (2) mines and quarries, (3) factories and workshops, and (4) building and construction work. It is the purpose of the present paper to consider each of these classes in turn and show for each, first, the extent to which laws have been enacted making it obligatory upon employers to take certain precautions against accidents; secondly, the extent to which the laws have introduced the requirement that accidents shall be reported to a State officer, and a basis thus laid for the collection of statistics of accidents, and, finally, the extent to which such statistics of value have actually been obtained. Covering as it does the legislation of the Federal Government and 45 States, irrespective of the Territories, it is evident that this report must to a certain extent be summary in character.

RAILWAYS.

Prior to the creation by the Federal Government of the Interstate Commerce Commission in 1887 the legal regulation of railways was a duty resting upon the individual States. Practically all of the States have enacted laws regarding railway transportation within their boundaries, and probably the majority of them have created the office of commissioner of railways to supervise the execution of such laws.

a An amplification of a report on behalf of the Department of Labor submitted to the *Congrès International des Accidents du Travail et des Assurances Sociales, Paris, 1900.*

As regards the prevention of accidents, this legislation has taken the form of making it obligatory upon railway corporations to equip their cars and locomotives with devices which render their operation by the employees safer, and to take certain other precautions to prevent accidents.

Though there are a large number of operations in connection with the running of trains that present elements of danger, the laws of the States relate only to the few which are the most important. These are in relation to the coupling and uncoupling of cars, the system of braking, the blocking of frogs, switches, and guard rails, the erection of warning posts to indicate that a bridge or other superstructure is near, and the insuring that such structure is of sufficient height above the railway track. The dangers which it is desired to lessen or remove are those resulting from the necessity for employees to go between the cars in coupling and uncoupling them and to run along the tops while the train is in motion in order to set the brakes, the risk of being struck by bridges or other obstacles over the road, and the danger of getting their feet caught between the rails where they are close together or form an angle.

Although the subject of deaths and mutilations occurring in coupling and uncoupling cars had been repeatedly discussed by the State railroad commissioners in their reports, and railroads had been urged to move more vigorously toward adopting automatic couplers, the first legislative action was not taken until 1882. (*a*) In that year Connecticut passed a law providing that automatic couplers as approved by the State railroad commissioner, and of such a character that it should not be necessary for the employees to go between the cars for the purpose of coupling them, should be placed on all new cars built or purchased for use on railroads of the State. A statute nearly identical in its provisions was enacted by Massachusetts in 1884. In that year also the legislature of New York passed a law that after July 1, 1886, only automatic couplers should be placed on new freight cars built or purchased for use in the State. A statute quite similar was passed by Michigan in 1885. In 1886 Massachusetts supplemented its legislation already mentioned by a law providing that before January 1, 1887, all frogs, switches, and guard rails, with the exception of guard rails on bridges, should be adjusted, filled, or blocked in a manner satisfactory to the railroad commissioners, so as to prevent the feet of employees being caught therein.

It is unnecessary to follow the history of this legislation in the succeeding years. The need for legislative action had been demon-

a Third Annual Report of the Interstate Commerce Commission, 1889. This report gives the result of an investigation of the action taken by State legislatures to prevent accidents to railway employees, and contains a valuable consideration of the subject and the condition of affairs at that date.

strated, and the example of the States that have been mentioned was quickly followed by most of the States having a well-developed system of steam railways. At the present time the following 21 States have upon their statute books more or less comprehensive legislation on this subject: Colorado, Connecticut, Illinois, Iowa, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New York, Ohio, Rhode Island, Vermont, Virginia, Washington, and Wisconsin.

The statutes of these States, though differing from each other as regards the comprehensiveness of their provisions, are all of the same general character and relate almost exclusively to the points that have been mentioned. To reproduce them in full would result only in unnecessary duplication and detail. Their scope and character may be fully seen from the following summary:

Colorado, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Ohio, Rhode Island, Vermont, Washington, and Wisconsin require all frogs, switches, and guard rails to be securely blocked or guarded in such a way that persons can not get their feet caught in them.

Connecticut, Illinois, Iowa, Massachusetts, Michigan, Mississippi, Nebraska, New York, and Ohio make it obligatory upon railway companies to equip certain classes or all of their cars with automatic couplers of such a character that the coupling is accomplished by contact, or at least in such a way that it is not necessary for the employees to go between the cars. These provisions vary considerably in character in the different States, some requiring all cars, both passenger and freight, to be so equipped, while others require only freight cars. In some this requirement relates only to new cars and in others to all cars, a time limit being fixed within which the change from the old to the new system must be made. It is unnecessary to bring out these differences more definitely, as the Federal Government has, as will be seen, fully covered this point in its law which relates to all the States.

Iowa, Kentucky, Massachusetts, Nebraska, New York, Ohio, and Rhode Island have enacted laws regarding the equipment of locomotives and cars with some system of a power brake that can be operated from the locomotive. Here again the provisions are dissimilar in the different States. The New York law is the most comprehensive. It requires that all locomotives and passenger cars shall be equipped with a power brake, operated from the locomotive, and that freight cars shall be so equipped at the rate of 10 per cent of their number each year, and that by the year 1903 all cars must be so equipped. This feature is also covered by the Federal law, and the State legislation is therefore of but secondary importance.

Kentucky, Michigan, New Hampshire, Ohio, Rhode Island, and Vermont require bridges or other superstructures over railways to be

of a certain height above the tracks, to prevent trainmen from being knocked off the cars by them; and Kentucky, Louisiana, Michigan, New Hampshire, New York, Vermont, and Virginia require that a warning post, indicating the proximity to a bridge or other superstructure, be placed wherever required.

Massachusetts and Michigan appear to be the only States that have made provision for special railroad inspection, with the duty of seeing that the provisions regarding safety devices are complied with, though probably in all cases the State railroad commissioner can act in this capacity.

There are one or two other provisions contained in the State laws that may be mentioned. Massachusetts requires all cars to be provided with secure "grab irons" or hand holds at the ends or sides of the cars, in order to make the getting on and off of cars more safe; Vermont requires that the ladders leading to the roofs of cars be either inside the cars or at the ends and not on the side of the cars, and Ohio requires that special precautions be taken to render secure all telegraph, telephone, or other wires crossing a railway track, and that they be located at a sufficient height above the track so as not to be a source of danger to the trainmen.

In concluding this summary of State laws it should be said that it would be extremely misleading to suppose that the precautions above described to prevent accidents are only taken when they have been required by law. It is probable that with the exception of the provisions regarding power brakes and automatic couplers such precautions are largely taken. The roads would do so, if for no other reason, because it is probable that their failure so to do would be held by the courts such negligence as to render them liable for damages in the case of any accidents that might have been avoided had these precautions been taken.

It soon became evident that if dependence were placed entirely upon the States to enact legislation requiring the introduction of safety appliances general action would be long delayed, and confusion would result from the diversity of legislative action. By the Constitution the Federal Government is given the power to regulate interstate commerce. The first exercise of this power, as regards railway transportation, was the creation, February 4, 1887, of the Interstate Commerce Commission. The act creating this body made no mention of safety appliances or the protection of employees in any way. The newly created commission, however, immediately urged such legislation, and in consequence of its recommendation there was passed by Congress the law of March 2, 1893. The importance of this law, relating as it does to the whole United States, warrants its reproduction in full. The law constitutes chapter 196 of the acts of 1892-93 and is as follows:

SECTION 1. From and after the first day of January, eighteen hundred and ninety-eight, it shall be unlawful for any common carrier

engaged in interstate commerce by railroad to use on its line any locomotive engine in moving interstate traffic not equipped with a power driving-wheel brake and appliances for operating the train brake system, or to run any train in such traffic after said date that has not a sufficient number of cars in it so equipped with power or train brakes that the engineer on the locomotive drawing such train can control its speed without requiring brakemen to use the common hand brake for that purpose.

SEC. 2. On and after the first day of January, eighteen hundred and ninety-eight, it shall be unlawful for any such common carrier to haul or permit to be hauled or used on its line any car used in moving interstate traffic not equipped with couplers coupling automatically by impact, and which can be uncoupled without the necessity of men going between the ends of the cars.

SEC. 3. When any person, firm, company, or corporation engaged in interstate commerce by railroad shall have equipped a sufficient number of its cars so as to comply with the provisions of section one of this act, it may lawfully refuse to receive from connecting lines of road or shippers any cars not equipped sufficiently, in accordance with the first section of this act, with such power or train brakes as will work and readily interchange with the brakes in use on its own cars, as required by this act.

SEC. 4. From and after the first day of July, eighteen hundred and ninety-five, until otherwise ordered by the Interstate Commerce Commission, it shall be unlawful for any railroad company to use any car in interstate commerce that is not provided with secure grab irons or hand holds in the ends and sides of each car for greater security to men in coupling and uncoupling cars.

SEC. 5. Within ninety days from the passage of this act the American Railway Association is authorized hereby to designate to the Interstate Commerce Commission the standard height of drawbars for freight cars, measured perpendicular from the level of the tops of the rails to the centers of the drawbars, for each of the several gauges of railroads in use in the United States, and shall fix a maximum variation from such standard height to be allowed between the drawbars of empty and loaded cars. Upon their determination being certified to the Interstate Commerce Commission, said commission shall at once give notice of the standard fixed upon to all common carriers, owners, or lessees engaged in interstate commerce in the United States by such means as the commission may deem proper. But should said association fail to determine a standard as above provided, it shall be the duty of the Interstate Commerce Commission to do so, before July first, eighteen hundred and ninety-four, and immediately to give notice thereof as aforesaid. And after July first, eighteen hundred and ninety-five, no cars, either loaded or unloaded, shall be used in interstate traffic which do not comply with the standard above provided for.

SEC. 6. Any such common carrier using any locomotive engine, running any train, or hauling or permitting to be hauled or used on its line any car in violation of any of the provisions of this act, shall be liable to a penalty of one hundred dollars for each and every such violation, to be recovered in a suit or suits to be brought by the United States district attorney in the district court of the United States having jurisdiction in the locality where such violation shall have been committed, and it shall be the duty of such district attorney

to bring such suits upon duly verified information being lodged with him of such violation having occurred. And it shall also be the duty of the Interstate Commerce Commission to lodge with the proper district attorneys information of any such violations as may come to its knowledge: *Provided*, That nothing in this act contained shall apply to trains composed of four-wheel cars or to locomotives used in hauling such trains.

SEC. 7. The Interstate Commerce Commission may from time to time upon full hearing and for good cause extend the period within which any common carrier shall comply with the provisions of this act.

SEC. 8. Any employee of any such common carrier who may be injured by any locomotive, car, or train in use contrary to the provisions of this act shall not be deemed thereby to have assumed the risk thereby occasioned, although continuing in the employment of such carrier after the unlawful use of such locomotive, car, or train had been brought to his knowledge.

This law, it will be seen, made it obligatory upon all railroads engaged in interstate commerce, which include practically all the railroads of the country, to equip their locomotives and cars of every description with approved automatic couplers, and a sufficient number of them with power brakes to insure that trains could be controlled from the locomotive without the use of hand brakes, and to provide all cars with secure hand holds or grab irons in the ends and sides for the greater security of the men in coupling and uncoupling. These provisions applied to existing as well as to future acquisitions of rolling stock, and required that the complete change should be accomplished by January 1, 1898, unless the Interstate Commerce Commission, in virtue of the discretionary power given to it, granted an extension of the time. Such extension has, in fact, been granted to a number of roads, and in consequence the complete equipment of cars with automatic couplers and power brakes is not yet accomplished. The rapidity with which these appliances have been introduced since 1892 is shown in the following statement taken from the report of the Interstate Commerce Commission for the year ending June 30, 1899:

NUMBER AND PER CENT OF CARS AND LOCOMOTIVES EQUIPPED WITH POWER BRAKES AND AUTOMATIC COUPLERS, YEARS ENDING JUNE 30, 1892 TO 1899.

Year ending June 30—	Total cars and locomotives.	Fitted with power brakes.		Fitted with automatic couplers.	
		Number.	Per cent of total.	Number.	Per cent of total.
1892.....	1,248,228	256,869	20.59	244,334	19.57
1893.....	1,308,734	299,027	22.85	322,238	24.62
1894.....	1,313,570	330,992	25.20	357,621	27.23
1895.....	1,306,260	362,498	27.75	408,856	31.30
1896.....	1,333,599	448,854	33.66	545,583	40.91
1897.....	1,333,466	525,286	39.39	678,725	50.90
1898.....	1,362,408	641,262	47.07	909,574	66.76
1899.....	1,412,619	808,074	57.20	1,137,719	80.54

From the above table it appears that on June 30, 1899, out of a total equipment of 1,412,619 cars and locomotives, the number fitted with power or train brakes was 808,074, or 57.20 per cent, and the number fitted with some form of automatic coupler was 1,137,719, or 80.54 per cent. This shows an increase during the year in train brakes of 166,812 and in automatic couplers of 228,145. The increase in equipment (cars and locomotives) during the year was 50,211. Of the number of locomotives and cars assigned to the passenger service, practically all are fitted with the power or train brake. Thus out of a total of 9,894 passenger locomotives, 9,798 are fitted with train brakes, and out of a total of 33,850 passenger cars, 33,393 are fitted with train brakes. With the exception of locomotives the showing is nearly as satisfactory in the case of automatic couplers. Of the 9,894 passenger locomotives, 6,128 are fitted with automatic couplers, and of the 33,850 cars, 32,891 are so fitted. The corresponding statement for freight equipment is as follows: Out of a total of 20,728 freight locomotives, 19,926 are fitted with train brakes and 9,300 with automatic couplers. Out of 1,295,510 freight cars, 730,670 are fitted with train brakes and 1,067,338 with automatic couplers.

STATISTICS OF ACCIDENTS.

In no other department of industry in the United States are equally complete and accurate statistics of accidents to employees available as in that of railway transportation. Beginning with the year 1889 the Interstate Commerce Commission has published in its annual report on statistics of railways returns of all accidents occurring to railway employees in the United States. At the Milan congress in relation to accidents to labor, in 1894, the author, on behalf of the Department of Labor, presented a paper giving a summary of these statistics for the years 1889 to 1893. In the present report it will, therefore, only be necessary to reproduce these tables with the addition of the data for the later years.

There are first given two tables showing for each year of the period 1889 to 1899, inclusive, in the one case the total number of railway employees and the number killed and injured, and in the other the proportion between the total number of employees and the number killed and injured. The information is given separately for the three important groups of employees engaged in operating trains, namely, trainmen; switchmen, flagmen, and watchmen, or those whose work is directly on the tracks; and other employees. In this latter group are included office employees as well as workingmen proper. It is to the first two groups that interest, therefore, mainly attaches.

TOTAL RAILWAY EMPLOYEES AND NUMBER KILLED AND INJURED IN THE UNITED STATES, YEARS ENDING JUNE 30, 1889 TO 1899.

Year ending June 30—	Total railway employees.	Employees killed and injured.							
		Trainmen.		Switchmen, flagmen, and watchmen.		Other employees.		Total.	
		Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
1889.....	704, 743	1, 179	11, 301	229	2, 155	564	6, 572	1, 972	20, 028
1890.....	749, 301	1, 459	13, 172	234	2, 307	758	6, 917	2, 451	22, 396
1891.....	784, 285	1, 533	15, 421	301	3, 019	826	7, 700	2, 660	26, 140
1892.....	821, 415	1, 503	16, 521	294	3, 254	757	8, 492	2, 554	28, 267
1893.....	873, 602	1, 567	18, 877	307	3, 304	853	9, 548	2, 727	31, 729
1894.....	779, 608	1, 029	13, 102	216	2, 321	578	7, 999	1, 823	23, 422
1895.....	785, 084	1, 017	14, 748	248	2, 933	546	8, 015	1, 811	25, 696
1896.....	826, 620	1, 073	15, 986	210	2, 751	578	11, 282	1, 861	29, 969
1897.....	823, 476	976	13, 795	201	2, 423	516	11, 449	1, 693	27, 667
1898.....	874, 558	1, 141	15, 645	242	2, 677	575	13, 439	1, 958	31, 761
1899.....	928, 924	1, 155	16, 663	273	2, 992	782	15, 268	2, 210	34, 223

NUMBER OF EMPLOYEES FOR EACH ONE KILLED OR INJURED BY RAILWAY ACCIDENTS IN THE UNITED STATES, YEARS ENDING JUNE 30, 1889 TO 1899.

Year ending June 30—	Trainmen.		Switchmen, flagmen, and watchmen.		Other employees.		All employees.	
	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.	Killed.	Injured.
1889.....	117	12	144	15	946	81	357	35
1890.....	105	12	161	16	737	81	306	33
1891.....	104	10	134	13	707	76	295	30
1892.....	113	10	146	13	805	72	322	29
1893.....	115	10	150	14	760	68	320	28
1894.....	156	12	200	19	997	72	428	33
1895.....	155	11	174	15	1, 070	73	433	31
1896.....	152	10	211	16	1, 072	55	444	28
1897.....	165	12	218	18	1, 198	54	496	30
1898.....	150	11	195	18	1, 142	49	447	28
1899.....	155	11	178	16	897	46	420	27

The movement of accidents, as shown by these tables, must, on the whole, be considered fairly satisfactory. In the Milan paper it was necessary to call attention to the fact that no tendency toward a diminution in the number or proportional frequency of accidents could be traced. In the six years that have since elapsed, however, a notable improvement has taken place. This change, it will be seen, is coincident with the going into effect of the Federal law requiring railroads to equip their rolling stock with safety appliances.

The change for the better can best be traced in the record of deaths due to accidents, as there is no variation possible in the practice of reporting fatalities. The year 1889 should be disregarded in making comparisons, as the system of reporting accidents had just been inaugurated, and it is probable that complete returns were not obtained. During the years 1890, 1891, 1892, and 1893 the total number of employees killed each year was 2,451, 2,660, 2,554, and 2,727. In 1894 the number killed dropped to 1,823, and since then has never equaled the number in any one of the four years just mentioned. The increase in fatalities in 1898 and 1899 was due to exceptional causes and is no evidence that the tendency toward a reduction in the frequency of accidents is being arrested. In those years there was a

large increase in the amount of railway traffic. This necessitated working the employees harder, bringing into the service a large number of new men unskilled in railroading and thus more liable to accidents, and the increased use of inferior equipment, which but for the demand would have been put out of service.

A more emphatic showing of the extent to which railroad work has been made more secure as the result of wise legislation and the greater care of the railroad managers is that given by the second table. While 1 for each 105 trainmen employed was killed during the year 1890, only 1 for each 165 was killed in 1897, and 1 for each 155 in 1899. Among switchmen, flagmen, and watchmen the improvement was from 1 for each 161 in 1890 to 1 for each 218 in 1897, and 1 for each 178 in 1899. For all employees the change was from 1 for each 306 in 1890 to 1 for each 486 in 1897, and 1 for each 420 in 1899.

The most important information concerning accidents, next to their number, is that of the causes responsible for their occurrence. These are brought out in the two tables that follow:

RAILWAY EMPLOYEES KILLED IN THE UNITED STATES, BY CAUSES, YEARS ENDING JUNE 30, 1889 TO 1899.

Causes.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.
Coupling and uncoupling:											
Trainmen	(a)	265	288	253	310	181	189	157	147	182	180
Switchmen, flagmen, and watchmen	(a)	75	111	115	109	63	90	58	58	90	74
Other employees	(a)	29	16	10	14	7	12	14	9	7	6
Total		300	369	415	378	433	251	291	229	214	260
Falling from trains and engines:											
Trainmen	(a)	456	467	485	507	344	343	373	325	356	337
Switchmen, flagmen, and watchmen	(a)	32	55	45	50	42	49	42	32	50	60
Other employees	(a)	73	76	81	87	53	60	57	51	67	62
Total		493	561	598	611	644	439	452	472	408	459
Overhead obstructions:											
Trainmen	(a)	81	72	75	66	44	42	57	35	46	39
Switchmen, flagmen, and watchmen	(a)	3	3	1	3	4	1	2	5	3	3
Other employees	(a)	5	3	4	4	2	9	4	2	2	3
Total		65	89	78	80	73	52	63	42	51	45
Collisions:											
Trainmen	(a)	197	230	221	189	101	104	146	126	142	155
Switchmen, flagmen, and watchmen	(a)	3	5	9	8	5	3	2	7	9	21
Other employees	(a)	35	68	56	50	39	27	30	31	29	11
Total		167	235	303	286	247	145	134	164	180	187
Derailments:											
Trainmen	(a)	121	168	115	130	90	116	95	124	120	125
Switchmen, flagmen, and watchmen	(a)	2	6	6	6	4	1	8	4	4	3
Other employees	(a)	27	32	24	17	14	15	14	11	9	19
Total		125	150	206	145	153	108	132	117	139	147
Other train accidents:											
Trainmen	(a)	69	40	59	90	63	32	37	29	42	35
Switchmen, flagmen, and watchmen	(a)	16	2	4	9	3	3	5	2	2	4
Other employees	(a)	61	15	21	26	19	7	13	12	9	6
Total		189	146	57	84	125	85	42	53	46	45

a Not reported.

RAILWAY EMPLOYEES KILLED IN THE UNITED STATES, BY CAUSES, YEARS ENDING
JUNE 30, 1889 TO 1899—Concluded.

Causes.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.
At highway crossings:											
Trainmen	(a)	5	3	5	4	.....	2	4	1	1	.....
Switchmen, flagmen, and watchmen	(a)	13	11	10	13	9	11	10	13	16	10
Other employees	(a)	4	6	11	15	7	4	10	9	4	9
Total		24	22	20	26	16	17	24	23	21	19
At stations:											
Trainmen	(a)	35	32	25	34	27	30	34	22	21	24
Switchmen, flagmen, and watchmen	(a)	15	17	17	14	14	17	15	6	4	8
Other employees	(a)	48	73	67	69	52	45	43	33	29	51
Total		70	98	127	109	93	92	92	61	54	83
Other causes:											
Trainmen	(a)	230	233	265	237	179	159	170	167	231	260
Switchmen, flagmen, and watchmen	(a)	75	91	87	95	72	73	70	71	64	100
Other employees	(a)	476	532	483	571	385	367	393	358	419	605
Total		539	781	856	835	903	636	599	633	596	965
Total killed		1,972	2,451	2,660	2,554	2,727	1,823	1,811	1,861	1,693	1,958

RAILWAY EMPLOYEES INJURED IN THE UNITED STATES, BY CAUSES, YEARS ENDING
JUNE 30, 1889 TO 1899.

Causes.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.
Coupling and uncoupling:											
Trainmen	(a)	6,073	7,155	7,766	8,753	5,539	6,077	6,457	4,698	5,290	5,055
Switchmen, flagmen, and watchmen	(a)	1,528	2,044	2,252	2,290	1,492	1,826	1,686	1,325	1,486	1,533
Other employees	(a)	241	232	301	234	209	234	314	260	212	177
Total		6,757	7,842	9,431	10,319	11,277	7,240	8,137	6,283	6,988	6,765
Falling from trains and engines:											
Trainmen	(a)	1,838	2,494	2,540	2,984	2,203	2,543	3,115	2,726	2,979	3,033
Switchmen, flagmen, and watchmen	(a)	213	300	342	321	274	363	336	357	359	377
Other employees	(a)	312	397	362	475	392	391	453	544	521	540
Total		2,011	2,363	3,191	3,244	2,780	3,297	3,898	3,627	3,859	3,970
Overhead obstructions:											
Trainmen	(a)	313	357	253	396	353	294	304	307	335	349
Switchmen, flagmen, and watchmen	(a)	18	25	25	26	31	27	33	15	37	49
Other employees	(a)	14	30	22	12	23	22	21	53	25	28
Total		296	345	412	400	444	407	343	358	397	426
Collisions:											
Trainmen	(a)	866	1,189	1,163	1,260	658	742	789	754	829	1,113
Switchmen, flagmen, and watchmen	(a)	22	55	46	43	25	45	37	33	36	70
Other employees	(a)	146	306	209	183	181	221	221	156	206	185
Total		820	1,034	1,550	1,358	1,491	894	1,008	1,047	943	1,071
Deraillments:											
Trainmen	(a)	572	686	612	704	502	548	518	573	538	600
Switchmen, flagmen, and watchmen	(a)	30	47	34	36	30	38	36	41	33	45
Other employees	(a)	121	186	189	127	116	115	105	95	161	140
Total		655	723	919	835	867	648	701	659	709	732
Other train accidents:											
Trainmen	(a)	574	268	314	515	382	374	405	372	422	468
Switchmen, flagmen, and watchmen	(a)	60	11	12	28	18	9	28	28	23	31
Other employees	(a)	197	40	52	107	70	51	53	62	42	79
Total		1,016	831	919	378	650	470	431	436	462	490

a Not reported.

RAILWAY EMPLOYEES INJURED IN THE UNITED STATES, BY CAUSES, YEARS ENDING JUNE 30, 1889 TO 1899—Concluded.

Causes.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.
At highway crossings:											
Trainmen	(a)	20	15	12	12	11	12	91	6	8	5
Switchmen, flagmen, and watchmen	(a)	7	19	19	15	12	18	20	20	32	12
Other employees	(a)	7	16	18	16	23	27	49	7	8	21
Total	45	34	50	49	43	46	57	160	33	48	38
At stations:											
Trainmen	(a)	298	450	409	404	373	499	542	548	672	612
Switchmen, flagmen, and watchmen	(a)	43	79	78	45	59	86	81	62	88	115
Other employees	(a)	399	898	908	809	668	745	848	778	1,197	1,412
Total	699	740	1,427	1,395	1,258	1,100	1,330	1,471	1,388	1,957	2,139
Other causes:											
Trainmen	(a)	2,618	2,807	3,412	3,849	3,051	3,659	3,715	3,811	4,572	5,408
Switchmen, flagmen, and watchmen	(a)	386	439	446	490	380	521	500	542	580	760
Other employees	(a)	5,480	5,595	6,431	7,580	6,317	6,209	9,218	9,494	11,067	12,686
Total	7,729	8,484	8,841	10,289	11,919	9,748	10,389	13,433	13,847	16,219	18,854
Total injured	20,028	22,396	26,140	28,267	31,729	23,422	25,696	29,969	27,667	31,761	34,923

a Not reported.

From the first of these tables it will be seen that, though the number of employees was nearly 180,000 greater in 1899 than in 1890, the number of deaths due to accidents in coupling and uncoupling was 109 less in the later year, those caused by falling from trains 102 less, and those from overhead obstructions 44 less. These are the classes of accidents that the Federal law concerning safety appliances was intended to remove, and no more effective vindication for its enactment can be given than the figures that have been reproduced.

No attempt has been made to analyze the statistics of nonfatal accidents, because not only is there less certainty regarding the uniformity with which they have been returned, but no attempt has been made by the statistician of the commission to classify them according to their severity, or in such a way as to show how many of them have resulted in permanent and temporary total incapacity for labor and permanent and temporary partial incapacity.

COAL MINING.

The conditions under which coal-mining operations must be conducted are so peculiar and offer such unusual dangers that most countries have found it desirable to enact special laws regulating the manner in which this industry shall be prosecuted. In the United States coal is mined in only a portion of the States. It will be found that of the 45 States and 3 organized Territories, 20, or nearly one-half, do not possess any special laws relating to coal mining. Of the remaining States and Territories a number in which there is but little mining done have only a few scattering laws relating to particular

features of mining. Disregarding these, there remain 23 States—Alabama, California, Colorado, Illinois, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, New Mexico, New York, North Carolina, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, Washington, West Virginia, and Wyoming—that have elaborated a more or less detailed code of mining regulations.

An examination of the laws of these States shows that a very general agreement has been reached by the different legislatures in regard to the character of the regulations that should be provided. The laws of all are strikingly similar. The same provisions and the same phraseology are found repeated in the statutes of State after State. The differences that exist are mainly in the extent to which regulation is attempted and the efficiency of the system that is provided for its enforcement. It is quite feasible, therefore, to study the legislation of the States as a whole.

If these mining codes are examined analytically it will be seen that their purposes may be grouped in six distinct classes: (1) The formulation of a set of rules and regulations setting forth more or less specifically the manner in which the mining operations must be conducted in order that accidents may be prevented; (2) the insuring that competent men will be employed to fill responsible positions, which is largely done through a system of State examinations and the granting of certificates of competency; (3) the requirement that all fatal and serious accidents must be reported and investigated; (4) the regulation of the employment of women and children, and in rare cases male adults; (5) the protection of the rights of miners through regulating the manner of weighing or measuring the quantity of coal mined and the frequency and character of wage payment, and (6) the provision of an inspection service for the purpose of insuring that the laws relating to mining are duly enforced.

Of these classes the first three relate directly to the prevention of accidents, and the last is more concerned with that subject than any other. The greater part of the mining laws, in fact, is devoted to this subject. It is manifestly impracticable to attempt here to describe separately the exact character of the legislation of each State; fortunately even the desirability of doing so does not exist, the same provisions being found, with but little variation, in the laws of the different States. It is, of course, understood that the laws of some States are much more comprehensive than those of others. Following is a recapitulation of the essential provisions of the mining laws of all the States. The laws of a few, notably Pennsylvania, cover all of the points here enumerated, while others merely include the most important.

The mining code of an American State in its most developed form therefore provides (1) that every owner, operator, or superintendent of a coal mine employing over a certain number of persons, usually 10,

shall cause to be prepared an accurate map or plan of such mine on a scale of 100 or 200 feet to the inch, showing all the workings of the mine; that this map shall be revised at least once in six months in order to show new workings; that when a mine is abandoned a final accurate map must be made of it, and that copies of these maps must be furnished to the mine inspector and other copies be kept where they can be readily inspected at the mines; (2) that in mines where 20 (sometimes 10) persons are employed there must be at least two escape-ment openings to the surface from each seam, separated from each other by natural strata of a certain thickness, 100 or 150 feet; (3) that mines must be so ventilated by artificial means that there will be furnished a minimum of 100 cubic feet of air per minute for each person employed; (4) that doors used to direct or control ventilation be so hung that they will close automatically, and that doorkeepers be provided for the more important passages; (5) that an adequate supply of timber for props be constantly available; (6) that suitable means be provided for raising or lowering workingmen in mines, and to secure this that the cage used for this purpose have a top or bonnet of metal to protect the passengers from falling objects; that more than one cable be used; that the cage be equipped with a safety catch, and that the cable drum be provided with flanges and a brake; (7) that all passageways through which cars pass have shelter holes in the sides not less than 15 or 30 feet apart, into which workingmen may retreat to avoid passing cars; (8) that the mines be kept well drained; (9) that there be a metal speaking tube or other means of vocal communication between the bottom and top of all shafts; (10) that a certain code of signals, usually as specified by the act, be employed to regulate the movement of the cages up and down the shafts; (11) that only authorized persons be allowed to ride on loaded cars and cages; (12) that no coal be hoisted while men are ascending or descending the shafts; (13) that all machinery be properly guarded; (14) that abandoned passages be closed; (15) that shaft openings be fenced; (16) that steam boilers be inspected at certain intervals of time; (17) that only a certain quality of vegetable or animal oil be used for lighting; (18) that precautions be taken to prevent injury to workingmen from falling coal or rock; (19) that blasting operations be properly regulated; (20) that copies of mining rules be conspicuously posted; (21) that especial precautions be taken in mines generating fire damp; (22) that such mines be examined every morning with a safety lamp before miners go to work; (23) that all safety lamps be owned by mine owners, and (24) that bore holes of a certain depth be kept in advance of the workings of all passages where old workings are approached.

The foregoing are the points embraced, in whole or in part, in the mining laws of the important coal-producing States. Rules, however,

can never replace the personal element. The best of rules are of but little avail unless competent men can be secured to supervise their application. The most significant and important feature of the whole system of coal-mine regulation, therefore, is that by which a number of the States have sought, through a system of examinations, to insure that those persons in charge of the actual operations of mining shall be competent men. The positions thus specially provided for are those of mine foreman or boss, fire boss, and occasionally that of hoisting engineer.

The majority of the mining States, including California, Colorado, Kansas, Maryland, New Mexico, Tennessee, and West Virginia, simply provide that the underground operations shall be in charge of a competent superintendent or mine boss, whose special duties are to see that a proper amount of ventilation is provided, that the walls and roofs are properly timbered, etc., and that in the case of all mines generating fire damp there shall be employed a "fire boss," with the duty of examining all working places for gas every morning before the miners go to work.

The more important mining States, such as Pennsylvania, Illinois, Indiana, Alabama, Montana, and Wyoming, however, have gone much further than this. They have treated the positions of "mine boss" and "fire boss" as of such responsibility that no one should be allowed to fill them until duly certified by the State to possess the required knowledge and experience. These positions have therefore been put into the category of licensed occupations, and permission to follow them is only granted after a satisfactory examination has been passed before a State examining board. Pennsylvania requires all anthracite miners, and Illinois and Indiana all hoisting engineers, to pass a satisfactory examination before they can be employed in their occupations.

Finally, it should be stated that most of the States have recognized the necessity for the appointment of inspectors to enforce their mining laws. In the majority of these, where coal mining is of but little importance, provision has been made for but a single inspector. In North Carolina and Tennessee the inspector is the commissioner of the bureau of labor. In Maine, New Jersey, and New York the offices of inspector of factories and of mines are combined. The United States statutes provide that an inspector of mines shall be appointed for each Territory producing 1,000 or more tons of coal yearly. Colorado, Indiana, Montana, and West Virginia each have 2 inspectors of mines. Alabama and Iowa each have 3, and Washington provides an inspector for each district which shall contain not less than 10 nor more than 60 coal mines. Illinois has 7 inspectors, Ohio 1 chief and 7 assistant inspectors, and Pennsylvania 1 chief and 18 assistant inspectors.

STATISTICS OF ACCIDENTS.

Turning now to a consideration of statistics of accidents, an examination of the laws shows that most of the States with mining laws recognize the desirability of having accidents reported to the mine inspectors of the State. Were the provisions of the laws regarding this point at all adequate in scope, or so framed that the same information would be obtained in all the States, a fairly broad basis would be laid for the accumulation of a valuable body of data concerning accidents in mines. Unfortunately this is not the case. For the most part the laws do little more than declare in the most general terms that accidents shall be reported, without indicating in any way how severe the accident must be in order to be reported, or what information regarding it must be given. The whole matter is thus left to the discretion of the mine inspectors, and little effort is made to secure a uniform practice in returning accidents in the different States.

In spite of this inadequate legislation, the mining inspectors have generally made commendable efforts to obtain complete statistics of mine accidents in their States. In most of the States but little information has been obtained further than the bare number of persons killed and injured and the relation that this bears to the total number of mine employees. In several States, however, notably Pennsylvania, Illinois, and Ohio, detailed information concerning mine accidents for a long series of years that is of great value is available.

As these three States produce considerably more than half of all the bituminous coal mined in the United States—96,900,987 tons out of a total of 165,208,025 tons in 1898—and one of them, Pennsylvania, practically all of the anthracite coal, it is evident that a study of mine accidents in them will afford information fairly representative of conditions generally. In the pages immediately following it is proposed, therefore, to give a record of accidents in mines, their causes, etc., for these three States for as many years as the record is available. Following this, advantage will be taken of the excellent study of fatal accidents in coal mines, made by Mr. Frederick L. Hoffman, statistician of the Prudential Insurance Company, of Newark, N. J., to reproduce tables showing the mortality rate of mine employees from accidents in a large number of States and in Canada for a period of years.^(a) No effort is made to comment upon other than fatal accidents, except in the tables showing causes of accidents, as the lack of definiteness as to what constitutes an accident sufficiently serious to cause it to be reported makes

^a "Fatal accidents in coal mining in the United States and Canada," by Frederick L. Hoffman, in *The Mineral Industry; its Statistics, Technology, and Trade*, Vol. VI, 1897, edited by Richard P. Rothwell. The Scientific Publishing Company, New York and London, 1898.

This study has been continued for later years by Mr. Hoffman and the results published in the *Engineering and Mining Journal*.

it impossible to obtain any information of value concerning the frequency of such accidents.

There are first given four tables, showing the number of coal-mine employees, number of tons of coal mined, number of fatal accidents, and relative frequency of these accidents, as compared with the total number of employees and tons mined in each of the States Pennsylvania, Illinois, and Ohio for as many years as accurate records are available. In the case of Pennsylvania the record has been given separately for anthracite and bituminous coal mining, as the conditions regarding frequency of accidents are quite dissimilar in the two branches.

EMPLOYEES, TONS MINED, AND FATAL ACCIDENTS TO MINE EMPLOYEES, ANTHRACITE COAL MINES OF PENNSYLVANIA, 1870 TO 1898.

Year.	Employees.	Tons mined.	Fatal accidents.	Employees per each employee killed.	Tons mined per each employee killed.	Fatal accidents per each 1,000 employees.
1870.....	35,600	12,653,575	211	169	59,970	5.93
1871.....	37,488	13,868,087	210	179	66,039	5.60
1872.....	44,745	13,899,976	166	270	83,735	3.71
1873.....	48,199	18,751,358	224	215	83,711	4.65
1874.....	53,402	17,794,857	231	231	77,034	4.33
1875.....	69,966	20,895,220	238	294	87,795	3.40
1876.....	70,474	19,611,071	228	309	86,013	3.24
1877.....	66,342	22,077,869	194	345	113,803	2.90
1878.....	63,964	18,661,577	187	342	99,795	2.92
1879.....	68,847	27,711,250	262	263	105,768	2.81
1880.....	73,373	24,843,476	202	363	122,988	2.75
1881.....	76,031	30,210,018	273	279	110,659	3.59
1882.....	83,242	30,867,301	293	284	105,349	3.52
1883.....	91,411	33,200,608	323	283	102,788	3.53
1884.....	101,078	32,561,390	332	304	98,076	3.28
1885.....	100,534	33,520,941	356	282	94,160	3.54
1886.....	103,034	34,064,543	279	369	122,095	2.71
1887.....	106,574	37,137,251	316	337	117,523	2.97
1888.....	117,290	41,638,426	364	322	114,391	3.10
1889.....	119,007	39,015,835	384	310	101,604	3.23
1890.....	109,166	40,080,355	378	289	106,033	3.46
1891.....	123,345	44,320,967	427	289	103,796	3.46
1892.....	129,797	45,738,373	396	328	115,501	3.05
1893.....	138,002	47,179,563	445	310	106,021	3.22
1894.....	139,655	45,506,179	439	318	103,659	3.14
1895.....	143,610	51,207,000	422	340	121,344	2.91
1896.....	149,670	48,074,330	502	298	95,766	3.35
1897.....	149,557	46,947,354	424	353	110,725	2.84
1898.....	142,420	47,145,174	411	347	114,708	2.89

EMPLOYEES, TONS MINED, AND FATAL ACCIDENTS TO MINE EMPLOYEES, BITUMINOUS COAL MINES OF PENNSYLVANIA, 1884 TO 1898.

Year.	Employees.	Tons mined.	Fatal accidents.	Employees per each employee killed.	Tons mined per each employee killed.	Fatal accidents per each 1,000 employees.
1884.....	39,994	20,553,090	105	381	195,744	2.63
1885.....	44,145	24,030,919	72	613	333,763	1.63
1886.....	51,846	23,607,173	81	640	353,175	1.56
1887.....	57,774	33,902,030	103	561	329,146	1.78
1888.....	61,564	33,332,235	89	682	350,138	1.43
1889.....	75,600	34,625,449	105	530	329,706	1.39
1890.....	66,851	40,740,521	146	458	279,045	2.18
1891.....	74,166	41,831,456	236	314	177,232	3.18
1892.....	73,784	46,225,552	133	582	347,561	1.69
1893.....	79,834	43,422,498	131	609	331,469	1.64
1894.....	86,177	39,800,210	124	695	320,909	1.44
1895.....	84,904	51,813,112	155	548	334,278	1.53
1896.....	83,796	50,273,656	179	468	280,858	2.14
1897.....	86,483	54,674,272	149	580	306,941	1.72
1898.....	87,802	64,247,635	198	443	324,483	2.26

EMPLOYEES, TONS MINED, AND FATAL ACCIDENTS TO MINE EMPLOYEES, BITUMINOUS COAL MINES OF ILLINOIS, 1883 TO 1898.

Year.	Employees.	Tons mined.	Fatal accidents.	Employees per each employee killed.	Tons mined per each employee killed.	Fatal accidents per each 1,000 employees.
1883.....	23, 939	12, 123, 456	α 134	179	90, 474	5. 60
1884.....	25, 575	12, 208, 075	46	556	265, 393	1. 80
1885.....	25, 446	11, 834, 459	39	652	303, 448	1. 53
1886.....	25, 846	11, 175, 241	52	497	214, 908	2. 01
1887.....	26, 804	12, 423, 066	41	654	303, 002	1. 53
1888.....	29, 410	14, 328, 181	55	535	260, 512	1. 87
1889.....	30, 076	14, 017, 298	42	716	333, 745	1. 40
1890.....	28, 574	15, 274, 727	53	539	288, 202	1. 85
1891.....	32, 951	15, 660, 698	60	549	261, 012	1. 82
1892.....	33, 632	17, 062, 276	57	590	299, 338	1. 69
1893.....	35, 390	19, 949, 564	69	513	289, 124	1. 95
1894.....	32, 635	17, 113, 576	72	453	237, 689	2. 21
1895.....	31, 962	17, 735, 864	75	426	236, 478	2. 35
1896.....	33, 054	19, 786, 626	77	429	256, 969	2. 33
1897.....	33, 788	20, 072, 758	69	490	290, 910	2. 04
1898.....	35, 026	18, 599, 299	75	467	247, 991	2. 14

α Of these 69 were drowned in the flooding of a mine and 10 were killed in an explosion.

EMPLOYEES, TONS MINED, AND FATAL ACCIDENTS TO MINE EMPLOYEES, BITUMINOUS COAL MINES OF OHIO, 1884 TO 1897.

Year.	Employees.	Tons mined.	Fatal accidents.	Employees per each employee killed.	Tons mined per each employee killed.	Fatal accidents per each 1,000 employees.
1884.....	20, 161	7, 650, 062	26	773	294, 233	1. 29
1885.....	19, 704	7, 816, 179	51	386	153, 258	2. 59
1886.....	20, 437	8, 435, 211	43	475	196, 168	2. 10
1887.....	22, 237	10, 301, 708	36	618	283, 159	1. 62
1888.....	21, 801	10, 910, 946	29	752	376, 240	1. 33
1889.....	23, 295	10, 907, 335	33	706	330, 527	1. 42
1890.....	22, 192	11, 738, 859	42	523	280, 687	1. 89
1891.....	23, 997	13, 050, 137	44	545	296, 595	1. 83
1892.....	26, 972	14, 599, 908	42	642	347, 617	1. 56
1893.....	28, 310	14, 823, 097	32	900	463, 373	1. 11
1894.....	31, 493	11, 910, 219	45	700	264, 672	1. 43
1895.....	28, 998	13, 633, 879	52	558	263, 152	1. 79
1896.....	28, 446	12, 912, 608	41	694	314, 942	1. 44
1897.....	28, 785	12, 443, 822	40	720	311, 221	1. 39

An examination of these tables brings out a number of points that are worthy of comment. The first is the much greater frequency of accidents in anthracite than in bituminous coal mining. In the former the prevalent rate is over 3 per 1,000, while in the latter it is only in exceptional cases that the rate exceeds 2 per 1,000. Comparing the returns for bituminous mines in the three States, no radical difference can be detected, except that within recent years the rate seems to be higher in Illinois. Ohio makes the best showing as regards the mortality rate, whether expressed in terms of tons of coal mined or in number of employees. The third and most significant point is that no appreciable tendency toward a diminution in the relative frequency of accidents can be traced during the periods covered by the tables.

It is interesting now to turn to the tables prepared by Mr. Hoffman, to which reference has been made above. Mr. Hoffman has prepared a large number of tables for the different States, but the general results are summarized in the two that follow, taken from the Engineering and Mining Journal for November 24, 1900.

FATAL ACCIDENTS IN COAL MINES IN THE UNITED STATES AND CANADA, 1890 TO 1899.

Locality.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	Total.
Colorado	16	30	34	46	19	23	68	35	24	41	336
Illinois	53	60	57	69	72	75	77	69	75	84	691
Indiana	5	5	19	22	.....	23	28	16	22	16	156
Indian Territory .....	.....	.....	.....	.....	13	6	12	22	17	25	95
Iowa	13	19	24	29	19	20	22	21	26	20	213
Kansas	8	13	.....	15	28	10	12	6	17	16	123
Kentucky	11	16	8	12	10	8	6	12	6	7	96
Maryland	8	6	6	5	7	9	6	5	8	5	61
Missouri	10	18	20	21	19	13	16	8	4	14	148
New Mexico .....	.....	.....	.....	.....	.....	28	7	7	7	15	64
Ohio	42	44	42	38	45	52	41	40	52	57	447
Pennsylvania (anthracite) (a)	378	427	396	425	439	420	502	424	411	461	4,283
Pennsylvania (bituminous) (a)	146	237	133	131	124	155	179	149	199	238	1,711
Tennessee .....	.....	22	14	11	14	40	22	10	19	20	172
Utah .....	.....	.....	.....	.....	2	1	3	3	3	.....	13
Washington .....	.....	.....	55	9	50	35	8	7	9	42	215
West Virginia .....	.....	36	36	72	59	83	65	62	90	89	592
British Columbia	4	15	6	16	4	10	9	6	7	11	88
Nova Scotia	7	128	9	2	13	9	8	7	7	19	209
Total	701	1,076	859	919	934	1,020	1,091	909	1,004	1,200	9,713

FATAL ACCIDENTS IN COAL MINES IN THE UNITED STATES AND CANADA, PER EACH 1,000 EMPLOYEES, 1890 TO 1899.

Locality.	1890.	1891.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	Total.
Colorado	2.27	4.40	4.49	6.31	3.06	3.05	10.07	4.99	8.23	5.60	4.73
Illinois	1.85	1.82	1.69	1.95	2.21	2.35	2.33	2.04	2.14	2.27	2.07
Indiana .....	.76	.72	2.50	2.96	.....	2.92	3.94	2.00	2.63	2.07	2.32
Indian Territory .....	.....	.....	.....	.....	3.98	1.64	3.26	6.84	4.82	6.24	4.39
Iowa	1.31	2.08	2.58	2.77	1.85	1.82	2.62	2.45	3.38	2.49	2.30
Kansas	1.77	2.08	.....	1.52	2.58	1.11	1.36	.71	1.95	1.57	1.82
Kentucky	1.50	2.49	1.04	1.41	1.25	1.02	.79	1.55	.67	.85	1.22
Maryland	2.08	1.54	1.52	1.23	1.69	2.30	1.58	1.17	1.89	1.08	1.49
Missouri	1.67	2.62	2.48	2.70	2.49	1.39	1.84	2.41	1.23	1.20	2.06
New Mexico .....	.....	.....	.....	.....	.....	16.88	4.37	5.13	3.71	7.98	7.78
Ohio	1.89	1.83	1.56	1.11	1.43	1.79	1.44	1.39	1.77	2.03	1.61
Pennsylvania (anthracite) (a)	3.21	3.47	3.05	3.08	3.14	2.92	3.35	2.84	2.89	3.28	3.12
Pennsylvania (bituminous) (a)	2.18	3.21	1.69	1.60	1.44	1.83	2.14	1.72	2.38	2.82	2.08
Tennessee .....	.....	4.32	2.84	2.21	2.53	7.81	3.37	1.58	2.43	2.60	3.18
Utah .....	.....	.....	.....	3.47	1.49	1.49	4.35	4.17	4.38	.....	2.53
Washington .....	.....	.....	18.58	3.18	14.79	12.38	2.98	2.48	2.70	28.00	9.62
West Virginia .....	.....	3.16	2.76	4.20	2.98	3.97	2.68	2.89	3.86	3.55	3.36
British Columbia	1.73	4.45	2.24	5.12	1.25	3.42	3.27	2.49	2.46	2.91	3.00
Nova Scotia	1.81	22.28	1.55	.34	2.41	1.55	1.33	1.35	1.56	3.39	3.78
Total	2.43	3.30	2.51	2.46	2.47	2.63	2.78	2.31	2.54	2.99	2.64

a The figures here given differ slightly in some cases from those in the preceding tables. The reason for this difference is not known.

These two tables show that 2.64 per 1,000 employees may be taken as a fairly approximate rate of mortality from accidents to coal miners in the United States. This rate is considerably higher than that of the State of Ohio, which is but 1.61 per 1,000 employees. The rate for Illinois is 2.07 per 1,000 employees, while that for Pennsylvania bituminous mines is 2.08 per 1,000 employees. It is significant that the rate is lower in the important than in the unimportant coal-mining States. This may be due to the fact that coal is probably found in the latter States under conditions where its mining is more difficult; but the fact that the former States have well-organized and efficient systems of mine inspection must also be given due weight.

It is a matter of interest to note that coal mining is a less dangerous industry than that of railway transportation. While in the latter 1 switchman, flagman, etc., out of every 195 and 1 trainman out of every 150 were killed during the year 1898, in coal mines the proportion

was only 1 out of every 347 employees in anthracite mines and 1 out of every 443 in bituminous coal mines in Pennsylvania, 1 out of every 467 in Illinois mines, and 1 out of every 720 (year 1897) in Ohio mines.

It is to be regretted that the returns of accidents are not made, or at least are not published, more in detail according to occupations, or at least separately for the two classes of employees above and employees below ground.

There are a number of collateral questions relating to accidents which are of more or less value. Of these much the most important is that regarding the causes to which the accidents are due. As would be expected, a uniform system of tabulating such data is not followed by the different States. It is possible, however, to group the causes into a few main classes, so as to bring the information given in the Pennsylvania, Illinois, and Ohio reports to substantially the same basis. This has been done in the three tables that follow. In this classification the group "in shafts" includes all accidents through falling down shafts, accidents to cages, etc. The group "cars" includes accidents on railway cars on the surface, as well as coal cars in the coal veins and passages, though almost all of the accidents occurring are in connection with the latter. The group "other" includes not only "miscellaneous," but "not reported" causes. In the tables accidents to bituminous coal-mine employees in Pennsylvania are for the period 1895 to 1898, in Illinois for the period 1894 to 1898, and in Ohio for the period 1894 to 1897.

ACCIDENTS TO BITUMINOUS COAL-MINE EMPLOYEES IN PENNSYLVANIA, BY CAUSES, 1895 TO 1898.

Causes.	1895.	1896.	1897.	1898.	Total.	Per cent.
FATAL.						
Fall of coal, rock, timber, etc.....	103	114	111	131	459	67.0
Blasting, powder explosions, etc.....	5	5	3	5	18	2.6
In shafts.....	1	.....	1	1	3	.5
Cars (a).....	30	25	22	39	116	16.9
Fire damp and gas.....	5	18	2	12	37	5.4
Other.....	13	17	10	12	52	7.6
Total.....	b157	179	149	b200	685	100.0
NONFATAL.						
Fall of coal, rock, timber, etc.....	242	213	234	274	963	57.1
Blasting, powder explosions, etc.....	13	14	14	21	62	3.7
In shafts.....	.....	.....	2	.....	2	.1
Cars (a).....	114	99	119	120	452	26.8
Fire damp and gas.....	18	20	13	7	58	3.5
Other.....	32	36	44	37	149	8.8
Total.....	419	382	426	459	1,686	100.0
ALL ACCIDENTS.						
Fall of coal, rock, timber, etc.....	345	327	345	405	1,422	60.0
Blasting, powder explosions, etc.....	18	19	17	26	80	3.4
In shafts.....	1	.....	3	1	5	.2
Cars (a).....	144	124	141	159	568	23.9
Fire damp and gas.....	23	38	15	19	95	4.0
Other.....	45	53	54	49	201	8.5
Total.....	576	561	575	659	2,371	100.0

a Including machinery, etc.

b These figures differ slightly from those in the table on page 16. The reason for this difference is not known.

ACCIDENTS TO COAL-MINE EMPLOYEES IN ILLINOIS, BY CAUSES, 1894 TO 1898.

Causes.	1894.	1895.	1896.	1897.	1898.	Total.	Per cent.
FATAL.							
Fall of coal, rock, timber, etc.	43	39	42	46	44	214	58.2
Blasting, powder explosions, etc.	8	12	9	11	11	51	13.9
In shafts.....	13	9	11	5	6	44	12.0
Cars.....	8	6	8	2	3	27	7.3
Fire damp and gas.....	.....	5	2	2	7	16	4.3
Other.....	.....	4	5	3	4	16	4.3
Total.....	72	75	77	69	75	368	100.0
NONFATAL.							
Fall of coal, rock, timber, etc.	297	349	395	317	257	1,615	58.8
Blasting, powder explosions, etc.	26	48	30	31	15	150	5.5
In shafts.....	26	18	26	20	13	97	3.5
Cars.....	91	101	137	89	84	502	18.3
Fire damp and gas.....	8	9	10	14	7	48	1.7
Other.....	73	80	72	47	62	334	12.2
Total.....	521	605	664	518	438	2,746	100.0
ALL ACCIDENTS.							
Fall of coal, rock, timber, etc.	340	388	437	363	301	1,829	58.7
Blasting, powder explosions, etc.	34	60	39	42	26	201	6.5
In shafts.....	39	27	31	25	19	141	4.5
Cars.....	99	107	145	91	87	529	17.0
Fire damp and gas.....	8	14	12	16	14	64	2.1
Other.....	73	84	77	50	66	350	11.2
Total.....	593	680	741	587	513	3,114	100.0

ACCIDENTS TO COAL-MINE EMPLOYEES IN OHIO, BY CAUSES, 1894 TO 1897.

Causes.	1894.	1895.	1896.	1897.	Total.	Per cent.
FATAL.						
Fall of coal, rock, timber, etc.	26	29	28	28	111	62.4
Blasting, powder explosions, etc.	5	10	3	2	20	11.2
In shafts.....	5	2	.....	1	8	4.5
Cars.....	2	7	.....	5	19	10.7
Fire damp and gas.....	1	.....	1	.....	2	1.1
Other.....	6	4	4	4	18	10.1
Total.....	45	52	41	40	178	100.0
NONFATAL.						
Fall of coal, rock, timber, etc.	114	125	139	119	497	53.4
Blasting, powder explosions, etc.	16	20	20	18	74	8.0
In shafts.....	4	2	3	2	11	1.2
Cars.....	60	62	71	67	260	28.0
Fire damp and gas.....	4	1	6	5	16	1.7
Other.....	14	9	23	26	72	7.7
Total.....	212	219	262	237	930	100.0
ALL ACCIDENTS.						
Fall of coal, rock, timber, etc.	140	154	167	147	608	54.9
Blasting, powder explosions, etc.	21	30	23	20	94	8.5
In shafts.....	9	4	3	3	19	1.7
Cars.....	62	69	76	72	279	25.2
Fire damp and gas.....	5	1	7	5	18	1.6
Other.....	20	13	27	30	90	8.1
Total.....	257	271	303	277	1,108	100.0

FACTORIES AND WORKSHOPS.

Though the great majority of the States have enacted laws of some kind in regard to factories and workshops, but a comparatively few have systems of factory laws of sufficient development to warrant their careful examination. In making a selection of the States whose factory laws are worthy of study, the best test is as to whether provision

has been made for an inspection service. Twenty-one States answer this requirement, but of these the laws of 13 only contain specific provisions making it obligatory upon factory and mill owners to take certain precautions against accidents. Attention will therefore be confined to the legislation of these 13 States: Connecticut, Illinois, Indiana, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Wisconsin.

It is manifestly inadvisable to attempt to reproduce in extenso the provisions of the factory laws of these States that relate to the prevention of accidents. These provisions are so interwoven in the laws and constitute so important a part of them that such an attempt would necessitate the reprinting of the factory laws almost in their entirety. Little would be gained by so doing, as the laws of the different States follow each other very closely both as to their provisions and language. There is of course, however, a considerable difference between the laws in respect to their scope.

Owing to this fact that the laws of the different States are framed along identical lines, it is possible to prepare a summary presenting in condensed form the requirements contained in the laws of each State regarding the prevention of accidents. This is done in the following statement, the States having provisions concerning the subjects shown in the first column being indicated by the heavy black lines:

LAWS PERTAINING TO THE PREVENTION OF ACCIDENTS IN FACTORIES.

Laws pertaining to—	Mas-sa-chu-sets.	Rhode Island.	Con-necti-cut.	New York.	New Jer-sey.	Penn-sylva-nia.	Ohio.	Indi-ana.	Illi-nois.	Mich-igan.	Wis-con-sin.	Min-ne-sota.	Mis-souri.
Guarding machinery	---	---	---	---	---	---	---	---	---	---	---	---	---
Cleaning machinery in motion, by children and women	---	---	---	---	---	---	---	---	---	---	---	---	---
Mechanical belt and gearing shifters	---	---	---	---	---	---	---	---	---	---	---	---	---
Communication with engineer's room	---	---	---	---	---	---	---	---	---	---	---	---	---
Guarding vats containing molten metal or hot liquids	---	---	---	---	---	---	---	---	---	---	---	---	---
Railings on stairways	---	---	---	---	---	---	---	---	---	---	---	---	---
Regulation of dangerous or injurious occupations	---	---	---	---	---	---	---	---	---	---	---	---	---
Use of explosive or inflammable material	---	---	---	---	---	---	---	---	---	---	---	---	---
Exhaust fans, blowers, etc., for removal of dust, etc.	---	---	---	---	---	---	---	---	---	---	---	---	---
Guarding elevator and hoisting openings	---	---	---	---	---	---	---	---	---	---	---	---	---
Fire escapes	---	---	---	---	---	---	---	---	---	---	---	---	---
Doors to swing outward; to be unlocked	---	---	---	---	---	---	---	---	---	---	---	---	---
Reporting accidents	---	---	---	---	---	---	---	---	---	---	---	---	---

The above statement shows only in the most general way the points covered by the factory laws as regards the prevention of accidents. In order that the detailed provisions of a typical law may be seen, there is reproduced below the sections of the general labor law of 1897, as amended by a law enacted in 1899, of the State of New York relating to this matter. In this law New York codified all existing protective labor legislation of the State. In addition to the sections reproduced there are others relating to the provision of fire escapes, and the ventilation, lighting, heating, etc., of the factories.

SECTION 79.—*Inclosure and operation of elevators and hoisting shafts—inspection.*—If, in the opinion of the factory inspector, it is necessary to protect the life or limbs of factory employees, the owner, agent, or lessee of such factory where an elevator, hoisting shaft, or wellhole is used, shall cause, upon written notice from the factory inspector, the same to be properly and substantially inclosed, secured or guarded, and shall provide such proper traps or automatic doors so fastened in or at all elevator ways, except passenger elevators inclosed on all sides, as to form a substantial surface when closed and so constructed as to open and close by action of the elevator in its passage either ascending or descending. The factory inspector may inspect the cable, gearing or other apparatus of elevators in factories and require them to be kept in a safe condition.

No child under the age of fifteen years shall be employed or permitted to have the care, custody or management of or to operate an elevator in a factory, nor shall any person under the age of eighteen years be employed or permitted to have the care, custody or management of or to operate an elevator therein, running at a speed of over two hundred feet a minute.

SEC. 80.—*Stairs and doors.*—Proper and substantial hand rails shall be provided on all stairways in factories. The steps of such stairs shall be covered with rubber, securely fastened thereon, if in the opinion of the factory inspector the safety of employees would be promoted thereby. The stairs shall be properly screened at the sides and bottom. All doors leading in or to any such factory shall be so constructed as to open outwardly where practicable, and shall not be locked, bolted or fastened during working hours.

SEC. 81.—*Protection of employees operating machinery.*—The owner or person in charge of a factory where machinery is used, shall provide, in the discretion of the factory inspector, belt shifters or other mechanical contrivances for the purpose of throwing on or off belts on pulleys. Whenever practicable, all machinery shall be provided with loose pulleys. All vats, pans, saws, planers, cogs, gearing, belting, shafting, set-screws and machinery, of every description, shall be properly guarded. No person shall remove or make ineffective any safeguard around or attached to machinery, vats or pans, while the same are in use, unless for the purpose of immediately making repairs thereto, and all such safeguards so removed shall be promptly replaced. Exhaust fans of sufficient power shall be provided for the purpose of carrying off dust from emery wheels, grindstones and other machinery creating dust. If a machine or any part thereof is in a dangerous condition or is not properly guarded, the use thereof may be prohibited by the factory inspector, and a notice to that effect shall be attached

thereto. Such notice shall not be removed until the machine is made safe and the required safeguards are provided, and in the meantime such unsafe or dangerous machinery shall not be used. When, in the opinion of the factory inspector, it is necessary, the workrooms, halls and stairs leading to workrooms shall be properly lighted. Such lights to be independent of the motive power of such factory. No male person under eighteen years or woman under twenty-one years of age shall be permitted or directed to clean machinery while in motion. Children under sixteen years of age shall not be permitted to operate or assist in operating dangerous machines of any kind.

Turning to the subject of statistics of accidents to factory workers, it will be observed that but 9 of the States—Indiana, Massachusetts, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, and Rhode Island—require factory operators to report all accidents to their employees. An examination of the provisions of the laws by which the reporting of accidents is required shows that but little effort has been made to lay the basis for the collection of complete and detailed statistics of accidents. For the most part the laws go little further than the general requirement that fatal and serious accidents must be reported to the factory inspector. As regards what shall be deemed serious accidents, 3 States—Indiana, New York, and Pennsylvania—make no attempt at a definition, the law simply specifying “all accidents and injuries.” The Minnesota law relates to accidents which are fatal, or require the aid of a surgeon, a very inadequate definition. Three States—Missouri, New Jersey, and Rhode Island—have the same definition, viz, accidents which are fatal or prevent the injured person from returning to work in 2 weeks. The Ohio law embraces all accidents causing the injured person to be unable to work for 6 days, and the Massachusetts law those causing inability to work for 4 days.

In respect to the nature of the information that must be furnished regarding each accident the same indefiniteness of language is found. The laws of Missouri and New Jersey make no mention of the information to be given other than that the accidents must be reported. The Massachusetts law has the same deficiency, with the exception that the chief inspector is required to keep a record of all accidents, showing the name of the person injured, the place where the accident occurred, and its cause. The Pennsylvania and Rhode Island laws simply provide that the report must show the cause of the accident “as fully as possible.” The Minnesota law specifies the information to be returned with greater particularity. The notice must show “as fully as possible the time and place when and where said accident or injury occurred, the name and residence of the person or persons killed or injured, and the place to which, if injured, the person or persons have been removed.” The laws of Indiana and New York are nearly identical in wording with the Minnesota law, except that there

is added the very important clause, "with such other information relative thereto as may be required by the factory inspector." This clause renders it possible for the factory inspector to call for all the information that it is desirable to have concerning industrial accidents.

The Ohio law is the most carefully worded and precise of any of the laws, both as regards the definition of accidents to be reported and the information to be furnished. It was enacted March 21, 1888, and was slightly amended as regards its penalty clause March 9, 1898. As the most complete of the laws, it is of interest to reproduce in full its provisions, which are as follows:

SECTION [8771]. It shall be the duty of all manufacturers of the State, to forward by mail to the chief inspector of workshops and factories, at Columbus, a report of each and every serious accident resulting in bodily injury to any person which may occur in their establishment, giving particulars of the same as fully as can be ascertained, upon blanks which shall be furnished by the chief inspector of workshops and factories. If death shall result to any employee from any such accident, said report shall contain the age, name, sex and employment of the deceased, whether married, the number of persons, if any, deprived of support in consequence thereof, and the cause of the accident, if known. If the accident has caused bodily injury of such a nature as to prevent the person injured from returning to his or her employment within six or more days after the occurrence of the accident, then the report shall contain the age, name, sex and employment of the disabled, the nature and extent of the injury received, how caused, if known, how long continuously disabled, loss of time and wages therefrom, and if possible the expenses thereby incurred in full.

SEC. [8772]. Any manufacturer who shall fail to comply with the requirements of this act in each case of death by accident within seven days thereafter, and in each case of injury by accident within thirty days thereafter, shall be deemed guilty of a misdemeanor, and on conviction thereof before any court of competent jurisdiction, shall be fined in any sum not less than ten dollars nor more than fifty dollars. The term manufacturer, as applied in section 1 [8771] and in section 2 [8772] of this act, shall be held to mean any person who, as owner, manager, lessee, assignee, receiver, contractor, or who, as agent of any incorporated company, makes or causes to be made or who deals in any kind of goods or merchandise, or who owns, controls, or operates any street railway, laundering establishment, or is engaged in the construction of buildings, bridges or structures, or in loading or unloading vessels, or cars, or moving heavy materials, or operating dangerous machinery, or in the manufacture or use of explosives.

SEC. [8773]. It shall be the duty of the chief inspector of workshops and factories, to supply all blanks necessary to make said reports, as required in this act, and to prosecute all violations of this act when the same shall come to his knowledge; *Provided*, That the furnishing of said blanks shall be a condition precedent to prosecution in any case.

As would be expected from what has been said regarding the inadequacy of the laws requiring accidents to be reported, little or no material of real statistical value has been obtained showing either the

prevalence, causes, or character of accidents in factories. In no case are complete returns secured, and even if they were, but little use could be made of the results, owing to the fact that the number of employees to which they relate can not be obtained. Without this information it is manifestly impossible to make any calculation of the casualty risks in different industries or different years.

The only serious attempt that has been made to obtain accurate statistics of accidents in factories is that of the New York bureau of labor in 1899. Acting in cooperation with the chief factory inspector of the State, the commissioner of labor made a special effort to obtain as complete a record as possible of accidents to labor during the limited period of April, May, and June, 1899, in a selected list of factories. The result of this investigation, as far as the number and frequency of accidents is concerned, is given in the following table:

INJURIES TO PERSONS EMPLOYED IN FACTORIES IN NEW YORK STATE, 3 MONTHS
ENDING JUNE, 1899.

Industries.	Persons employed.	Number of injuries in 3 months.	Proportionate number in 1 year.	Number injured to each 1,000 employed.
Stone and clay products.....	19,764	75	300	15.18
Metals, machinery, and apparatus.....	123,467	820	3,280	26.57
Wood.....	31,482	145	580	18.42
Leather, rubber, pearl, etc.....	31,169	25	100	3.21
Chemicals, oils, and explosives.....	13,164	145	580	44.06
Pulp, paper, and cardboard.....	8,201	85	340	41.46
Printing and allied trades.....	38,293	88	352	9.19
Textiles.....	59,709	133	532	8.91
Clothing, millinery, laundering, etc.....	65,220	22	88	1.35
Food, tobacco, and liquors.....	45,600	154	616	13.51
Public utilities.....	7,408	69	276	37.28
Building industry.....	9,813	61	244	26.20

In introducing this table the New York commissioner hastens to point out its limited value. The accident rate shown for many of the industries is absurdly low. It was learned from trade unions and other sources that accidents occurred in a considerable number of shops which reported no accidents. The ratios shown in the last column are very misleading if taken to represent the relative hazards in the several industries. The chemicals, oils, and explosives and pulp, paper, and cardboard groups of industries and public utilities are not especially dangerous. The investigation, however, served a useful purpose in showing how exceedingly defective the regular returns of industrial accidents to the factory inspector were. This officer had never received notice of as many as 1,800 accidents during an entire year for all factory employees, while in this investigation, confessedly defective as it was, notice was received of 1,822 accidents in a period of 3 months from establishments employing but about half the factory workers of the State.

The scope of this investigation also comprehended information concerning the nature and extent of the injuries received, the number of days lost by the persons injured, etc. Owing to the inadequacy of the investigation nothing will be gained by reproducing the figures bearing upon other points.

BUILDING AND CONSTRUCTION WORK.

An examination of the labor laws of the States as published by the Department of Labor, in its Second Special Report and in its Bulletins, shows that but 5 States have enacted laws the special purpose of which is to make it obligatory upon directors of building and construction work to take certain precautions against accidents. These are the States of Maryland, Missouri, New York, Ohio, and Pennsylvania. Of these laws that of New York is much the most complete, and it is therefore here reproduced as showing the most advanced measure taken by any State in this direction.

SECTION 18.—*Scaffolding for use of employees.*—A person employing or directing another to perform labor of any kind in the erection, repairing, altering or painting of a house, building or structure shall not furnish or erect, or cause to be furnished or erected for the performance of such labor, scaffolding, hoists, stays, ladders or other mechanical contrivances which are unsafe, unsuitable or improper, and which are not so constructed, placed and operated as to give proper protection to the life and limb of a person so employed or engaged. Scaffolding or staging swung or suspended from an overhead support, more than twenty feet from the ground or floor, shall have a safety rail of wood, properly bolted, secured and braced, rising at least thirty-four inches above the floor or main portions of such scaffolding or staging and extending along the entire length of the outside and the ends thereof, and properly attached thereto, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure.

SEC. 19.—*Inspection of scaffolding, ropes, blocks, pulleys and tackles in cities.*—Whenever complaint is made to the factory inspector that the scaffolding or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons, or ropes of any swinging or stationary scaffolding used in the construction, alteration, repairing, painting, cleaning or pointing of buildings within the limits of a city are unsafe or liable to prove dangerous to the life or limb of any person, such factory inspector shall immediately cause an inspection to be made of such scaffolding, or the slings, hangers, blocks, pulleys, stays, braces, ladders, irons or other parts connected therewith. If, after examination, such scaffolding or any of such parts is found to be dangerous to life or limb, the factory inspector shall prohibit the use thereof, and require the same to be altered and reconstructed so as to avoid such danger. The factory inspector or deputy factory inspector making the examination shall attach a certificate to the scaffolding, or the slings, hangers, irons, ropes, or other parts thereof, examined by him, stating that he has made such examination, and that he has found it safe or unsafe, as the case may be. If he declares it unsafe, he shall at once, in writing,

notify the person responsible for its erection of the fact, and warn him against the use thereof. Such notice may be served personally upon the person responsible for its erection, or by conspicuously affixing it to the scaffolding, or the part thereof declared to be unsafe. After such notice has been so served or affixed, the person responsible therefor shall immediately remove such scaffolding or part thereof and alter or strengthen it in such manner as to render it safe, in the discretion of the officer who has examined it, or of his superiors. The factory inspector and any of his deputies whose duty it is to examine or test any scaffolding or part thereof, as required by this section, shall have free access, at all reasonable hours, to any building or premises containing them or where they may be in use. All swinging and stationary scaffolding shall be so constructed as to bear four times the maximum weight required to be dependent therefrom or placed thereon, when in use, and not more than four men shall be allowed on any swinging scaffolding at one time.

SEC. 20.—*Protection of persons employed on buildings in cities.*—All contractors and owners, when constructing buildings in cities, where the plans and specifications require the floors to be arched between the beams thereof, or where the floors or filling in between the floors are of fireproof material or brickwork, shall complete the floorings or filling in as the building progresses, to not less than within three tiers of beams below that on which the ironwork is being erected. If the plans and specifications of such buildings do not require filling in between the beams of floors with brick or fireproof material all contractors for carpenter work, in the course of construction, shall lay the underflooring thereof on each story as the building progresses, to not less than within two stories below the one to which such building has been erected. Where double floors are not to be used, such contractor shall keep planked over the floor two stories below the story where the work is being performed. If the floor beams are of iron or steel, the contractors for the iron or steel work of buildings in course of construction or the owners of such buildings, shall thoroughly plank over the entire tier of iron or steel beams on which the structural iron or steel work is being erected, except such spaces as may be reasonably required for the proper construction of such iron or steel work, and for the raising or lowering of materials to be used in the construction of such building, or such spaces as may be designated by the plans and specifications for stairways and elevator shafts. If elevating machines or hoisting apparatus are used within a building in the course of construction, for the purpose of lifting materials to be used in such construction, the contractors or owners shall cause the shafts or openings in each floor to be inclosed or fenced in on all sides by a board at least eight feet in height. If a building in course of construction is five stories or more in height, no lumber or timber needed for such construction shall be hoisted or lifted on the outside of such building. The chief officer, in any city, charged with the enforcement of the building laws of such city and the factory inspector are hereby charged with enforcing the provisions of this section.

It will be seen from a reading of this law that the important features covered by it are (1) the enumeration of the precautions that must be taken to render the scaffolding, staging, ropes, pulleys, etc., safe; (2) that it is made the duty of the factory inspector to make an inspec-

tion of the scaffolding, staging, etc., used in the erection of any building whenever complaint is made to him that such appliances are unsafe, and if such is found to be the case, to prohibit their use until they have been made safe; (3) the requirement that, in the case of large buildings, the filling in of floor spaces shall be made as the building progresses, and that shaft openings shall be fenced in on all sides; and (4) that the enforcement of this provision is intrusted to both the officers of the city charged with the enforcement of the building laws and the factory inspector.

The Pennsylvania law, which is very brief, provides that—

On and after the passage of this act it shall be the duty of the party or parties having charge of the construction of any new building hereafter erected in this Commonwealth, to have the joists or girders of each floor above the third story covered with rough scaffold boards or other suitable material, as the building progresses, so as to sufficiently protect the workmen either from falling through such joists or girders, or to protect the workmen or others who may be under or below each floor from falling bricks, tools, mortar or other substances whereby accidents happen, injuries occur and life and limb are endangered.

For every violation of this act a penalty, not exceeding one hundred dollars for each floor of joists or girders left uncovered, shall be imposed, to be collected as fines and penalties are usually collected.

The Maryland law contains much the same provisions as the New York law, as far as the security of scaffolding, staging, etc., is concerned, but leaves the enforcement of its provisions to the local police authorities. The Ohio law makes the failure to provide safe scaffolding, etc., a misdemeanor, punishable by a fine of from \$25 to \$200, to be enforced as any other law regarding misdemeanors.

It would be a mistake to consider the foregoing as all the legal regulations that exist for the purpose of preventing accidents in building operations. The building regulations of the various cities, though not directed to the prevention of accidents to employees, undoubtedly in many cases contain provisions having this effect. The fact remains, however, that up to the present time the States have far from taken the steps needed to insure that builders take every possible precaution for the security of their employees.

In no case do the laws require the systematic return of accidents occurring to workingmen engaged in construction or building work, unless possibly a partial return is in some cases made in connection with accidents in factories. There is, therefore, no material available for making a statistical study of accidents to this class of workers.

PRICES OF COMMODITIES AND RATES OF WAGES IN MANILA.

The data which have been used in the tables which constitute the present article were collected in Manila under the supervision of Mr. F. F. Hilder, the agent of the board of management, United States Government exhibit of the Pan-American Exposition, who was sent to Manila to gather material for an exhibit illustrative of the people, industries, resources, etc., of the islands for the Pan-American Exposition. In connection with the gathering of the other objects for exhibition it was thought advisable to collect some data relating to the prices of commodities and to the rates of wages in Manila, and perhaps, if possible, in some of the other towns.

Schedules were drawn up and instructions were prepared calling for the carrying out of the work according to the usual methods employed by the Department of Labor in such work. Provision was made for data showing retail prices of articles in common use in the homes of workmen, distinction to be made, so far as use warranted it, between such articles as were in use by the white population, by the natives, and by the Chinese.

In the matter of rates of wages the instructions required, among other things, that the data should be secured directly from the pay rolls or other accounts of the employing establishments, that the occupations should be reported as specifically as possible, with full explanation if the occupation names were new to American usage, that the exact rates paid by the employer and the whole number of persons employed at each of such rates should be given, that where payment was made by the month, week, piece, or otherwise than by the day, the number of working days per month or week, or the average daily earnings at piece work should be given, in order that wages might all be upon a comparable day basis, and that any other explanation should be given which might be necessary to put the data collected upon a basis comparable with data for like occupations in the United States.

The result is a body of data in regard to matters about which inquiries have been frequent and about which no information has been available hitherto. The table of prices shows the retail prices on April 1, 1900, in Manila, of about 90 articles of common use, largely articles of food, presented so as to show which articles are in habitual use by white workmen, by the native workmen of the islands, and by the Chinese workmen. The table of rates of wages shows the rates of

wages paid in April and May, 1900, in Manila, for each occupation in 664 establishments covering 69 distinct industries. The whole number of employees in these establishments, as shown in the table, is 22,155, of which 187 are whites, 17,317 natives, and 4,651 Chinese. In this table all the establishments following the same industry are grouped together, then under each industry the employees are arranged by occupations, and under each occupation the number of employees of each nationality (white, native, or Chinese), sex, number of hours work per day, and rate of wages are given. Under each occupation the highest daily rate is first given, followed by the lower daily rates in order, and by the highest and then the lower monthly rates. This course was necessary, as it was impossible to reduce the monthly rates to a daily basis in the absence of any exact information as to the number of days at work per month. The only information upon this point is the statement, in a general way, that Sunday work is rather more common than in the United States.

It is to be regretted that occupation names are not in all cases as specific as could be desired. The term "workman" has been used in many instances to cover classes of work where much more than the mere laborer is meant. In regard to this it should be stated that industry in Manila has not yet reached that degree of organization and consequent specialization everywhere found in the United States, and that the workman in many establishments is accustomed to perform any sort of work that he may be called upon to do. In the smaller establishments the name of the industry will of course indicate, in a general way, the nature of the work performed by the workmen.

The prices and wages as here tabulated are in gold. In the actual transactions here represented silver, of exactly half the value of gold, was used, and the amounts were therefore in all cases exactly double those here shown. In all ordinary business transactions in Manila silver, it should be stated, is still the money in use. The gold that has come in under the new conditions does not appear to have had any noticeable effect upon the circulating medium; it has practically disappeared.

The table of prices is first given, followed by that showing rates of wages.

PRICES OF CERTAIN ARTICLES IN COMMON USE IN MANILA, APRIL 1, 1900.

Articles.	In common use among—		
	Whites.	Natives.	Chinese.
Beans: French, dry, per pound	\$0. 07½		
Bread: per pound .....	.04		
Bread: biscuit, per 13-ounce tin .....	.25		
Butter: per pound .....	.56		
Candy: caramel lozenge of sugar, per pound .....	.06	\$0. 06	
Cheese: European, per pound .....	.37½		
Cheese: fresh Philippine, per pound .....	.20		
Coffee: not roasted, per pound .....	.20		
Corn: dry, per pound .....		.02½	\$0. 02½

PRICES OF CERTAIN ARTICLES IN COMMON USE IN MANILA, APRIL 1, 1900—Concluded.

Articles.	In common use among—		
	Whites.	Natives.	Chinese.
Eggs: fresh, per dozen.....	\$0.20	\$0.20	
Eggs: from the provinces, per 100.....	1.25		
Fish: cod, salt, per pound.....	.15		
Fish: dry, per pound.....		.10	\$0.10
Fish: fresh, per pound.....	10, .15, .20	10, .15, .20	10, .15, .20
Fish: oysters, canned, per 13-ounce can.....	.25		
Fish: salmon, canned, per 23-ounce can.....	.20		
Fruit: bananas, per dozen.....	.04	.04	.04
Fruit: oranges, per dozen.....	.05	.05	.05
Fruit: raisins, Valencia, per pound.....	.30		
Fruit, canned: guava jelly, per 14-ounce can.....	.12½		
Fruit, canned: mango jelly, per 14-ounce can.....	.20		
Fruit, canned: peaches, per 26-ounce can.....	.30		
Fruit, dried: apples, plums, peaches, etc., per pound.....	.25		
Lard: per pound.....	.15	.15	.15
Lard: pure leaf, per pound.....	.18½	.18½	.18½
Lard: salted, per pound.....	.20		
Lentils: per pound.....	.07½		
Macaroni: per pound.....		.05	
Meat: beef, canned corned, per 6-pound can.....	.62½		
Meat: beef, dried, per pound.....		.20	
Meat: beef, fresh, per pound.....	.20	.20	.20
Meat: caribou, per pound.....		.15	
Meat: chickens, each.....	.25		
Meat: ducks, each.....	.25		.25
Meat: ham, New York, per pound.....	.32½		
Meat: ham, Spanish, per pound.....	.37½		
Meat: hens, each.....	.50		
Meat: mutton, fresh, per pound.....	.20		
Meat: pork, fresh, per pound.....	.20	.20	.20
Meat: turkeys, each.....	3.00		
Milk: condensed, per 18-ounce can.....	.25		
Milk: fresh, per ¼ liter (0.53 quart).....	.10		
Molasses: per pound.....		.05	.05
Oil: coconut, per pound.....	.06	.06	.06
Oil: olive, per ¼ liter (0.79 quart).....	.30		
Pease: chick, per pound.....	.12½		
Pickles: per 30-ounce bottle.....	.25		
Rice: European, per pound.....	.06		
Rice: Saigon or Philippine, per pound.....		.02½	.02½
Salt: common, per pound.....	.01½	.01½	.01½
Salt: fine, per 3 pounds.....	.15		
Shells: salted, per pound.....			.01
Spices: allspice, whole, per pound.....	.25	.25	.25
Spices: mustard, per 10-ounce packet.....	.20		
Spices: pepper, red, ground, per pound.....	.25		
Spices: pepper, whole, per pound.....	.10	.10	.10
Spices: saffron, common, per pound.....			.02½
Starch: per pound.....	.12½		
Sugar: brown, first class, per pound.....	.07½		
Sugar: brown, second class, per pound.....	.06		
Sugar: brown, third class, per pound.....	.05	.05	.05
Tea: first class, per pound.....	.75		
Tea: second class, per pound.....			.25
Tobacco: first class, per pound.....	.25		
Tobacco: second class, per pound.....	.15	.15	
Tobacco: third class, per pound.....	.10	.10	.10
Vegetables, canned: artichokes, per 20-ounce can.....	.20		
Vegetables, canned: pease, per 20-ounce can.....	.17½		
Vegetables, canned: peppers, per 20-ounce can.....	.15		
Vegetables, canned: tomatoes, per 20-ounce can.....	.17½		
Vegetables, canned: other, per 20-ounce can.....	.17½		
Vegetables, fresh: cabbage, white, per 2-pound head.....	.10		
Vegetables, fresh: onions, per pound.....	.06		
Vegetables, fresh: potatoes, per pound.....	.05		
Vegetables, fresh: tomatoes, per pound.....	.02½	.02½	.02½
Vegetables, fresh: pot herbs, per pound.....	.05		
Vegetables, salted: pot herbs, per pound.....			.02
Vermicelli: per 3 pounds.....	.50		
Vinegar: European, per ¼ liter (0.79 quart).....	.12½		
Vinegar: from the Islands, per ¼ liter (0.53 quart).....	.02½	.02½	.02½
Wine: red, ordinary, per 16 liters (16.91 quarts).....	2.00		
Wine: red, superior, per 16 liters (16.91 quarts).....	3.25		
Candles: per pound.....	.12½		
Matches: European, per (small) box.....	.01		
Matches: Japanese, per 100 (small) boxes.....	.30	.30	.30
Oil: kerosene, Russian, per pound.....	.05	.05	.05
Scap: laundry, first class, per 25 pounds.....	1.25		
Soap: laundry, second class, per 25 pounds.....	1.00	1.00	1.00

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900.

ALCOHOL DISTILLERY (7 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	1	Chinese	M.	12	\$1.00 da.a	Workmen...	2	White..	M.	8	\$30.00 mo.
	3	White..	M.	8	100.00 mo.		2	Native..	M.	8	30.00 mo.
	3	White..	M.	8	75.00 mo.		8	Native..	M.	8	22.50 mo.
	1	Native..	M.	8	\$0.00 mo.		4	Native..	M.	12	22.50 mo.
Foremen	3	White..	M.	8	50.00 mo.		8	Native..	M.	8	20.00 mo.
Workmen ...	12	Native..	M.	8	.75 day.		39	Native..	M.	8	15.00 mo.
	57	Native..	M.	8	.50 day.		6	Native..	M.	12	15.00 mo.
	2	Chinese	M.	12	.50 day.		10	Native..	M.	12	10.00 mo.
	78	Native..	M.	8	.37 da.		32	Native..	M.	8	9.00 mo.
	4	Chinese	M.	12	.37 daa		49	Native..	M.	8	7.50 mo.
	32	Native..	M.	8	.25 day.		5	Native..	M.	12	7.50 mo.
	52	Chinese	M.	8	.25 day.		15	Chinese	M.	8	6.00 mo.
	6	Chinese	M.	12	.25 da.a		8	Native..	M.	8	4.00 mo.
	1	White..	M.	8	40.00 mo.						

ARMS REPAIRING (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$2.00 day.	Workmen ...	1	Native..	M.	8	\$0.25 day.
Workmen ...	1	Native..	M.	8	.50 day.						

BAKERY (12 ESTABLISHMENTS).

Masters.....	2	White..	M.	12	\$40.00 mo.b	Workmen ...	4	Chinese	M.	12	\$8.00 mo.a
	2	White..	M.	12	35.00 mo.b		53	Native..	M.	12	6.00 mo.b
	1	White..	M.	12	30.00 mo.b		62	Native..	M.	12	5.00 mo.b
	6	Native..	M.	12	15.00 mo.b		6	Chinese	M.	12	5.00 mo.a
	1	Chinese	M.	12	15.00 mo.a		16	Native..	M.	12	4.00 mo.b
Workmen ...	4	Native..	M.	12	9.00 mo.b		5	Chinese	M.	12	4.00 mo.a
	24	Native..	M.	12	8.00 mo.b						

BARBER SHOP (43 ESTABLISHMENTS).

Masters.....	1	White..	M.	10	\$1.00 day.	Workmen ...	1	Chinese	M.	10	\$0.25 day.a
	4	Native..	M.	10	.50 day.		1	Chinese	M.	10	.12 da.a
	1	Chinese	M.	10	.50 day.a		10	White..	M.	10	15.00 mo.
	9	White..	M.	10	30.00 mo.		13	White..	M.	10	12.50 mo.
	1	Native..	M.	8	15.00 mo.		9	Native..	M.	10	9.00 mo.
	27	Native..	M.	10	15.00 mo.		4	Native..	M.	8	8.00 mo.
Workmen ...	18	Native..	M.	10	.25 day.		87	Native..	M.	10	7.50 mo.

BARREL FACTORY (1 ESTABLISHMENT).

Master.....	1	Chinese	M.	10	\$1.00 day.a	Workmen ...	6	Chinese	M.	10	\$0.25 day.a
Workmen ...	4	Chinese	M.	10	.50 day.a		4	Chinese	M.	10	.15 day.a

BICYCLE REPAIRING (4 ESTABLISHMENTS).

Masters.....	1	White..	M.	8	\$2.00 day.	Apprentice..	1	Native..	M.	8	\$0.12 da.
	1	White..	M.	8	1.50 day.	Workmen...	6	Native..	M.	8	.50 day.
	2	Native..	M.	8	1.00 day.		3	Native..	M.	8	.25 day.

BLACKSMITH AND VETERINARY (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$40.00 mo.	Workmen ...	4	Native..	M.	8	\$9.00 mo.
Workmen ...	8	Native..	M.	8	15.00 mo.						

a Also 3 meals and room.

b Also 3 meals.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

BOOKBINDING (4 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	4	Native	M.	8	\$1.00 day.	Workmen....	7	Native	M.	8	\$0.25 day.
Workmen....	7	Native	M.	8	.50 day.		2	Native	M.	8	.12½ day.
	7	Native	M.	8	.37½ day.	Workwomen	2	Native	F.	8	.12½ day.

BRANDY STOREHOUSE (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$50.00 mo.	Workmen....	2	Native	M.	8	\$5.00 mo.
Workmen....	4	Native	M.	8	15.00 mo.	Workman (child).	1	Native	M.	8	2.00 mo.
	2	Native	M.	8	9.00 mo.						

BREWERY (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$150.00 mo.	Workmen....	20	Native	M.	8	10.00 mo.
Foreman....	1	Native	M.	8	31.00 mo.		60	Native	M.	8	8.00 mo.
Workmen....	10	Native	M.	8	22.50 mo.		16	Native	M.	8	5.00 mo.
	80	Native	M.	8	15.00 mo.	Workwomen	30	Native	F.	8	5.00 mo.

CARPENTER SHOP (14 ESTABLISHMENTS).

Masters.....	11	Chinese	M.	10	\$0.50 day.a	Workmen....	112	Chinese	M.	10	\$0.25 day.a
	3	Chinese	M.	10	15.00 mo.a		58	Chinese	M.	10	.12½ da.a
Apprentices	7	Chinese	M.	10	.12½ da.a		4	Chinese	M.	10	.10 day.a
	1	Chinese	M.	10	.10 day.a		8	Chinese	M.	10	11.00 mo.a
	4	Chinese	M.	10	.05 day.a		4	Chinese	M.	10	10.00 mo.a
Apprentices (children).	4	Chinese	M.	10	.07½ da.a		4	Chinese	M.	10	9.00 mo.a
	6	Chinese	M.	10	2.00 mo.a		10	Chinese	M.	10	8.00 mo.a
Workmen....	1	Chinese	M.	10	.42½ da.a		6	Chinese	M.	10	6.00 mo.a
	34	Chinese	M.	10	.37½ da.a		6	Chinese	M.	10	5.00 mo.a
							6	Chinese	M.	10	4.00 mo.a

CARPENTERS, HOUSE (8 ESTABLISHMENTS).

Masters.....	3	Chinese	M.	8	\$1.50 day.a	Workmen....	63	Chinese	M.	8	.25 day.a
	5	Chinese	M.	10	1.00 day.a		119	Chinese	M.	10	.25 day.a
Workmen....	31	Chinese	M.	8	.50 day.a		6	Chinese	M.	8	.15 day.a
	45	Chinese	M.	10	.50 day.a		12	Chinese	M.	10	.15 day.a
	34	Chinese	M.	8	.37½ da.a		20	Chinese	M.	8	.12½ da.a
	86	Chinese	M.	10	.37½ da.a						

CARRIAGE FACTORY (7 ESTABLISHMENTS).

Masters.....	1	Native	M.	8	\$1.00 day.	Carpenters..	10	Native	M.	8	\$9.00 mo.
	1	White..	M.	8	75.00 mo.	Cloth work- ers.	3	Native	M.	8	.62½ day.
	2	White..	M.	8	50.00 mo.		2	Native	M.	8	.50 day.
	1	Native	M.	8	50.00 mo.		6	Native	M.	8	22.50 mo.
	1	Native	M.	8	40.00 mo.		6	Native	M.	8	17.50 mo.
Apprentices	1	Native	M.	8	30.00 mo.		2	Native	M.	8	15.00 mo.
	12	Native	M.	8	.25 day.		8	Native	M.	8	12.50 mo.
	6	Native	M.	8	.12½ day.		2	Native	M.	8	6.00 mo.
	6	Native	M.	8	4.00 mo.	Leather workers.	6	Native	M.	8	6.00 mo.
Blacksmiths.	4	Native	M.	8	3.00 mo.		3	Native	M.	8	.75 day.
	6	Native	M.	8	.75 day.		2	Native	M.	8	.50 day.
	4	Native	M.	8	.62½ day.		5	Native	M.	8	22.50 mo.
	6	Native	M.	8	30.00 mo.		1	Native	M.	8	20.00 mo.
	1	Native	M.	8	22.50 mo.		6	Native	M.	8	15.00 mo.
	4	Native	M.	8	20.00 mo.		1	Native	M.	8	9.00 mo.
	4	Chinese	M.	8	15.00 mo.	Painters....	2	Native	M.	8	8.00 mo.
	2	Native	M.	8	9.00 mo.		8	Native	M.	8	.75 day.
	4	Native	M.	8	8.00 mo.		2	Native	M.	8	.50 day.
Blacksmiths' helpers.	4	Native	M.	8	5.00 mo.		6	Native	M.	8	22.50 mo.
	8	Native	M.	8	.37½ day.		6	Native	M.	8	15.00 mo.
Carpenters..	12	Native	M.	8	15.00 mo.		4	Native	M.	8	8.00 mo.
	10	Native	M.	8	.62½ day.		10	Native	M.	8	7.50 mo.
	4	Native	M.	8	.50 day.		4	Native	M.	8	6.00 mo.
	10	Native	M.	8	30.00 mo.		4	Native	M.	8	5.00 mo.
	26	Native	M.	8	15.00 mo.	Workmen....	14	Native	M.	8	7.50 mo.
	7	Chinese	M.	8	15.00 mo.						

a Also 3 meals and room.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

CARRIAGE REPAIRING (6 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	6	Native.	M.	8	\$1.00 day.	Cloth work- ers. Leather workers. Painters..... Workmen ...	6	Native.	M.	8	\$0.50 day.
Apprentices ..	2	Native.	M.	8	.25 day.		6	Native.	M.	8	.50 day.
	2	Native.	M.	8	.12½ day.						
Blacksmiths. Blacksmiths' helpers.	8	Native.	M.	8	.50 day.		9	Native.	M.	8	.50 day.
	2	Native.	M.	8	.37½ day.						
Carpenters ..	6	Native.	M.	8	.25 day.		4	Native.	M.	8	.50 day.
	18	Native.	M.	8	.50 day.		4	Native.	M.	8	.37½ day.
Carpenters' helpers.	6	Native.	M.	8	.37½ day.		10	Native.	M.	8	.25 day.
	4	Native.	M.	8	.25 day.		3	Native.	M.	8	.20 day.
							2	Native.	M.	8	.15 day.

CART FACTORY (3 ESTABLISHMENTS).

Masters.....	3	Chinese	M.	10	\$15.00 mo. a	Workmen...	4	Chinese	M.	10	\$8.00 mo. a
Workmen ...	4	Chinese	M.	10	11.00 mo. a		5	Chinese	M.	10	7.50 mo. a
	3	Chinese	M.	10	16.00 mo. a		4	Chinese	M.	10	6.00 mo. a
	2	Chinese	M.	10	9.00 mo. a		7	Chinese	M.	10	5.00 mo. a

CHOCOLATE FACTORY (7 ESTABLISHMENTS).

Masters.....	7	Chinese	M.	10	\$1.00 day. a	Workmen...	29	Chinese	M.	10	\$0.25 day. a
Workmen ...	22	Chinese	M.	10	.50 day. a						

CIGAR AND CIGARETTE FACTORY (31 ESTABLISHMENTS).

Masters.....	1	White..	M.	8	\$2.50 day.	Cigar rollers.	298	Native.	M.	8	\$0.75 day.
	4	Native.	M.	8	2.00 day.		52	Native.	M.	8	.62½ da.
	8	Native.	M.	8	1.50 day.		1,220	Native.	M.	8	.50 day.
	4	Native.	M.	8	1.00 day.		85	Native.	F.	8	.50 day.
	2	White..	M.	8	150.00 mo.		202	Native.	M.	8	.37½ da.
	2	White..	M.	8	100.00 mo.		3,873	Native.	F.	8	.37½ da.
	3	White..	M.	8	75.00 mo.		724	Native.	F.	8	.25 day.
	1	White..	M.	8	50.00 mo.		20	Native.	M.	8	15.00 mo.
	3	Native.	M.	8	50.00 mo.		48	Native.	M.	8	11.00 mo.
	2	Native.	M.	8	40.00 mo.		8	Native.	F.	8	9.00 mo.
	1	Native.	M.	8	25.00 mo.		16	Native.	M.	8	7.50 mo.
	Apprentices ..	18	Native.	F.	8		.12½ da.	12	Native.	F.	8	7.50 mo.
370		Native.	F.	8	.10 day.	1	Native.	M.	8	1.50 day.	
Box fillers ...	2	Native.	F.	8	2.50 mo.	Engineers...	1	Native.	M.	8	30.00 mo.
	86	Native.	M.	8	.37½ da.		Foremen	1	Native.	M.	8	1.50 day.
Box finishers	280	Native.	M.	8	.25 day.	4		White..	M.	8	75.00 mo.
	8	Native.	M.	8	11.00 mo.	6	White..	M.	8	50.00 mo.	
Cigarette makers.	8	Native.	M.	8	7.50 mo.	Sorters	1	White..	M.	8	40.00 mo.
	36	Native.	M.	8	.37½ da.		346	Native.	M.	8	.37½ da.
	80	Native.	M.	8	.25 day.		12	Native.	M.	8	11.00 mo.
	263	Native.	F.	8	.25 day.		226	Native.	M.	8	.50 day.
Cigarette packers.	8	Native.	M.	8	11.00 mo.	Workmen ...	142	Native.	M.	8	.37½ da.
	6	Native.	M.	8	7.50 mo.		647	Native.	M.	8	.25 day.
Cigarette packers.	80	Native.	M.	8	.37½ da.	334	Chinese	M.	8	.25 day.	
	1,826	Native.	F.	8	.25 day.	116	Chinese	M.	8	.20 day.	
Cigarette packers.	83	Native.	F.	8	7.50 mo.	8	Native.	M.	8	.15 day.	
	505	Native.	F.	8	.25 day.	2	Native.	M.	8	15.00 mo.	
	17	Native.	F.	8	7.50 mo.	46	Native.	M.	8	7.50 mo.	

CIGAR-BOX FACTORY (2 ESTABLISHMENTS).

Masters.....	1	White..	M.	8	\$50.00 mo.	Workmen...	22	Chinese	M.	8	\$0.37½ da.
Workmen ...	1	White..	M.	8	45.00 mo.		21	Native.	M.	8	.25 day.
	60	Native.	M.	8	.50 day.		44	Chinese	M.	8	.25 day.
	82	Native.	M.	8	.37½ da.						

COCONUT-OIL FACTORY (1 ESTABLISHMENT).

Master.....	1	Native.	M.	8	\$50.00 mo.	Workmen...	26	Native.	M.	8	\$11.00 mo.
Workmen ...	2	Native.	M.	8	20.00 mo.		12	Native.	M.	8	7.50 mo.
	15	Native.	M.	8	15.00 mo.		18	Chinese	M.	8	6.00 mo.

a Also 3 meals and room.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

COMB MAKING (1 ESTABLISHMENT).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of Wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of Wages.
Master.....	1	Chinese	M.	10	\$0.50 day. a	Workmen...	2	Chinese	M.	10	\$0.25 day. a

CONFECTIONERY (19 ESTABLISHMENTS).

Masters.....	6	Chinese	M.	8	\$0.37½ da. a	Workmen...	4	Chinese	M.	8	\$15.00 mo. a
	1	White..	M.	8	50.00 mo. a		6	Native..	M.	8	15.00 mo. c
	1	White..	M.	8	50.00 mo. b		4	Chinese	M.	8	10.00 mo. a
	4	White..	M.	8	50.00 mo. c		2	Native..	M.	8	9.00 mo. c
	1	White..	M.	8	40.00 mo. c		8	Native..	M.	8	9.00 mo. c
	1	White..	M.	8	30.00 mo. c		6	Native..	M.	8	8.00 mo. c
	2	Native..	M.	8	17.50 mo. c		1	Native..	M.	8	8.00 mo. c
	2	Native..	M.	8	15.00 mo. c		4	Native..	M.	8	7.50 mo. c
	1	Native..	M.	8	15.00 mo. c		4	Native..	M.	8	7.00 mo. b
Apprentice (child).	1	Chinese	M.	8	.10 day. a		11	Native..	M.	8	6.00 mo. c
Scullions....	2	Chinese	M.	8	4.00 mo. a		4	Chinese	M.	8	6.00 mo. a
	2	Native..	M.	8	4.00 mo. c		2	Native..	M.	8	6.00 mo. b
	2	Native..	M.	8	3.00 mo. b		37	Native..	M.	8	6.00 mo. c
	3	Native..	M.	8	3.00 mo. c		10	Native..	M.	8	4.00 mo. c
Workmen ...	26	Chinese	M.	8	.25 day. a	Workwomen	2	Native..	M.	8	4.00 mo. c
	13	Chinese	M.	8	.10 day. a		4	Native..	F.	8	6.00 mo. c
							6	Native..	F.	8	6.00 mo. c

COPPER FOUNDRY (3 ESTABLISHMENTS).

Masters.....	3	Chinese	M.	10	\$0.50 day. d	Workmen...	9	Chinese	M.	10	\$0.12½ da. d
Workmen ...	17	Chinese	M.	10	.25 day. d						

DENTIST (4 ESTABLISHMENTS).

Masters.....	1	White..	M.	8	\$4.00 day.	Workmen...	3	Native..	M.	8	\$1.00 day.
	2	Native..	M.	8	4.00 day.		1	Native..	M.	8	.75 day.
	1	Native..	M.	8	3.00 day.		4	Native..	M.	8	.50 day.

ELECTRIC-LIGHT PLANT (1 ESTABLISHMENT).

Electrician..	1	White..	M.	12	\$150.00 mo.	Workmen...	8	Native..	M.	12	\$22.50 mo.
Electrician, assistant.	1	White..	M.	12	50.00 mo.		6	Native..	M.	12	15.00 mo.
Engineer ...	1	White..	M.	12	100.00 mo.		10	Native..	M.	12	11.00 mo.
Engineer, as- sistant.	1	Native..	M.	12	40.00 mo.		5	Native..	M.	12	8.00 mo.
							22	Native..	M.	12	6.00 mo.
							16	Native..	M.	12	5.00 mo.

ESSENCE DISTILLERY (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$40.00 mo.	Workmen...	2	Native..	M.	8	\$7.50 mo.
Workmen ...	2	Native..	M.	8	15.00 mo.						

FURNITURE FACTORY (16 ESTABLISHMENTS).

Masters.....	1	Chinese	M.	10	\$0.50 day. a	Workmen ...	2	Chinese	M.	10	\$0.12½ da. a
	1	Chinese	M.	10	25.00 mo. a		24	Chinese	M.	10	15.00 mo. a
	2	Chinese	M.	10	22.50 mo. a		15	Chinese	M.	10	12.50 mo. a
	6	Chinese	M.	10	20.00 mo. a		12	Chinese	M.	10	11.00 mo. a
	3	Chinese	M.	10	17.50 mo. a		2	Chinese	M.	8	10.00 mo. a
	1	Chinese	M.	8	15.00 mo. a		28	Chinese	M.	10	10.00 mo. a
	2	Chinese	M.	10	15.00 mo. a		22	Chinese	M.	10	9.00 mo. a
Apprentices	5	Chinese	M.	10	2.00 mo. a		14	Chinese	M.	10	8.00 mo. a
Apprentices (children).	4	Chinese	M.	8	3.00 mo. a		2	Chinese	M.	8	7.50 mo. a
							20	Chinese	M.	10	7.50 mo. a
	4	Chinese	M.	10	2.00 mo. a		31	Chinese	M.	10	6.00 mo. a
	6	Chinese	M.	10	1.50 mo. a		14	Chinese	M.	10	5.00 mo. a
Workmen ...	6	Chinese	N.	10	.37½ da. a		2	Chinese	M.	10	4.50 mo. a
	4	Chinese	M.	10	.25 day. a		10	Chinese	M.	10	4.00 mo. a

a Also 3 meals and room.

b Also 3 meals.

c Also 2 meals.

d Also meals and room.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

GUITAR FACTORY (2 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	2	Native	M.	8	\$1.00 day.	Workmen...	6	Native	M.	8	\$0.37½ day.
Workmen ...	3	Native	M.	8	.50 day.		7	Native	M.	8	.25 day.

HANDSAW MILL (16 ESTABLISHMENTS).

Masters.....	16	Chinese	M.	10	\$1.00 day. a	Workmen...	240	Chinese	M.	10	\$0.25 day. a
Workmen ...	165	Chinese	M.	10	.50 day. a		80	Chinese	M.	10	.15 day. a

HARNESS FACTORY (11 ESTABLISHMENTS).

Masters.....	3	Native	M.	8	\$1.00 day.	Workmen ...	14	Native	M.	8	\$20.00 mo.
	2	White..	M.	8	50.00 mo.		10	Native	M.	8	17.50 mo.
	2	Native..	M.	8	30.00 mo.		20	Native	M.	8	15.00 mo.
	3	Native..	M.	8	25.00 mo.		29	Native	M.	8	12.50 mo.
	1	Native..	M.	8	22.50 mo.		8	Native	M.	8	11.00 mo.
Apprentice (child).	1	Native..	M.	8	2.00 mo.		4	Native	M.	8	10.00 mo.
Workmen ...	2	Native..	M.	8	.75 day.		3	Native	M.	8	9.00 mo.
	9	Native..	M.	8	.50 day.		16	Native	M.	8	8.00 mo.
	9	Native..	M.	8	.37½ day.		12	Native	M.	8	7.50 mo.
	7	Native..	M.	8	.25 day.		16	Native	M.	8	6.00 mo.
							10	Native	M.	8	5.00 mo.

HAT AND PARASOL FACTORY (1 ESTABLISHMENT).

Master, hat dept.	1	White..	M.	8	\$100.00 mo.	Workmen...	18	Native	M.	8	\$22.50 mo.
Master, para- sol dept.	1	White..	M.	8	75.00 mo.	Workwomen	32	Native	M.	8	19.00 mo.
Apprentices	16	Native	F.	8	4.00 mo.		20	Native	M.	8	15.00 mo.
Engineer....	1	White..	M.	8	50.00 mo.		42	Native	F.	8	22.50 mo.
Workmen ...	4	White..	M.	8	40.00 mo.		154	Native	F.	8	15.00 mo.
	8	White..	M.	8	30.00 mo.		26	Native	F.	8	10.00 mo.
							38	Native	F.	8	7.50 mo.

HAT FACTORY (7 ESTABLISHMENTS).

Masters.....	4	White..	M.	8	\$40.00 mo.	Workmen ...	4	Native	M.	8	\$10.00 mo.
	2	Native..	M.	8	30.00 mo.		2	Native	M.	8	8.00 mo.
	1	Native..	M.	8	25.00 mo.		8	Native	M.	8	7.50 mo.
Workmen ...	4	Native..	M.	8	.50 day.		2	Native	M.	8	6.00 mo.
	10	Native..	M.	8	.37½ day.	Workwoman	4	Native..	M.	8	5.00 mo.
	7	Native..	M.	8	.25 day.		1	Native	F.	8	4.00 mo.
	18	Native..	M.	8	15.00 mo.						

HAT REPAIRING (16 ESTABLISHMENTS).

Masters.....	1	Native	M.	8	\$1.00 day.	Workmen...	45	Native	M.	8	\$0.25 day.
	15	Native	M.	8	.50 day.	Workwomen	2	Native	M.	8	.12½ day.
Workmen ...	4	Native	M.	8	.50 day.		5	Native	F.	8	.15 day.
	29	Native	M.	8	.37½ day.		8	Native	F.	8	.12½ day.

HORSESHOEING (5 ESTABLISHMENTS).

Masters.....	5	Native	M.	8	\$1.00 day.	Workmen...	3	Native	M.	8	\$0.37½ day.
Workmen ...	12	Native	M.	8	.50 day.		17	Native	M.	8	.25 day.

ICE FACTORY (2 ESTABLISHMENTS).

Masters.....	2	White..	M.	8	\$100.00 mo.	Workmen ...	12	Native	M.	8	\$15.00 mo.
Engineers ...	2	White..	M.	8	62.50 mo.		11	Native	M.	8	11.00 mo.
Engineers, as- sistant.	4	Native	M.	8	30.00 mo.		19	Native	M.	8	9.00 mo.
Workmen ...	10	Chinese	M.	8	.25 da.		40	Native	M.	8	7.50 mo.

a Also 3 meals and room.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

INK FACTORY (2 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	1	White..	M.	8	\$1.00 day.	Workmen...	3	Native..	M.	8	\$0.37½ day.
	1	Native..	M.	8	.75 day.		1	Native..	M.	8	.25 day.

IRON FOUNDRY (4 ESTABLISHMENTS).

Masters.....	2	White..	M.	8	\$75.00 mo.	Ladlers.....	23	Chinese	M.	8	\$11.00 mo.
	1	Native..	M.	8	50.00 mo.		4	Chinese	M.	10	11.00 mo. a
	1	Chinese	M.	10	15.00 mo. a	Molders.....	20	Chinese	M.	8	.25 day.
Apprentices..	8	Chinese	M.	8	.10 day.		52	Native..	M.	8	12.50 mo.
	8	Native..	M.	8	3.00 mo.		40	Native..	M.	8	10.00 mo.
Blacksmiths..	10	Chinese	M.	8	.37½ day.		46	Chinese	M.	8	10.00 mo.
	68	Native..	M.	8	15.00 mo.		8	Chinese	M.	10	10.00 mo. a
	4	Chinese	M.	10	15.00 mo. a	Polishers....	54	Native..	M.	8	15.00 mo.
Blacksmiths' helpers.	20	Native..	M.	8	10.00 mo.		4	Chinese	M.	10	9.00 mo. a
	4	Chinese	M.	10	9.00 mo. a	Workmen...	22	Chinese	M.	8	.25 day.
	8	Native..	M.	8	7.50 mo.		6	Native..	M.	8	12.50 mo.
Engineers...	2	White..	M.	8	40.00 mo.		4	Native..	M.	8	11.00 mo.
	1	Native..	M.	8	30.00 mo.		22	Native..	M.	8	7.50 mo.
Filers.....	50	Native..	M.	8	15.00 mo.		40	Chinese	M.	8	7.50 mo.
	8	Chinese	M.	10	7.50 mo. a		12	Chinese	M.	10	7.50 mo. a
Ladlers.....	10	Chinese	M.	8	.37½ day.		26	Chinese	M.	8	6.00 mo.

IRON WORKS (14 ESTABLISHMENTS).

Masters.....	14	Chinese	M.	10	\$1.00 day. a	Blacksmiths' helpers.	53	Chinese	M.	10	\$0.37½ da. a
Apprentices (children).	2	Chinese	M.	10	.07½ da. a	Workmen...	88	Chinese	M.	10	.25 day. a
Blacksmiths..	44	Chinese	M.	10	.50 day. a						

LAUNDRY (8 ESTABLISHMENTS).

Masters.....	1	White..	M.	8	\$1.00 day.	Workmen...	6	Chinese	M.	10	\$0.37½ da. a
	3	Native..	M.	8	.50 day.		10	Native..	M.	8	.25 day.
Workmen...	4	Chinese	M.	10	.50 da. a	Workwomen	30	Chinese	M.	10	.25 da. a
	2	Native..	M.	8	.50 day.		30	Native..	F.	8	.25 day. a

LITHOGRAPHING (4 ESTABLISHMENTS).

Masters.....	2	White..	M.	8	\$150.00 mo.	Workmen...	6	Native..	M.	8	\$40.00 mo.
	1	Native..	M.	8	100.00 mo.		15	Native..	M.	8	30.00 mo.
Apprentices..	1	Native..	M.	8	50.00 mo.		17	Native..	M.	8	22.50 mo.
Apprentices (children).	2	Native..	M.	8	2.00 mo.		29	Native..	M.	8	15.00 mo.
Engineers....	4	Native..	M.	8	3.00 mo.		1	Native..	M.	8	12.50 mo.
	1	Native..	M.	8	30.00 mo.		17	Native..	M.	8	11.00 mo.
Foreman.....	1	Native..	M.	8	25.00 mo.		7	Native..	M.	8	10.00 mo.
Workmen....	1	Native..	M.	8	100.00 mo.		10	Native..	M.	8	9.00 mo.
	5	Native..	M.	8	45.00 mo.		16	Native..	M.	8	7.50 mo.
							6	Native..	M.	8	6.00 mo.

MACHINE SHOP (1 ESTABLISHMENT).

Master.....	1	Native..	M.	8	\$1.50 day.	Workmen...	6	Native..	M.	8	\$0.37½ day.
Workmen....	4	Native..	M.	8	.75 day.		4	Native..	M.	8	.25 day.
	8	Native..	M.	8	.50 day.						

MARBLE WORKS (2 ESTABLISHMENTS).

Masters.....	1	White..	M.	8	\$1.50 day.	Workmen...	2	Native..	M.	8	\$0.37½ day.
	1	White..	M.	8	40.00 mo.		4	Native..	M.	8	15.00 mo.
Workmen....	4	Native..	M.	8	.75 day.		2	Native..	M.	8	10.00 mo.

a Also 3 meals and room.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

MILLINERY (3 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Mistresses ...	1	White..	F.	10	\$4.00 day.	Workwomen	16	Native..	F.	10	\$0.50 day.
	2	Native..	F.	10	2.00 day.						
Apprentices ..	10	Native..	F.	10	.10 day.						

MUSICAL INSTRUMENT REPAIRING (1 ESTABLISHMENT).

Master.....	1	Native..	M.	8	\$1.00 day.	Workmen...	2	Native..	M.	8	\$0.25 day.
Workmen ...	4	Native..	M.	8	.50 day.						

PAINTING PICTURES (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$5.00 day.	Workmen ...	2	Native..	M.	8	\$0.37½ day.
Workmen ...	2	Native..	M.	8	1.00 day.						
	2	Native..	M.	8	.50 day.						

PERFUME FACTORY (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$50.00 mo.	Workwomen	2	Native..	F.	8	\$0.25 day.
Workmen ...	2	Native..	M.	8	.50 day.						

PHOTOGRAPHY (11 ESTABLISHMENTS).

Masters.....	1	Chinese	M.	8	\$1.00 day. <i>a</i>	Workmen...	1	Native..	M.	8	\$14.00 mo. <i>c</i>
	1	White..	M.	8	45.00 mo. <i>b</i>		2	Native..	M.	8	13.00 mo. <i>c</i>
	1	Native..	M.	8	45.00 mo. <i>b</i>		2	Native..	M.	8	12.50 mo.
	1	White..	M.	8	40.00 mo. <i>b</i>		2	Native..	M.	8	12.50 mo. <i>c</i>
	1	Native..	M.	8	30.00 mo.		5	Native..	M.	8	12.50 mo. <i>b</i>
	2	White..	M.	8	30.00 mo. <i>c</i>		2	Native..	M.	8	10.00 mo. <i>c</i>
	2	Native..	M.	8	30.00 mo. <i>c</i>		3	Native..	M.	8	10.00 mo. <i>b</i>
	1	White..	M.	8	30.00 mo. <i>b</i>		2	Native..	M.	8	9.00 mo.
	3	White..	M.	8	25.00 mo. <i>c</i>		9	Native..	M.	8	9.00 mo. <i>c</i>
	1	Native..	M.	8	25.00 mo. <i>c</i>		3	Native..	M.	8	9.00 mo. <i>b</i>
	Workmen ...	2	Chinese	M.	8		.75 day. <i>a</i>	4	Native..	M.	8	8.00 mo.b
4		Chinese	M.	8	.50 day. <i>a</i>	4	Native..	M.	8	7.50 mo. <i>c</i>	
2		Chinese	M.	8	.25 day. <i>a</i>	3	Native..	M.	8	6.00 mo.	
2		Native..	M.	8	30.00 mo. <i>b</i>	5	Native..	M.	8	6.00 mo. <i>c</i>	
2		Native..	M.	8	22.50 mo. <i>b</i>	5	Native..	M.	8	6.00 mo. <i>b</i>	
1		Native..	M.	8	20.00 mo. <i>b</i>	1	Native..	M.	8	5.00 mo. <i>c</i>	
1		Native..	M.	8	18.00 mo. <i>b</i>	1	Native..	M.	8	5.00 mo. <i>b</i>	
1		Native..	M.	8	17.50 mo. <i>b</i>	1	Native..	M.	8	4.00 mo.	
7		Native..	M.	8	15.00 mo. <i>c</i>	3	Native..	M.	8	4.00 mo. <i>c</i>	
5		Native..	M.	8	15.00 mo. <i>b</i>	1	Native..	M.	8	4.00 mo. <i>b</i>	

PIANO FINISHING (4 ESTABLISHMENTS).

Masters.....	2	White..	M.	8	\$4.00 day.	Workmen ...	5	Native..	M.	8	\$0.75 day.
	1	White..	M.	8	3.00 day.		6	Native..	M.	8	.50 day.
Workmen ...	1	Native..	M.	8	2.00 day.		1	Native..	M.	8	.37½ day.
	1	White..	M.	8	1.00 day.						

PRINTING (10 ESTABLISHMENTS).

Master.....	1	White..	M.	8	\$30.00 mo.	Compositors	22	Native..	M.	8	\$9.00 mo.
Apprentices ..	2	Native..	M.	8	.12½ da.		15	Native..	M.	8	6.00 mo.
	2	Native..	M.	8	.10 day.	Engineers...	3	Native..	M.	8	1.00 day.
Compositors .	12	Native..	M.	8	1.00 day.		4	Native..	M.	8	.75 day.
	4	Native..	M.	8	.75 day.	1	White..	M.	8	62.50 mo.	
	4	Native..	M.	8	.62½ da.	1	White..	M.	8	50.00 mo.	
	24	Native..	M.	8	.50 day.	1	White..	M.	8	40.00 mo.	
	33	Native..	M.	8	.37½ da.	Workmen ...	7	Native..	M.	8	.37½ da.
	39	Native..	M.	8	.25 day.		1	Native..	M.	8	20.00 mo.
	4	Native..	M.	8	.12½ da.		1	Native..	M.	8	18.00 mo.
	16	Native..	M.	8	17.50 mo.		1	Native..	M.	8	17.50 mo.
	26	Native..	M.	8	15.00 mo.		5	Native..	M.	8	15.00 mo.
	12	Native..	M.	8	12.50 mo.		5	Native..	M.	8	7.50 mo.
4	Native..	M.	8	11.00 mo.							

a Also 3 meals and room.*b* Also 2 meals.*c* Also 3 meals.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

PRINTING AND LITHOGRAPHING (1 ESTABLISHMENT).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Master.....	1	White	M.	8	\$150.00 mo.	Foremen....	2	Native	M.	8	\$45.00 mo.
Apprentices ..	14	Native	M.	8	2.00 mo.	Workmen...	2	Native	M.	8	30.00 mo.
Compositors ..	8	Native	M.	8	22.50 mo.		4	Native	M.	8	25.00 mo.
	18	Native	M.	8	15.00 mo.		7	Native	M.	8	15.00 mo.
	26	Native	M.	8	10.00 mo.		72	Native	M.	8	7.50 mo.
Engineer	31	Native	M.	8	7.50 mo.		26	Native	M.	8	6.00 mo.
	1	Native	M.	8	45.00 mo.		8	Native	M.	8	4.00 mo.

RAZOR GRINDING (1 ESTABLISHMENT).

Master.....	1	White	M.	8	\$1.00 day.	Workman...	1	Native	M.	8	\$0.37½ day.
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SCULPTURING (1 ESTABLISHMENT).

Master.....	1	Native	M.	8	\$5.00 day.	Workmen...	2	Native	M.	8	\$0.50 day.
Workmen ...	4	Native	M.	8	1.00 day.		2	Native	M.	8	.25 day.
	2	Native	M.	8	.75 day.						

SEWING-MACHINE REPAIRING (1 ESTABLISHMENT).

Master.....	1	White	M.	8	\$2.00 day.	Workmen...	2	Native	M.	8	\$0.50 day.
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SHIRT FACTORY (7 ESTABLISHMENTS).

Masters.....	2	White	M.	8	\$1.00 day.	Workmen ...	8	Native	M.	8	\$9.00 mo.
	2	Native	M.	8	22.50 mo.		4	Native	M.	8	6.00 mo.
	1	Native	M.	8	20.00 mo.	Workwomen	8	Native	F.	8	.25 day.
	2	Native	M.	8	17.50 mo.		26	Native	F.	8	7.50 mo.
Workmen ...	8	Native	M.	8	.50 day.		8	Native	F.	8	6.00 mo.
	4	Native	M.	8	15.00 mo.	Workwomen	8	Native	F.	8	5.00 mo.
	16	Native	M.	8	12.50 mo.	(children).	4	Native	F.	8	.10 day.
	4	Native	M.	8	10.00 mo.						

SHOE FACTORY (31 ESTABLISHMENTS).

Masters.....	1	White	M.	8	\$1.50 day.	Workmen...	4	Chinese	M.	10	\$0.30 da.a
	1	Native	M.	8	1.00 day.		4	Native	M.	8	.25 day.
	1	Native	M.	8	.75 day.		47	Chinese	M.	10	.25 da.a
	14	Chinese	M.	10	.50 da.a		4	Chinese	M.	10	.20 da.a
	14	Chinese	M.	10	15.00 mo.a		4	Chinese	M.	10	18½ da.a
Apprentices ..	2	Chinese	M.	10	.10 da.a		8	Chinese	M.	10	12½ da.a
	4	Chinese	M.	10	2.00 mo.a		40	Chinese	M.	10	10.00 mo.a
Apprentices (children).	19	Chinese	M.	10	.10 da.a		6	Chinese	M.	10	9.00 mo.a
	2	Chinese	M.	10	.07½ da.a		18	Chinese	M.	10	8.00 mo.a
	7	Chinese	M.	10	2.00 mo.a		28	Chinese	M.	10	7.50 mo.a
Workmen ...	7	Native	M.	8	.50 day.		14	Chinese	M.	10	6.00 mo.a
	8	Chinese	M.	10	.40 da.a		28	Chinese	M.	10	5.00 mo.a
	9	Native	M.	8	.37½ day.		2	Chinese	M.	10	4.50 mo.a
	60	Chinese	M.	10	.37½ da.a		2	Chinese	M.	10	4.00 mo.a
	20	Chinese	M.	10	.35 da.a	Workwomen	2	Chinese	F.	10	3.00 mo.a

SILVERSMITHS (29 ESTABLISHMENTS).

Masters.....	2	Native	M.	8	\$2.00 day.	Workmen ..	7	Native	M.	8	\$0.75 day.
	2	Native	M.	8	1.50 day.		48	Native	M.	8	.50 day.
	22	Native	M.	8	1.00 day.		1	Native	M.	8	.37½ da.
	1	White	M.	8	50.00 mo.		15	Native	M.	8	.25 day.
Apprentice ...	2	Native	M.	8	30.00 mo.		6	Native	M.	8	22.50 mo.a
Workmen ...	1	Native	M.	8	.25 day.		3	Native	M.	8	15.00 mo.
	7	Native	M.	8	1.00 day.						

a Also 3 meals and room.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

SLIPPER FACTORY (43 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	8	Native	M.	8	\$1.00 day.	Workmen...	23	Native	M.	8	\$0.25 day.
	1	Chinese	M.	10	.62½ da. a		197	Chinese	M.	10	.25 da. a
	34	Chinese	M.	10	.50 da. a		10	Chinese	M.	10	.20 da. a
Apprentices	4	Native	F.	8	.12½ day.		81	Chinese	M.	10	.15 da. a
	2	Chinese	M.	10	.07½ da. a		4	Native	M.	8	.12½ day.
	6	Chinese	M.	10	.05 da. a		10	Chinese	M.	10	.12½ da. a
Apprentices (children).	4	Chinese	M.	10	.10 da. a		48	Chinese	M.	10	.10 da. a
	20	Chinese	M.	10	.07½ da. a	Workmen (children).	2	Native	M.	8	.10 day.
	6	Chinese	M.	10	.05 da. a		8	Chinese	M.	10	.10 da. a
Workmen ...	3	Native	M.	8	.75 day.	Workwomen	32	Native	F.	8	.25 day.
	32	Native	M.	8	.50 day.		8	Chinese	F.	10	.17½ da. a
	25	Native	M.	8	.37½ day.		3	Native	F.	8	.12½ day.
	103	Chinese	M.	10	.37½ da. a		2	Chinese	F.	10	.12½ da. a

SOAP FACTORY (22 ESTABLISHMENTS).

Masters.....	1	Native	M.	8	\$0.75 day.	Workmen ...	4	Native	M.	8	\$0.25 day.
	20	Chinese	M.	10	.50 day. a		83	Chinese	M.	10	.25 day. a
	1	White..	M.	8	62.50 mo.		15	Chinese	M.	10	.15 day. a
Apprentices (children).	2	Chinese	M.	10	.10 day. a		34	Chinese	M.	10	.12½ da. a
	2	Chinese	M.	10	.07½ da. a		4	Native	M.	8	15.00 mo.
Foreman	1	White..	M.	8	30.00 mo.		6	Native	M.	8	10.00 mo.
Workmen ...	3	Native	M.	8	.37½ day.		5	Native	M.	8	7.50 mo.
	74	Chinese	M.	10	.37½ da. a		4	Native	M.	8	6.00 mo.

SODA-WATER FACTORY (16 ESTABLISHMENTS).

Masters.....	2	White..	M.	8	\$50.00 mo.	Workmen...	54	Native	M.	8	\$10.00 mo.
	3	White..	M.	8	40.00 mo.		6	Chinese	M.	10	10.00 mo. a
	2	White..	M.	8	30.00 mo.		51	Native	M.	8	7.50 mo.
	2	Native	M.	8	30.00 mo.		10	Chinese	M.	8	7.50 mo.
	5	Native	M.	8	25.00 mo.		10	Chinese	M.	10	7.50 mo. a
	1	Chinese	M.	10	20.00 mo. a		36	Native	M.	8	6.00 mo.
	1	Chinese	M.	10	19.00 mo. a		10	Chinese	M.	10	6.00 mo. a
Workmen ...	2	Native	M.	8	.75 day.		8	Native	M.	8	5.00 mo.
	2	Native	M.	8	.25 day.		5	Chinese	M.	8	5.00 mo.
	1	White..	M.	8	22.50 mo.		8	Chinese	M.	10	5.00 mo. a
	62	Native	M.	8	15.00 mo.		31	Native	M.	8	4.00 mo.
	20	Chinese	M.	8	15.00 mo.		16	Chinese	M.	10	4.00 mo. a
	10	Native	M.	8	12.50 mo.		6	Chinese	M.	10	3.00 mo. a
	14	Native	M.	8	11.00 mo.	Workwomen	15	Native	F.	8	6.00 mo.
	6	Chinese	M.	10	11.00 mo. a						

STEAM SAWMILL (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$75.00 mo.	Workmen...	34	Native	M.	8	\$15.00 mo.
Engineer....	1	Native	M.	8	30.00 mo.		24	Native	M.	8	10.00 mo.
Workmen ...	1	White..	M.	8	30.00 mo.		37	Native	M.	8	7.50 mo.

STEEL ENGRAVING (2 ESTABLISHMENTS).

Masters.....	2	Native	M.	8	\$1.00 day.	Workmen...	2	Native	M.	8	\$0.50 day.
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SUGAR REFINERY (1 ESTABLISHMENT).

Master.....	1	White..	M.	8	\$75.00 mo.	Workmen...	20	Native	M.	8	\$15.00 mo.
Engineer....	1	White..	M.	8	62.50 mo.		10	Native	M.	8	9.00 mo.
Workmen ...	2	Native	M.	8	30.00 mo.		10	Chinese	M.	8	7.50 mo.

a Also 3 meals and room.

RATE OF WAGES IN MANILA, APRIL AND MAY, 1900—Continued.

TAILOR SHOP (97 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	6	Chinese	M.	10	\$0.50 day. <i>a</i>	Workmen...	67	Native	M.	8	\$15.00 mo.
	3	White..	M.	8	50.00 mo.		56	Native	M.	8	12.50 mo.
	1	Native..	M.	8	50.00 mo.		43	Native	M.	8	11.00 mo.
	5	White..	M.	8	40.00 mo.		161	Native	M.	8	10.00 mo.
	1	Native..	M.	8	30.00 mo.		40	Native	M.	8	9.00 mo.
	22	Native..	M.	8	22.50 mo.		27	Native	M.	8	8.00 mo.
	40	Native..	M.	8	20.00 mo.		129	Native	M.	8	7.50 mo.
	7	Native..	M.	8	17.50 mo.		4	Native	M.	8	7.00 mo.
	11	Native..	M.	8	15.00 mo.		34	Native	M.	8	6.00 mo.
	1	Chinese	M.	10	15.00 mo. <i>a</i>		13	Native	M.	8	5.00 mo.
	Apprentices	2	Native..	M.	8		3.00 mo.	8	Native	M.	8	4.00 mo.
2		Native..	F.	8	3.00 mo.	17	Native	F.	8	.25 day.	
3		Native..	F.	8	2.00 mo.	4	Native	F.	(b)	.25 day.	
Apprentices (children).	4	Native..	F.	8	.12½ day.	4	Native	F.	8	.15 day.	
	2	Native..	F.	8	3.00 mo.	6	Chinese	F.	10	.15 da. <i>a</i>	
Workmen ...	1	Native..	M.	8	2.00 mo.	18	Native	F.	8	.12½ da.	
	4	Chinese	M.	10	2.00 mo. <i>a</i>	6	Native	F.	(b)	.12½ da.	
	4	Native..	M.	8	.50 day.	4	Chinese	F.	10	.12½ d. <i>a</i>	
	14	Native..	M.	8	.37½ day.	4	Native	F.	8	.10 day.	
Workmen ...	16	Native..	M.	8	.25 day.	4	Native	F.	10	.10 day.	
	28	Chinese	M.	10	.25 day. <i>a</i>	6	Native	F.	8	.07 da.	
	2	Native..	M.	8	.12½ day.	2	Native	F.	8	12.50 mo.	
	2	White..	M.	8	22.50 mo.	32	Native	F.	8	7.50 mo.	
	8	Native..	M.	8	22.50 mo.	28	Native	F.	8	6.00 mo.	
	4	Native..	M.	8	20.00 mo.	41	Native	F.	8	5.00 mo.	
	12	Native..	M.	8	17.50 mo.	9	Native	F.	8	4.00 mo.	
						17	Native	F.	8	3.00 mo.	

TIN SHOP (24 ESTABLISHMENTS).

Masters.....	1	White..	M.	8	\$2.00 day.	Workmen...	4	Native	M.	8	\$20.00 mo.
	4	Native..	M.	8	30.00 mo.		6	Native	M.	8	15.00 mo.
	1	Chinese	M.	10	15.00 mo. <i>a</i>		2	Native	M.	8	12.50 mo.
	17	Chinese	M.	10	12.50 mo. <i>a</i>		2	Native	M.	8	10.00 mo.
Apprentices	1	Chinese	M.	10	10.00 mo. <i>a</i>	3	Native	M.	8	9.00 mo.	
	2	Native..	M.	8	4.00 mo.	18	Chinese	M.	10	9.00 mo. <i>a</i>	
	2	Chinese	M.	10	3.00 mo. <i>a</i>	3	Native	M.	8	8.00 mo.	
Apprentices (children).	2	Chinese	M.	10	2.00 mo. <i>a</i>	64	Chinese	M.	10	7.50 mo. <i>a</i>	
	8	Chinese	M.	10	2.00 mo. <i>a</i>	2	Native	M.	8	6.00 mo.	
Workmen ...	11	Chinese	M.	10	1.50 mo. <i>a</i>	40	Chinese	M.	10	6.00 mo. <i>a</i>	
	2	Chinese	M.	10	.75 day.	11	Chinese	M.	10	5.00 mo. <i>a</i>	
					16	Chinese	M.	10	4.00 mo. <i>a</i>		

TRUNK FACTORY (20 ESTABLISHMENTS).

Masters.....	2	Chinese	M.	10	\$1.00 day. <i>a</i>	Workmen ...	37	Chinese	M.	10	\$0.37½ da. <i>a</i>
	18	Chinese	M.	10	.50 day. <i>a</i>		116	Chinese	M.	10	.25 day. <i>a</i>
Apprentices	3	Chinese	M.	10	.10 day. <i>a</i>	Apprentices (children).	10	Chinese	M.	10	.20 day. <i>a</i>
	14	Chinese	M.	10	.10 day. <i>a</i>		9	Chinese	M.	10	.15 day. <i>a</i>
Workmen ...	8	Chinese	M.	10	.07½ da. <i>a</i>	Workmen ...	24	Chinese	M.	10	.12½ da. <i>a</i>
	8	Chinese	M.	10	.50 day. <i>a</i>		15	Chinese	M.	10	.10 day. <i>a</i>

UNDERTAKERS (3 ESTABLISHMENTS).

Masters.....	3	Native	M.	8	\$1.50 day. <i>a</i>	Coachmen ..	4	Native	M.	8	\$0.37½ da.
	10	Native	M.	8	.75 day.		12	Native	M.	8	.25 day.
Coachmen...	8	Native	M.	8	.50 day.	Workmen...	3	Native	M.	8	.25 day.

WATCH MAKING (6 ESTABLISHMENTS).

Masters.....	3	Native..	M.	8	\$1.00 day.	Apprentice Workmen...	1	Native..	M.	8	\$0.25 day.
	1	White..	M.	8	30.00 mo.		3	Native..	M.	8	.50 day.
	1	White..	M.	8	30.00 mo. <i>c</i>		2	Native..	M.	8	15.00 mo.
	1	White..	M.	8	30.00 mo. <i>c</i>						

a Also 3 meals and room.

b Not reported.

c Also meal.

RATES OF WAGES IN MANILA, APRIL AND MAY, 1900—Concluded.

WATCH REPAIRING (22 ESTABLISHMENTS).

Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.	Occupations.	Em- ploy- ees.	Nation- ality.	Sex.	Hrs. per day.	Rate of wages.
Masters.....	1	White..	M.	8	\$1.50 day.	Workmen...	4	Native .	M.	8	\$.75 day.
	13	Native .	M.	8	1.00 day.		21	Native .	M.	8	.50 day.
	3	Chinese	M.	8	1.00 day. ^a		3	Chinese	M.	8	.50 day. ^a
	1	Chinese	M.	10	1.00 day. ^a		1	Chinese	M.	10	.50 day. ^a
	3	White..	M.	8	50.00 mo.		1	Native .	M.	8	20.00 mo.
	1	White..	M.	8	40.00 mo.		2	Native .	M.	8	17.50 mo.

WAX-CANDLE FACTORY (7 ESTABLISHMENTS).

Masters.....	7	Chinese	M.	10	\$.50 day. ^a	Workmen ...	10	Chinese	M.	10	\$.15 day. ^a
Apprentices (children).	4	Chinese	M.	10	.07½ da. ^a		6	Chinese	M.	10	.12½ da. ^a
Workmen ...	39	Chinese	M.	10	.25 day. ^a	Workmen (children).	12	Chinese	M.	10	.10 day. ^a
	6	Chinese	M.	10	.20 day. ^a						

WOOD, BONE, AND HORN ENGRAVING (4 ESTABLISHMENTS).

Masters.....	3	Chinese	M.	8	\$.50 day. ^a	Workmen ...	7	Chinese	M.	8	\$.25 day. ^a
	1	Chinese	M.	10	.50 day. ^a		2	Chinese	M.	10	.25 day. ^a

^a Also 3 meals and room.

THE NEGROES OF SANDY SPRING, MARYLAND: A SOCIAL STUDY.

BY WILLIAM TAYLOR THOM, PH. D.

The present study was made under the direction of the United States Commissioner of Labor as one "of a series of investigations of small well-defined groups of Negroes (*a*) in various parts of the country," as set forth in Bulletin No. 14 of the Department of Labor, January, 1898. (*b*)

The Sandy Spring community lies in Montgomery County, Md., due north of Washington City. It extends back for several miles from the Patuxent River on the east, and lies chiefly along the somewhat sandy ridge which constitutes the watershed between the small affluents of the Patuxent on the east and of Rock Creek and the Eastern Branch of the Potomac on the west and south. The nearness to the national capital is of great economic importance to the inhabitants of the neighborhood, the southern corner of which is about 8½ miles in an air line north of the northern angle of the District of Columbia.

Here within a stone's throw, as it were, of the seat of government is a thriving agricultural community, among whom live still the descendants of Negro families which have been free for a century and a quarter. It is this exceptional fact of a long-continued free existence in the midst of surrounding slavery which seems to warrant the special investigation of the Negroes of Sandy Spring in order to see what are the social and economic results to them of their opportunities during several generations as freemen. The better to understand the local conditions, a brief sketch of both county and neighborhood is desirable.

MONTGOMERY COUNTY. (*c*)

Montgomery County is bounded on the south by the District of Columbia; on the southwest by Virginia and the Potomac River, along which is the Chesapeake and Ohio Canal; on the northwest by Frederick County; on the northeast by Howard County, from which it is separated by the Patuxent River, and on the southeast by Prince

a In accordance with the correct usage of the leaders of their race, the term "Negroes" instead of "colored people" is used in this paper.

b See also Bulletin No. 10, May, 1897.

c Cf. T. H. S. Boyd's History of Montgomery County, Md., second ed., Clarksburg, Md., also histories of Maryland *passim*.

George County. The country is rolling, rising gradually toward the foothills of the Blue Ridge in the northwest. The soil, thin in the lower end of the county, improves toward the upper country, but much of it seems not to have recovered from the exhausting tobacco culture of former days.

There are valuable quarries for building stone and roofing slate in the county, as may be seen in the Smithsonian Institution and in Georgetown College, District of Columbia; some gold mining has been carried on in former years and has been recently renewed; chrome ore is found also, and there are a number of flour and grist mills; but the main business of the county has been and is agriculture, and the chief products are wheat, corn, oats, hay, potatoes, and the products of the dairy and of the poultry yard.

Montgomery County contains 267,933 acres, of which 193,937 acres are improved and 73,996 acres, chiefly woodland, are unimproved. The process of breaking up large tracts of land into smaller holdings has been going on for many years, and in 1890 the census showed the following division of the land into farms:

NUMBER AND PER CENT OF FARMS IN MONTGOMERY COUNTY, BY SIZE, IN 1890.

Size of farms.	Number.	Per cent.
Under 10 acres	177	9.0
10 or under 20 acres.....	152	7.8
20 or under 50 acres.....	211	10.8
50 or under 100 acres.....	364	18.6
100 or under 500 acres.....	1,005	51.3
500 or under 1,000 acres.....	46	2.3
1,000 acres or over	4	.2
Total.....	1,939	100.0

The average size of farms was 137 acres.

The following table from the census of 1890 shows whether these farms were cultivated by their owners, were rented for money, or were rented on shares:

TENURE OF FARMS IN MONTGOMERY COUNTY IN 1890.

Size of farms.	Cultivated by owners.	Rented for money.	Rented on shares.
Under 10 acres	167	9	1
10 or under 20 acres.....	133	17	2
20 or under 50 acres.....	186	17	8
50 or under 100 acres.....	312	35	17
100 or under 500 acres.....	803	100	102
500 or under 1,000 acres.....	36	5	5
1,000 acres or over	4	.....	.....
Total.....	1,641	183	135
Per cent.....	83.77	9.34	6.89

With the exception of Calvert County, which had 1,001 farms and a percentage of 88.21, Montgomery had, in 1890, the highest percentage of owner cultivators of any county in the State, only 16.23 per

cent of the farms being subject to actual or constructive absenteeism. Although this percentage was then below the average of the thickly settled New England farms, it was fully equal to the percentage for New York and Pennsylvania farms; it was above the average for New Jersey and Ohio farms; a little above the percentage (82.94) for the smaller and somewhat similarly situated county of Fairfax, in Virginia, which contained 186,455 acres, 1,776 farms, and 1,473 owner cultivators; considerably above the percentage (71.29) for Loudoun County, Va., which also, like upper Montgomery, lies along the Potomac near Washington, and contained, in 1890, 26,963 more acres and 141 less farms, or 294,896 acres, 1,818 farms, and 1,296 owner cultivators; and also considerably above the percentage (70.71) for Prince Edward County, Va., in which Farmville is situated and which contained 184,637 acres (83,378 improved and 101,259 unimproved), 1,096 farms, and 775 owner cultivators. (*a*)

Montgomery County is evidently ready for the township system of local self-government, and should adopt it.

These 1,959 farms, with their buildings and improvements, were valued in 1890 at \$11,634,460 and the machinery and implements for their cultivation at \$381,760.

The farms produced in 1890, on an outlay for fertilizers of \$207,946, crops as follows, estimated at \$1,531,760:

Wheat.....	bushels..	480, 240
Corn.....	do....	1, 194, 542
Oats.....	do....	50, 681
Rye.....	do....	45, 051
Irish potatoes.....	do....	160, 848
Hay.....	tons..	34, 111
Butter.....	pounds..	6575, 041
Milk.....	gallons..	63, 098, 342
Vegetables, small fruits, etc.....	value..	\$8, 711
Apples.....	bushels..	124, 449
Tobacco.....	pounds..	335, 660
Wool.....	do....	c30, 691
Eggs.....	dozen..	522, 965
Honey.....	pounds..	19, 856
Wax.....	do....	152

At the same time the Montgomery County farmers and their households had the care of the following live stock and poultry:

Horses.....	8, 253
Mules.....	161
Oxen.....	367
Milch cows.....	8, 524

a For other details of Prince Edward County, cf. Bulletin of Department of Labor, No. 14, January, 1898.

b From 8,524 cows.

c From 9,455 sheep.

Other cattle.....	8,250
Sheep.....	9,455
Swine.....	17,836
Chickens.....	211,816
Turkeys.....	14,545
Geese.....	2,190
Ducks.....	9,564

These were valued at \$1,249,790.

The total valuation of the real estate and the live stock at the census of 1890 was \$12,884,250. This does not include personal securities, stocks and bonds, and personal property other than live stock.

The basis for the tax levy for 1898-99 was \$12,443,795, which included real estate, private securities, and stocks and bonds of foreign corporations—a loss of valuation as compared with 1890 of about a million dollars. This basis yielded, at a rate of \$1.06 per \$100 of valuation (except foreign stocks and bonds, on which the county rate is 30 cents per \$100), the sum of \$129,385, which was increased from other sources to \$167,299. Of this amount \$3,026 was disbursed for the almshouse, \$4,535 for bridges, \$3,174 for elections, \$3,427 for the indigent insane, \$30,000 for public schools, \$4,839 for pensions, \$21,633 for roads, \$21,384 for State tax, and \$9,334 on the construction of a turnpike connecting the county seat with the District of Columbia, for which \$25,000 of county bonds had been sold. The county has a small debt.

The basis for the levy of 1899-1900, at the rate of \$1.02 per \$100 of valuation, was: Real estate, \$10,242,150, a loss of more than a million and a quarter as compared with 1890; private securities, \$553,785; personal property (including live stock and excluding farming implements up to \$300 in value), \$1,354,105, to which must be added \$330,660 of stocks and bonds of foreign corporations, on which the rate is 30 cents per \$100, making in all a total of \$12,480,700. The amount levied for the support of public schools for 1899-1900 was \$30,200.

In 1898-99 the county had 114 public schools^(a) which were open for 9 months. Of these 81 were white schools, with 100 teachers (33 males and 67 females), 82 of the buildings, valued at \$51,375, being owned by the county, and 33 were colored schools, with 40 teachers (9 males and 31 females), 25 of the buildings, valued at \$9,615, being owned by the county. The average yearly salary of the teachers was \$328.90. For these schools the county received from the State school tax \$16,181.30; from the free-school fund, \$2,154.35; from State appropriation for colored schools, \$7,477.44. The county levy, as already stated, was \$30,000, and the receipts from all sources, including balance on hand, were \$59,546.60.

^aFrom report of State board of education, 1899, and from office of county commissioners.

The receipts of the free-book fund from all sources amounted to \$6,784.55, of which \$4,599.36 was expended.

For the colored schools the receipts in 1898-99 were: From the State, \$7,477.44; from the county school board, \$1,107.74;(a) from miscellaneous sources, \$3.33; a total of \$8,588.51. This amount was disbursed as follows: For teachers' salaries, \$7,513.20; for incidental expenses, repairs, furniture, fuel, rent, insurance, and balance due treasurer, \$1,075.31.

Of the State free-book fund noted above, the sum of \$1,155.34 was appropriated for colored schools.

The cost to the county for the school year (exclusive of the free-book fund and of the interest on the amount invested in the school buildings) of each Negro child was \$5.74, basing the calculation on the average attendance of 1,496.

It would be both interesting and valuable to compare the taxes paid by the whites and by the Negroes which go to make up the amount of this county levy for schools, \$30,000. But there is no provision made in the office of the county commissioners or of the county clerk by which property can be identified as held by white or by Negro owners. In consequence no record can be kept, either of the acquisition or of the loss of property by either class of citizens, nor can any just estimate be made of the absolute or relative condition and progress of the Negroes as a whole, as shown in their economic success or failure as a body of citizens and voters.

The same lack of distinctive record, combined with the condition of the law on the subject previous to 1897, renders futile any attempt to get accurately at the incumbrances on the real estate of the county, though a competent authority estimates it, exclusive of the crop liens, as being about \$3,000,000.

Upon the agricultural history of the county, the record of its population offers a very interesting commentary.

The United States census gives the following figures for the population of the county, 1790 to 1890:

POPULATION OF MONTGOMERY COUNTY, 1790 TO 1890.

Year.	Whites.	Negroes.	Total.
1790.....	11,679	6,324	18,003
1800.....	8,508	6,550	15,058
1810.....	9,731	8,249	17,980
1820.....	9,082	7,318	16,400
1830.....	12,103	7,713	19,816
1840.....	8,766	6,699	15,465
1850.....	9,435	6,425	15,860
1860.....	11,349	6,973	18,322
1870.....	13,128	7,434	20,562
1880.....	15,608	9,150	b 24,759
1890.....	17,500	9,635	27,135

a This amount is believed to be approximately the county tax paid by the Negroes.

b Including 1 Indian.

It will be noted that at the censuses of 1800, 1810, and 1820 the population did not reach the mark it had attained in 1790; that in 1830 the white population was only 424 more than it had been in 1790; that the population was well-nigh stationary and almost at its lowest ebb during the two decades from 1830 to 1850; and that the Negro population was remarkably uniform during the 80 years from 1790 to 1870.

The explanation of this practically steady decline in the white population from 1790 to 1850, as compared with the rest of the country, is not to be found in the emigrant spirit alone. The constant stream of emigration West and South was largely a result—the direct economic result—of the preceding agricultural system. Beginning with the second quarter of the eighteenth century, we have the régime of “the old tobacco planters, with their baronial estates and armies of slaves. They felled the native forests and planted the virgin soil in tobacco and indian corn. This did very well so long as there was timber for the ax and new land for the hoe; and these old lords of the manor were happy. They feasted and frolicked and fox hunted and made the most of life. Those days are known as ‘the good old times.’ In less than a century after this system of denuding and exhaustion began there were no more forests to clear and no more new land to till. Then succeeded the period of old fields, decaying worm fences, and moldering homesteads. This sad condition of the county had reached its climax about the year 1840. * * * The land would no longer yield an increase, and they made no attempt at renovating and improving the soil, and Montgomery lands became a synonym for poverty. * * * The Society of Friends, in the vicinity of Sandy Spring, who formed their settlement in the course of the decade preceding and following the middle of the eighteenth century, and who at every period of the history of the county have done so much to promote the material development and intellectual advancement of the county, first abandoned this distinctive system of cultivation during the last quarter of the past century, induced thereto by the change then made in the character of their labor.”(a)

For more than half a century, then, Sandy Spring was an object lesson, in the midst of a larger slave community, of the superiority, both in its tendencies and in its results, of free labor owning the soil, and was enabled to realize what Washington and Jefferson, Madison and Franklin and James Wilson hoped to attain for the whole country through the Constitution.

a Boyd's History, 107, 108. A Sandy Spring gentleman, 80 years of age, says the frequent practice in the early part of this century was to clear off a piece of “new ground,” raise two crops of tobacco and one of wheat, and then turn the land out as “old field.”

SANDY SPRING.

As has been said already, Sandy Spring is a community—one of the few in the United States—which for a hundred and fifty years has remained distinctively and predominantly under the influence and control of the Society of Friends.

Some of the original grants of land remain in part in the families to which they were patented, and will therefore be briefly mentioned. Beginning on the east, "Snowden's Manor" dates from 1715, and "Snowden's Manor Enlarged" from 1743; "Charley Forest" from 1716, and "Addition to Charley Forest" from 1720; "Charles and Benjamin" from 1718; "Brooke Grove" from 1728, and "George the Third" from 1763. (*a*) These old grants extended far beyond the present limits of the Sandy Spring neighborhood, which includes parts of all of them. (*b*)

The oldest house in the neighborhood, built by James Brooke at "Charley Forest" in 1728, was, it seems, the nucleus of the Sandy Spring meeting, which has a recorded existence since 1753.

These early settlers were diligent farmers and hunters and industrious growers of tobacco. "The fact is mentioned that Richard Snowden had 24 tobacco houses standing in a row on one tract of land." (*c*)

Like the rest of the colonists, wherever slavery was profitable, the settlers were slaveholders. (*d*) The decisive event in the economic life of Sandy Spring came with the freeing of the slaves. "A little while," says the annalist of Sandy Spring, "before the commencement of the Revolutionary war, about the year 1772, 'the yearly meeting of Friends in Baltimore,' in the words of the ancient minutes, 'recommended to the subordinate quarterly meetings to keep under the

a Cf. W. H. Farquhar: *Annals of Sandy Spring*, Baltimore, 1884; T. H. S. Boyd: *History of Montgomery County*, second ed.

b For the benefit of those who know the neighborhood and may be interested in knowing the exact limits embraced in this study the following outline description is inserted: Beginning back of Spencerville with the eastern end of Snowden's Manor and the lands formerly owned by Frederick and Robert M. Stabler; thence northerly along the Patuxent River, excluding the Brown, Thompson, and Cissel farms, up to and including Dr. Augustus Stabler's lands beyond Brighton; thence westerly along the south side of the Brookeville road to the Holland farm, excluding that farm, including James B. Hallowell's lands, excluding the old Magruder and Walters properties, including Charles F. Kirk's land and Olney, and then running south along the east side of the Brookeville turnpike to and including the farm formerly owned by Dr. Roger Brooke; thence, including Alban Brooke's lands, easterly along the north line of the old Baltimore road (including the farm of E. L. Palmer south of that road) to and including the lands of Dr. Francis Thomas and William Lea, and so back to the "manor" at the fork of the Laurel road and the Colesville turnpike. This is the district which may be said, roughly speaking, to have been and to have remained "Quaker" land under the characteristic conditions.

c Farquhar, *Annals of Sandy Spring*, XXIII.

d The exception of the German Quakers of Pennsylvania should be noted.

weight of a concern which had arisen in the society some time ago, in regard to members holding slaves.' The following year a committee reported that 'some appear concerned to discharge their slaves; divers are convinced of the injustice of the practice, while too many make excuses,' etc. It is evident that great tenderness, patience, and deliberation marked every step taken by our society in this weighty matter. Time was afforded to all to examine the subject for themselves. No outside pressure was employed. Appeal was made only to the sense of right in the minds of those immediately concerned. At length the society, impressed by their own convictions, took up 'the testimony against slavery,' and held it ever since. Under its operation large families of slaves were discharged from compulsory service, who became the progenitors of the useful and comparatively prosperous 'free colored working people' of the neighborhood." This emancipation took place in some instances, perhaps in the majority of cases, by the gradual process of fixing on a definite date in the future or on a certain age after which the individual Negroes in question should be free. (a)

In spite of free labor, Sandy Spring, whose present fertility is due to superior farming on a soil originally poor and thin, had to pay the penalty of the tobacco culture. About the beginning of the second quarter of this century, "for the first and last time, a small emigration to the West began to exhibit itself," and about 1835 "a farm in the central part of the neighborhood sold for \$6 and one at the eastern edge for \$2.05 per acre." Then the Sandy Spring farmers began to experiment with lime, hauling the stone from 5 to 10 miles to their kilns. In 1839 Sandy Spring experimented with itself and with the "*Morus multicaulis*" (the many-stemmed or Chinese mulberry), the only valuable result being that the use of bone dust was introduced.

a Cf. Will of Richard Thomas. The following is the first item in the will of Richard Thomas, of "Cherry Grove," Sandy Spring, Maryland, executed November 8, 1806, and recorded on December 15, 1806:

"Item. I will and bequeath all my male slaves that are above 21 years old and all my female slaves that are above 18 years old to be and I do hereby make them absolutely free from and after my decease, and all those that are under those ages to be free as they may come of age—that is, the males at the age of 21 and the females at the age of 18 years, their ages to be ascertained by my two sons, Richard Thomas, jr., and William Thomas."

In accordance with this item, the executors made the following report:

"A certificate of the births of all the young Negroes which were manumitted by the last will and testament of Richard Thomas, late of Montgomery County, deceased, as ascertained by us, the subscribers, agreeably to the directions of said will. Given under our hands this 21st day of the fourth month, 1813. Richard Thomas. William Thomas."

This list includes the names of 36 children and 13 mothers, which would make the total number of slaves freed under this will probably between 60 and 70.

In the beginning of 1844 the Farmers' Club was organized, (a) and in the spring of that year one of its members (b) experimented with Peruvian guano. Its effect upon the fortunes of the neighborhood and of the county was prompt and great; and both county and neighborhood profited greatly also from the rise in price of farm products a few years later, caused by the Crimean war, as both did a few years later still in consequence of the civil war between the States, 1861-1865.

In 1848 The Mutual Fire Insurance Company of Montgomery County was organized at Sandy Spring (P. O.), Edward Stabler, president, and R. R. Moore, secretary, and continues in successful operation, having to-day between fourteen and fifteen millions of insurance in force. In 1858 the Sandy Spring Lyceum Company was established, and the hall was opened and used in February, 1859. In 1862 the bone mill began the successful manufacture of fertilizers and is still in operation. The Sandy Spring Horticultural Society was established in 1863. In 1865 the Enterprise Farmers' Club, of Sandy Spring, was formed, and the school for colored children, hitherto in fitful operation, was permanently established. (c) In 1866 Irish potatoes were first grown on a large scale in the neighborhood, and the Sandy Spring Branch Turnpike, begun in 1860, was incorporated with the Brookeville and Washington Turnpike. In 1868 was organized the Savings Institution of Sandy Spring, which now has over half a million of deposits. In 1870 the Ashton, Colesville, and Washington Turnpike and the Norwood branch of the Brookeville and Washington Turnpike were both begun, and in the same year the Home Interest Club was founded, which deals with the economics of the home as distinguished from the farm. The Montgomery Farmers' Club, of Sandy Spring, was organized in 1872, and the annual farmers' conventions at Sandy Spring began to meet under the auspices of the three farmers' clubs. In 1873 the Grange was established in Sandy Spring, and there are now two granges in the neighborhood which hold regular meetings. In 1880 local option as to the sale of liquor was adopted by the whole county and went into operation the following year, and in this neighborhood the open sale of liquor has been restrained ever since. Between 1880 and 1885 the introduction of the prepared South Carolina phosphate rock as fertilizer became quite general. In 1894 the Enterprise Telephone Company,

a The Montgomery County Agricultural Society was organized the same year.

b Mahlon Kirk, of Woodburn. A small quantity of guano was sent him by a Baltimore merchant, to whom it had been brought by a Baltimore ship captain from Peru. A spoonful each was put into some hills of corn, which were marked. The yield was found to be about 10 to 1, as compared with the rest of the crop. The next year George E. Brooke, Dr. Charles Farquhar, E. J. Hall, and Cooke Dickinson imported guano in quantity into the neighborhood for the first time.

c At the "Sharp Street" Church. Cf. *infra*.

of Sandy Spring, began operations and now has between 125 and 130 local subscribers and exchanges, and gives communication with other county systems, as well as with Baltimore and Washington. During the past 20 years dairy farming has grown very greatly and now constitutes probably the largest single agricultural interest of the community, the annual export being estimated at 75,000 gallons of milk and 30,000 gallons of cream. Small fruits are quite extensively grown, and a good deal of huckstering and market-garden trading is carried on. Most of the clubs mentioned in the preceding sketch have met regularly every month since their organization, and the resulting cooperative spirit of the neighborhood has been of immense value to it. A number of other organizations have been passed over without mention as not bearing so directly upon the economic condition of the community, although they are of importance as helping to bring about the high grade of its villagelike or semiurban type of life.

The details given, it will be readily seen, are essential to a fair understanding of the community influences, physical and moral, under which the Negroes have been living, some of them for three and four generations of freedom. In a number of cases Negroes who were freed before 1865 in other parts of the county or in the adjoining counties moved into Sandy Spring, attracted by the good wages paid here and by the generally superior conditions of life for them, as compared with the neighborhoods which they left. Since 1865 a much larger influx of Negroes has taken place. There has been and continues to be that corresponding outflow of the adolescent and adult Negro population, toward the cities particularly, which is so marked a characteristic of Negro life in what were known in 1860 as the border States. (*a*) Among those Negro families long established in the community, and even more distinctly marked among those who have come in since 1865, is the tendency to collect together into settlements in certain localities, just as is observed to be the case in the cities. This tendency is perfectly natural and therefore inevitable, whatever may be its economic advantages or disadvantages.

It is not practicable to separate the census returns for Sandy Spring from those for other neighborhoods of Montgomery County; but the following extract from the Annals of Sandy Spring, written in 1871, shows the agricultural progress of the community during two decades, by sample, as it were:

The national census furnished some facts in regard to the agricultural productions of our neighborhood which are worth recording here. Your historian, having held the office of census taker in both the years of 1850 and 1870, is enabled to compare the products of 9 farms at those two several periods. The estimate is given in the moneyed value at present prices: Total value of productions in 1850,

a Cf. The Philadelphia Negro, by W. E. B. Du Bois, Publications of the University of Pennsylvania, 1899.

\$10,365; in 1870, \$36,320; average per farm in 1850, \$1,151; in 1870, \$4,035; which shows an increase on the same land over $3\frac{1}{2}$ -fold.

No such advance has been made from 1870 to 1899, and it is doubtful if the land, taken as a whole, would bring two-thirds as much per acre as it did 29 years ago, notwithstanding that there has been an increase in population. In 1870 the white population of the neighborhood was about 425; in 1879 it was about 575. At present it is estimated at about 700. The Negro population has increased very greatly since 1865. The total population may be estimated at 1,700. This population inhabits an irregularly shaped tract of land about 5 miles across from east to west and about 5 miles across from north to south.

Within the limits of this territory 4 physicians and 1 dentist have their homes, and within the territory or immediately on its borders there are 2 Friends' meetinghouses, 2 Episcopal churches, 2 Methodist Episcopal churches, and 1 Roman Catholic church among the whites, and 2 Methodist Episcopal churches, 1 African Methodist Episcopal, 1 Methodist Protestant, and 1 Baptist church among the Negroes; 2 small public libraries; 1 private and 6 public white schools and 3 public schools for Negroes; 3 public halls, one—the Lyceum—providing lectures in the winter season; 16 country stores, some of which include drugs, agricultural implements, and fertilizers among their wares; 9 post-offices, 4 having four mails a day; a telegraph office, a telephone exchange, a bank open twice a week, an insurance office, a small printing office for handbills, etc.; 5 wheelwright and paint shops, 8 blacksmith shops, 5 carpenter and cabinetmakers' shops; 1 fertilizer manufactory, 2 flour and grist mills, 1 gristmill, 2 saw-mills; 1 bakery, 2 butchers' establishments, 2 ice-cream factories, 3 dairy establishments for exporting milk and cream; 1 carpet-weaving establishment, 1 plumber's establishment, 2 bicycle repair shops, 2 undertakers' establishments; and, in addition to the various associations already mentioned, there are half a dozen or more clubs and societies, social, semipolitical, and literary, holding regular meetings, among them an excellent book club (an offshoot of the Home Interest Club), having between 60 and 70 family memberships. Thirty-five houses in the neighborhood, not far from a third of the white homes, are supplied with water by windmills or ram or engine, and the majority of them have hot and cold water in their bathrooms. An excellent macadamized turnpike passes along one side of the neighborhood and 3 more turnpikes traverse it, 2 of which join one of the main stems, and these 2 main roads afford easy communication with the District of Columbia, and with 2 electric railway lines a mile or more before reaching the District line. The Metropolitan Branch and the Washington Branch of the Baltimore and Ohio Railroad are about equally distant—10 miles—west and east from the center of the neighborhood. Baltimore is 25 miles to the northeast.

A very considerable number of people come out from Baltimore and Washington to spend the summer in the neighborhood, with decided economic and social results to its inhabitants.

The present study has followed closely (with the important exceptions noted on page 55) the lines and the order of the study of The Negroes of Farmville, Virginia, by Dr. DuBois, Department of Labor Bulletin No. 14, both because of the excellence of that plan and for the sake of uniformity and of ease of reference in this series of studies under the Department of Labor. Wherever practicable the tables and statistics in the Farmville study have been used for both comparative and absolute results. In the case of Farmville we have a small urban community of Negroes with immediate agricultural interests and surroundings. In the case of Sandy Spring we have an approximately equal group of agricultural Negroes with semiurban surroundings and interests. The materials for this study were collected principally during the latter part of November and December, 1899, and some corrections and additions were made in the early months of 1900. At first there was considerable uneasiness exhibited by the Negroes on hearing the questions propounded, and more, perhaps, from the fact that they were propounded at all; but, on the whole, they answered cheerfully, and possibly with more frankness than accuracy. Many of the replies were evidently estimates in cases where accuracy was hoped for. In some cases brief judicious explanations and joggings of the memory enabled the investigator to aid in the formulation of what seemed the correct result. In some cases subsequent investigation showed that the questions had not been understood and corrections had to be made. This was true of the first question. It was difficult for the Negroes to grasp the idea of the economic family as distinguished from the natural family, and to keep the two separate. The answers to the ninth question were of doubtful value in many cases because of ignorance, in many cases because of the known intermarriage of ancestors without the corresponding knowledge of the free or slave condition of both. The sixteenth question seemed to be difficult to answer correctly for several reasons, among them *amour propre* being conspicuous. The answers to the eighteenth, the nineteenth, and the twentieth questions give, it is believed, rather the semblance than the substance of what was sought. The twenty-fifth question was practically abandoned as labor in vain.

The general result may be likened rather to a blurred photograph than to a sharply outlined drawing; the picture is there, but it is hard to see. Nevertheless, after making allowance for a large margin of error, the answers seem to approach the truth nearly enough to be of some considerable scientific value.

The following schedule of questions was prepared and used. It differs from the schedule used for the Farmville Negro only in the

additional interrogatories which are noted, some of which were added with the view of bringing out certain characteristics of the Negroes of Sandy Spring:

1. Number of persons in the family?
2. Relationship of this person to head of family?
3. Sex?
4. Age at nearest birthday?
5. Conjugal condition?
6. How many times married? (*a*)
7. Place of birth?
8. Length of residence in Sandy Spring?
9. Free or slave before 1865? How long? (*a*)
10. Length of residence in this house?
11. Able to read?
12. Able to write?
13. Months in school during last year?
14. Usual occupations?
15. Usual wages per day, week, or month?
16. Weeks unemployed during year?
17. Working for self? (*a*)
18. Worked at how many places during past year? (*a*)
19. Worked at how many places during past five years? (*a*)
20. Worked at same place for five years or longer? (*a*)
21. Mother of how many children (born living)?
22. Number of children now living?
23. Where are such children now?
24. Births during the year? (*a*)
25. Sickness during the year? How long? Cause? (*a*)
26. Deaths during the year? Number? Cause? (*a*)
27. Deaths during past five years? (*a*)
28. Defective or maimed children? (*a*)
29. Kind and size of house? (*a*)
30. Does this family own this house?
31. Does this family own any land or houses?
32. Value of such land or houses. (*a*)
33. How long has this family owned such land or houses? (*a*)
34. Rent paid here per month.
35. Church membership or attendance.

Before entering upon the discussion of the tables an explanation is needed in order to make plain the comparisons with the Farmville tables.

In the Farmville study (p. 8) we read: "About 75 servants, mostly young women living in white families as servants, and having no other town homes, were not interrogated at all, and consequently are not accounted for in these returns," and a note on the same page adds, in part, "However, they are not in all, if in a majority of, cases citizens of Farmville, but have homes in the country." On page 24 of the Farmville study a note to the table for the number of families says: "Not including 16 brickyard laborers, etc., who might be counted in

a Additional question, not used in Farmville schedule.

families, but who have preferably been called 'floating,' so as not to disturb the economic statistics." In order to keep to the same standard, for the sake of direct comparisons with Farmville, corresponding omissions have been made in the Sandy Spring report. Thus there are 65 persons—12 males and 53 females (including 3 children of tender age)—who in domestic and farm service make their homes in the buildings or outbuildings of their employers. Among these there are found: One family of 3 (a mother and 2 children), 4 families of 2 (3 couples and 1 mother and child), and 54 families of 1, so counted. These 54 families of 1 include wives and mothers having husbands or children, or both. They would not be so enumerated in a general census of economic families; but this is a special study for a particular purpose; hence they are so enumerated. Even where 2 servants are living under the roof of the same employer, they are counted as constituting 2 economic families of 1, since their real family life and their wages are entirely divergent—unless they happen to be of the same real family. Where, then, the Sandy Spring Negro population is compared directly in tabular form with the Farmville Negro population, these 65 persons are omitted, even though important economic elements—wages, for example—are lost sight of by the omission, just as, on the other hand, the real family application of the same wages is somewhat distorted by the inclusion of these persons thus separately enumerated.

The tables for Sandy Spring, when reduced to the Farmville basis, have prefatory notes showing the omissions. The figures shown for Farmville do not in any case include the 75 servants mentioned above.

AGE, SEX, AND BIRTHPLACE OF NEGRO POPULATION.

The total number of Negroes in Sandy Spring who reported as to age, sex, and birthplace was 960. Adding to this number 40, estimated as not reporting, we obtain a total of 1,000. This does not include a number of laborers, male and female, who live in various settlements just beyond the edge of Sandy Spring and who constitute a varying but considerable part of the working force of the neighborhood, except, of course, in so far as such laborers were domiciled in Sandy Spring at the time of the investigation. This approximate number of 960 for the Negro population of Sandy Spring in 1899 includes the 65 persons in domestic and farm service already referred to. Some of them have no other accessible homes. Some of them have other homes in the neighborhood and return to them at regular or irregular periods. Where a cook or a housemaid, for example, remains habitually at the house of her employer, only returning home occasionally, she is counted as an economic family of one. Where farm hand, cook, and house servant return every night to their own homes they are counted as members of their respective economic families. This leads to somewhat arbitrary results where families are enu-

merated by size of family and annual income. But it seemed to the investigator still more misleading to ignore even in part this important domestic-service element of the Sandy Spring Negro population and of the Sandy Spring economic life. For just here is one of the two greatest sources of race irritation, the other source being political. One affects the women of both races more especially. The other affects the men of the two races primarily and all the other members thereafter.

Considering the Negroes of Sandy Spring as shown in the table following, we find that there are 448 males and 512 females, a proportion of 1,143 females to every 1,000 males. If the 12 males and the 53 females be omitted, this proportion remains slightly higher than that for Farmville—1,053 as against 1,048 females to every 1,000 males (*a*)—and is very considerably above the general proportion for the United States—952.8 females to every 1,000 males. This excess seems to indicate an emigration of males, but it also indicates, as shown by name and birthplace, an immigration of females. It is of interest as being a typical characteristic of the Negro problem of the country. We are accustomed to the migration of men as individuals and to the migration of women as members of families, but it is doubtful if any other people show such mobility on the part of its younger female members as the Negroes of the United States. The habit seems to be rapidly growing, and it must be of great significance for the future of the race. (*b*)

The following table shows, by age periods, the number of Negroes of each sex from whom reports were obtained:

NUMBER OF NEGROES IN SANDY SPRING FROM WHOM REPORTS WERE OBTAINED, BY AGE PERIODS AND SEX, 1899.

Age periods.	Males.	Females.	Total.
Under 1 year	9	17	26
1 to 4 years	52	47	99
5 to 9 years	74	78	152
10 to 15 years	71	92	163
16 to 19 years	38	33	71
20 to 29 years	52	83	135
30 to 39 years	42	52	94
40 to 49 years	40	36	76
50 to 59 years	28	25	53
60 to 69 years	21	20	41
70 to 79 years	9	9	18
80 to 89 years	3	8	11
90 to 100 years	1	2	3
Age unknown	8	10	18
Total	448	512	960

a But see note on page 8 of the Farmville study: "The number of females in excess would be still larger if the omitted house servants were included." Had the Farmville house servants been included the proportion of excess of females would have been larger than that shown for Sandy Spring.

b Cf. The Philadelphia Negro, by W. E. B. Du Bois, Publications of the University of Pennsylvania, 1899.

There were not many cases in which the Negroes seemed to have special difficulty about their ages, probably not more than would be true for an equal number of whites equally illiterate.

There are 192 males of voting age, and 410(a) children of the legal school age (5 to 20), or 323(a) of the usual school age (5 to 15). As nearly as can be ascertained, the reports of the place of birth show that of the 960 Sandy Spring Negroes 595, or 62 per cent, were born in the neighborhood; 150, or 16 per cent, were born elsewhere in Montgomery County; and 100, or 10 per cent, are from Howard County and other parts of the State; a total of 845, or 88 per cent, native to Maryland. Of the remaining 115 enumerated, the birthplace of 17 is not reported, and 98 were born in the District of Columbia, Virginia, and States farther south, a very few (3 or 4) from the North and West excepted.

Two hundred and nineteen of the 224 families reported as to length of residence in Sandy Spring. Four had been living there less than 1 year, 21 from 1 to 5 years, 16 from 5 to 10 years, 20 from 10 to 20 years, 79 from 20 to 35 years, and 79 for 35 years or longer. That is to say, nearly three-fourths of the families have been living in the neighborhood for more than 20 years; or, to look at the matter from the other point of view, only a little more than one-fourth of the population has come in from the outside since 1880.

Omitting from the preceding table the 65 persons chiefly in domestic service, we get the following table, to which is added for comparison a similar table for Farmville:

NEGROES IN SANDY SPRING AND FARMVILLE FROM WHOM REPORTS WERE OBTAINED
BY AGE PERIODS AND SEX.

[This table does not include 65 persons at Sandy Spring and 75 at Farmville, mostly women in domestic service.]

Age periods.	Sandy Spring, Md., 1899.			Farmville, Va., 1897.		
	Males.	Females.	Total.	Males.	Females.	Total.
Under 1 year.....	8	17	25	12	12	24
1 to 9 years.....	125	124	249	127	150	277
10 to 19 years.....	107	112	219	182	147	329
20 to 29 years.....	47	61	108	87	101	188
30 to 39 years.....	41	45	86	53	67	120
40 to 49 years.....	40	34	74	47	55	102
50 to 59 years.....	27	22	49	44	52	96
60 to 69 years.....	21	17	38	23	24	47
70 to 79 years.....	8	8	16	14	15	29
80 to 89 years.....	3	8	11	3	3	6
90 to 100 years.....	1	1	2	1	.....	1
100 years or over.....	.....	.....	.....	1	.....	1
Age unknown.....	8	10	18	4	1	5
Total.....	436	459	895	598	627	1,225

From this we get in turn the following table, which gives the percentage in different age periods of the Negroes of Sandy Spring in

a Including 8 children reported as age unknown.

comparison with the Negroes of Farmville, with the Negro population of the United States, with the whole population of the United States, and with the population of 3 foreign countries:

PER CENT IN DIFFERENT AGE PERIODS OF NEGROES IN SANDY SPRING AND IN FARMVILLE, AND OF TOTAL POPULATION IN VARIOUS COUNTRIES.

[The per cents for Sandy Spring and for Farmville are computed from schedules; the others are taken from the United States Census of 1890 and Mayo-Smith's Statistics and Sociology.]

Age periods.	Negroes of Sandy Spring.	Negroes of Farmville.	Colored population of the United States. (a)	Total population of the United States.	Population of—		
					Germany.	Ireland.	France.
Under 10 years.....	31.24	24.57	28.22	24.28	24.2	20.8	17.5
10 to 19 years.....	24.97	26.86	25.18	21.70	20.7	23.4	17.4
20 to 29 years.....	12.31	15.35	17.40	18.25	16.2	16.2	16.3
30 to 39 years.....	9.81	9.79	11.26	13.48	12.7	10.8	13.8
40 to 49 years.....	8.44	8.22	7.89	9.45	10.4	9.3	12.3
50 to 59 years.....	5.59	7.84	4.92	6.58	7.8	8.5	10.1
60 to 69 years.....	4.33	3.84	2.88	3.34	5.2	6.0	7.6
70 years or over.....	3.31	3.43	2.25	2.52	2.8	4.5	5.0
Total.....	100.00	100.00	100.00	100.00	100.0	100.0	100.0

a Persons of Negro descent, Chinese, Japanese, and civilized Indians.

This table would seem to show that the emigration of the Sandy Spring Negroes has fairly begun before the age of 20 is reached; and that this is the case is readily explained by the easy access to Washington and Baltimore; by the fact that Sandy Spring children are frequently sent to those cities to school; by the influence of the "summer boarders;" and still more by the influence of the native whites of Sandy Spring who have themselves migrated to the cities and who send back for servants. This movement of the active workers extends from those 15 to those 50 years of age, beginning earlier and lasting longer as compared with the Farmville population. Almost 19 per cent of the children enumerated as under 10 years of age are given in as "grandchildren" and "boarders," their parents being absent, though it does not always follow that the parents are beyond the neighborhood limits.

CONJUGAL CONDITION, BIRTHS, AND DEATHS.

The table for the conjugal condition of the Negroes of Sandy Spring fails to show some things which are known to exist but of which no record is to be had, notably, the cases in which informal separations of married people have been followed by more or less formal marriages with third and fourth persons, and those in which the birth of children from antenuptial cohabitation has been followed by the marriage of the parents. More than once two widows have been seen amicably and decently mourning by the bier of the same defunct husband. These are matters which put the statistician in a dilemma. To men-

tion them without distinct enumeration seems to do the community injustice; to pass them over without mention would certainly grossly mislead any student of the social and economic conditions of the community. It is the distinct impression among the older white members of the Sandy Spring community (some of whom have for half a century been doing what they could to help the Negroes) that the average moral condition of the Negroes in this neighborhood is below what it was prior to 1865, and this opinion is shared by a number of the elderly conservative Negroes. In this connection at least three things should be borne in mind: The natural tendency of age to see the past in brighter colors than the present; the fact that the conditions of Sandy Spring life before 1860 tended to make this a picked (*a*) community of Negroes, zealously aided, morally and physically, in their development by a surrounding white community of unusual intelligence, helpfulness, and industry, and the fact that there are about three times as many Negroes here now as before 1860. Whether this lowering of the general moral standard, which is believed here to be the fact, is due to the inability of the original Sandy Spring Negroes (i. e., those living here before 1860) to resist the influence of the influx of outsiders presumably of a lower moral order; (*b*) whether it is due to less active leadership on the part of the whites; whether it is a symptom on the part of the Negroes of a reversion toward an ancestral type, are questions which must remain unanswered satisfactorily until, at least, sufficient investigation has been made to give a broader basis for inference than now exists. Furthermore, it may then be discovered that such a local retrogression has still stopped short of the general lower level for the State at large.

The following table shows that of the 247 males over 15 years of age who returned answers, 82, or 33 per cent, were single; 148, or 60 per cent, were married; 10, or 4 per cent, widowed; and the remaining 7, (*c*) or about 3 per cent, were living separated from their wives. There were 284 women, of whom 87, or 31 per cent, were single; 154, or 54 per cent, were married; 35, or 12 per cent, were widows; and 8, (*c*) or about 3 per cent, were separated.

a It is probably a fair statement to say that in general intelligence and worth the Sandy Spring Negroes in 1860 corresponded to the "house-servant" class of the Southern Negroes. Competent observers in the South to-day think that a very small percentage of the children and grandchildren of these old servants have retained either their character or their manners, and none are more convinced of this than the few survivors of that class themselves.

b One of the older conservative Sandy Spring Negroes, in expressing the opinion that there had been a lowering of the general standard, said that "a great many people came in here after the war, and some went one way and some went the other."

c From general information the investigator thinks that the number of separated should be about doubled in each of these cases. It is a difficult matter.

CONJUGAL CONDITION, BY SEX AND AGE PERIODS, OF NEGROES OF SANDY SPRING.

Age periods.	Males.				Females.				Total.
	Single.	Married.	Widowed.	Separated.	Single.	Married.	Widowed.	Separated.	
15 to 19 years	49				41	3			93
20 to 29 years	25	26		1	35	45	1	2	135
30 to 39 years	5	35		2	6	43	1	2	94
40 to 49 years	2	37	1			28	5	3	76
50 to 59 years		24	3	1	2	18	5		53
60 to 69 years		16	3	2	1	11	7	1	41
70 to 79 years		6	2	1		2	7		13
80 to 89 years	1	2				1	7		11
90 years or over.....			1				2		3
Unknown		2			2	3			7
Total	82	143	10	7	87	154	35	8	531

Making the necessary changes to conform to the Farmville basis, we have the following table as a result:

CONJUGAL CONDITION, BY SEX AND AGE PERIODS, OF NEGROES OF SANDY SPRING.

[This table does not include any of the 65 persons mentioned on page 56, mostly women in domestic service.]

Age periods.	Males.				Females.				Total.
	Single.	Married.	Widowed.	Separated.	Single.	Married.	Widowed.	Separated.	
15 to 19 years	48				30	3			81
20 to 29 years	21	24		1	20	40	1	1	108
30 to 39 years	5	34		2	5	39		1	86
40 to 49 years	2	37	1			28	4	2	74
50 to 59 years		24	2	1	2	16	4		49
60 to 69 years		16	3	2		11	5	1	38
70 to 79 years		6	1	1		2	6		16
80 to 89 years	1	2				1	7		11
90 years or over.....			1				1		2
Unknown		2			2	3			7
Total	77	145	8	7	59	143	28	5	472

The percentages for the males remain practically unchanged in this table, as only 10 men are excluded from it. The case is different for the females. A third of the single women drop out, 26 of the 28 who disappear being between 15 and 30. Only 11 out of 154 married women are excluded, 9 of the 11 being between 20 and 40 years of age. Seven of the 35 widows are excluded, and, more significant still, 3 out of the 8 women living separated from their husbands. By the exclusion of these 49 women the percentages for single and separated women are lowered, and the percentage of the married women is raised materially in a total of 235 women.

This table shows results so different in some particulars from those set forth in the corresponding table for Farmville that the latter has been reproduced for purposes of brief comparison.

CONJUGAL CONDITION, BY SEX AND AGE PERIODS, OF NEGROES OF FARMVILLE, VA.,
1897.

Age periods.	Males.				Females.			
	Single.	Married.	Wid-owed.	Sepa-rated.	Single.	Married.	Wid-owed.	Sepa-rated.
15 to 19 years.....	79				71	3		
20 to 29 years.....	55	28		3	44	51	3	3
30 to 39 years.....	6	46		1	10	49	6	2
40 to 49 years.....	3	37	3	3		30	22	3
50 to 59 years.....	2	30	7	4		32	17	3
60 to 69 years.....	1	20	2			9	14	1
70 to 79 years.....		12	1	1		4	11	
80 to 89 years.....		3					3	
90 to 99 years.....		1						
100 years or over.....			1					
Unknown.....	1	1			1			
Total.....	147	178	14	12	126	178	76	12

In Farmville the number of single men between 20 and 30 was not far from double the number of men of the same age who were or had been married, 64 and 36 per cent in a total of 86; whereas in Sandy Spring, within the same age limit, 4 more men out of a total of 46 were or had been married than were single. The pendulum swings from the 64 per cent mark on one side in Farmville to about the 54 per cent mark on the other in Sandy Spring. Of the women of the same age, 57 out of 101, or 56 per cent, were or had been married in Farmville, and 42 out of 62, or 68 per cent, had been married in Sandy Spring. When we pass to the next age periods we find that the record does not vary so greatly as to give ground for distinctive inferences. In Farmville out of 53 men between 30 and 40, 47, or 89 per cent, had been married; in Sandy Spring out of 41 men 36, or 88 per cent, also had been married; and of 67 women in Farmville 57, or 85 per cent, had been married, and in Sandy Spring 40 out of 45, or 89 per cent, had been married. The next age period—which takes us back to slavery times—gives about the same results for each group. Out of 46 men in Farmville between 40 and 50, 43, or 93 per cent, had been married; and in Sandy Spring out of 40 men, 38, or 95 per cent, had been married. Of 55 women in Farmville, all had been married; and in Sandy Spring of 34 women, all had been married. Like the period from 40 to 50, the following periods do not seem to present any particularly significant differences in the two localities. There were 3 old bachelors and no old maids in Farmville, and 2 old maids and 1 old bachelor in Sandy Spring; all the others had been married.

Recurring, then, to the period of the twenties, we must ask ourselves with regard to the men whether Farmville, as compared with Sandy Spring, shows anything more than the usual excess of city over country communities in the number of young unmarried men—assuming that the general opinion in that regard is correct—and whether Sandy Spring is not a much better standard of comparison with foreign countries than Farmville, both, of course, being inadequate, either separately or conjointly, as bases for extensive generalization. The number of single women seems to be large in both communities, con-

sidering the race conditions, marriage is apparently being postponed, and the two evils—illicit sexual intercourse and restricted influence of family life—are present in pernicious activity.

In the following table the conjugal condition of the Negroes of Sandy Spring is compared with that of the Negroes of Farmville and of the populations of various foreign countries. The table includes persons of 15 years of age or over:

CONJUGAL CONDITION OF THE NEGROES OF SANDY SPRING, OF FARMVILLE, AND OF THE POPULATIONS OF VARIOUS FOREIGN COUNTRIES, BY SEX.

[The per cents for Sandy Spring and for Farmville are computed from schedules; those for foreign countries are taken from Mayo-Smith's Statistics and Sociology. The figures for divorced are not shown for the foreign countries. This table does not include any of the 65 persons at Sandy Spring and 75 at Farmville, mentioned on pages 55 and 56, mostly women in domestic service.]

Civil division.	Per cent of males 15 years of age or over.			Per cent of females 15 years of age or over.		
	Single.	Married.	Widowed.	Single.	Married.	Widowed.
Sandy Spring	32.5	61.2	a 3.4	25.1	60.9	b 11.9
Farmville	41.9	50.7	c 4.0	32.1	45.4	d 19.4
France	36.0	56.5	7.5	30.0	55.3	14.7
Germany	40.9	53.7	5.3	36.5	50.8	12.4
Great Britain	39.5	54.9	5.6	37.3	50.9	11.8
Hungary	31.5	63.7	4.7	22.0	62.8	15.0
Ireland	49.3	44.8	5.9	43.5	42.1	14.4
Italy	40.9	53.1	6.0	33.2	53.2	13.6

a Also 2.9 per cent separated.
b Also 2.1 per cent separated.

c Also 3.4 per cent separated.
d Also 3.1 per cent separated.

In the following table the conjugal condition of the Negro population of Sandy Spring is compared with that of the Negroes of Farmville and with that of the entire population of the United States. Only persons of 20 years of age or over are considered:

CONJUGAL CONDITION OF THE NEGROES OF SANDY SPRING, OF FARMVILLE, AND OF THE POPULATION OF THE UNITED STATES, BY SEX.

[The per cents for Sandy Spring and for Farmville are computed from schedules; those for the United States are taken from the United States census of 1890. This table does not include any of the 65 persons at Sandy Spring and 75 at Farmville, mentioned on pages 55 and 56, mostly women in domestic service.]

Civil division.	Per cent of males 20 years of age or over.				Per cent of females 20 years of age or over.			
	Single.	Married.	Widowed.	Divorced.	Single.	Married.	Widowed.	Divorced.
Sandy Spring	15.35	76.72	4.23	a 3.70	14.36	69.31	13.86	a 2.47
Farmville	25.00	65.44	5.15	a 4.41	17.30	55.03	23.90	a 3.77
United States:								
Native whites, native parents.	28.54	66.08	4.74	b.64	13.75	67.88	12.70	b.58
Native whites, foreign parents.	48.82	48.65	2.25	b.28	34.33	58.76	6.02	b.39
Foreign whites.	28.06	65.93	5.51	b.50	15.39	68.05	16.21	b.35
Negroes	25.01	69.02	5.40	b.57	15.71	65.02	18.41	b.86
Total United States	30.95	63.83	4.65	b.57	19.92	66.35	13.19	b.54

a Separated.

b Including unknown.

The contrast between the reports from Farmville and from Sandy Spring as to unmarried males would seem to render it doubtful how far any valid argument for postponement of marriage largely for economic reasons could be based upon the Farmville figures. The

excess of single males between 15 and 30 would certainly seem to show a number of unmarried immigrants in Farmville. Had the enumeration included the female house servants of the town, a like excess of single females between 15 and 30 would have similarly shown a number of female immigrants.

In like manner the low percentage of unmarried males in Sandy Spring seems to point to the fact—for fact it is—of the emigration of young single men from Sandy Spring and also to indicate that the men are disposed to marry early; for if the young unmarried immigrants in Sandy Spring were deducted, the percentage of men between 20 and 30 who were married would rise from 45 to about 65. On the whole, however, the conclusion of the Farmville investigator seems to be true—that marriage is being postponed for some reason. But it is not easy to decide whether this is “largely for economic reasons,” in the sense of economic foresight, or for a reason almost opposed to this view, namely, the ease and cheapness of transportation and the resulting temptation to be on the move. The sensible remark of the writer of the Farmville report is apt for citation here: “It is not intended in this or similar cases to push comparisons too far.”

The State law affecting vital statistics is so recent that it is not yet practicable to get accurate information as to births and deaths. The vital statistics of Sandy Spring as shown in the schedules are very unusual if true, and are evidently not true. The number of births reported for the year 1899 was 32, the number of deaths 11, and the number of deaths during the past five years 82. These figures seem too unsatisfactory for serious consideration. It may be said in general that the health of the Negro population of Sandy Spring seems fairly good, due allowance being made for the tendencies, inherited or acquired, toward tuberculous, syphilitic, and scrofulous troubles. Pneumonia is very fatal to them. This is the conservative medical opinion of the neighborhood.

The number of defective children under 20 was reported as 16, a little over 3 per cent of the entire population under 20. Only 1 inmate of the insane asylum was reported.

The illegitimate children 10 years of age and under are estimated, after careful inquiry, as numbering not less than 53. The total number of children of 10 years and under is reported as being 309. This would give an illegitimate birth rate of between 17 and 18 per cent. This percentage is almost certainly below the actual condition. It is very difficult to estimate the proportion of this illegitimacy that is due apparently to the expectation or promise of subsequent marriage. Several such cases are known to the investigator.

No facts came to the surface during the investigation which indicated an actual miscegenation in progress between the two races.

As to the proportion of mixed blood in the whole Negro population

of the neighborhood, it may be guessed at as being from one-third to two-thirds, though the varying complexions of the natives of Africa themselves must be taken into consideration.

SCHOOLS AND ILLITERACY.

The Sandy Spring Negro children have easy access to 3 schools, of which 2 are within the borders of the community and 1 is a few hundred yards beyond its limits. The buildings are fairly good for their purposes, are owned by the county, and are valued at \$1,650. There were in 1898-99 five teachers for the 3 schools—a male teacher and a female assistant for one, a female teacher and a female assistant for another, and a female teacher for the third school. Two of these schools are considered as successful by those most interested, and the teachers are regarded as fairly well equipped. The school term for 1898-99 was 9 months. The teachers' salaries average about \$25 a month, and the salaries of the assistants about \$20. The total enrollment of these schools for 1898-99 was 391 and the total average attendance was 221—about one-seventh of the average attendance for the county. Of this total enrollment the number of children belonging within Sandy Spring, as reported on the schedules, is 240.

According to these answers, of the 323 (*a*) children in Sandy Spring between 5 and 15 years of age, inclusive, 209, or almost 65 per cent, attended school at some time during the year; and of the 410 (*a*) children between 5 and 20, 240, or 59 per cent, were in school at some time during the year.

The following table shows the school attendance by age and sex:

SCHOOL ATTENDANCE BY AGE AND SEX.

Age.	Males.		Females.	
	Popula- tion.	In school.	Popula- tion.	In school.
5 years	14	2	19	1
6 years	10	2	11	5
7 years	19	12	17	10
8 years	13	8	14	10
9 years	18	10	17	11
10 years	12	10	19	15
11 years	10	9	11	10
12 years	21	17	23	21
13 years	9	8	16	14
14 years	9	7	12	11
15 years	10	7	11	7
Age unknown	2	2	6	.....
Total.....	147	94	176	115
16 years	7	6	11	7
17 years	10	7	7	4
18 years	10	2	9	2
19 years	11	2	6	.....
20 years	4	.....	12	1
Total.....	42	17	45	14
Grand total.....	189	111	221	129

a Including 8 children reported as age unknown.

Making the proper exclusions for comparison with Farmville we get the totals (up to 15 inclusive) for males, 146 and 93; for females, 170 and 111; and the totals (16 to 20 inclusive) for males, 40 and 17; for females, 34 and 12.

Here, again, we have a contrast between the Sandy Spring and the Farmville Negro populations. In Farmville more boys than girls up to 15 (inclusive) attend school, and from 16 to 20 more girls than boys in the proportion of about 3 to 2; whereas in Sandy Spring more girls than boys up to 15 (inclusive) attend school, and from 16 to 20 more boys than girls actually, though about the same number proportionally. This would seem to require for Sandy Spring a reversal of the statement made for Farmville: "As compared with the boys a larger proportion of the girls receive some training above that of the common grades," but for the well-founded doubt whether the statement would even then be true. Of 40 boys between 16 and 20 (inclusive), 17—about three-sevenths—went to school during the winter season of 1898-99 when the farm work was in abeyance, and during the same period, of 34 girls of the same age, 12—somewhat less than three-sevenths—went to school. Of the girls between 16 and 20 omitted here for the sake of this comparison, some went into domestic service in the neighborhood, probably taking the places of their elder sisters who, in turn, may have gone to the cities for the same season.

The table for length of school attendance shows a smaller percentage as compared with Farmville for the full school term, the percentage being 52 for Farmville and 43 for Sandy Spring; but the longer term for Sandy Spring should be taken into consideration. At the end of 6 months—the full Farmville term—the attendance was still 75 per cent for the Sandy Spring schools. The agricultural, as compared with the town life, doubtless accounts for the percentages for the Sandy Spring schools. In the late spring and early fall many children under 15 get some work to do and leave school to do it.

LENGTH OF SCHOOL ATTENDANCE OF CHILDREN FROM 5 TO 15 YEARS OF AGE, BY SEX.

[This table does not include 1 male and 4 females, who were employed as servants.]

School attendance.	Males.	Females.	Total.	Per cent.
Under 3 months	4	8	12	5.88
3 months.....	16	23	39	19.12
6 months.....	30	36	66	32.35
9 months.....	43	44	87	42.65
Total.....	93	111	204	100.00

The following table shows the length of school attendance of young persons from 16 to 20 years of age:

LENGTH OF SCHOOL ATTENDANCE OF YOUNG PERSONS FROM 16 TO 20 YEARS OF AGE,
BY SEX.

[This table does not include 2 females, who were employed as servants.]

School attendance.	Males.	Females.	Total.	Per cent.
3 months.....	5	4	9	31.03
6 months.....	9	4	13	41.88
9 months.....	3	4	7	24.14
Total.....	17	12	29	100.00

Colored school No. 1, (a) district 8, is the continuation as a public school of the school that, with varying fortunes, has been in existence for many years in connection with the Methodist Episcopal Church (near Sandy Spring post-office), the dominant religious organization of the Negro population. This school, in the heart of the neighborhood, is attended almost exclusively by Sandy Spring children, and includes among its pupils probably one-half of all the children who were reported as being at school last year. The attendance is reported on the teacher's roll book as 99, a discrepancy of 5 as compared with the report of the county secretary, but as these 5 were in school less than ten days each they may be disregarded. Of the 94 pupils, 9 or 9.6 per cent were in attendance for one term or less, 19 or 20.2 per cent were in attendance for two terms or less, 28 or 29.8 per cent for three terms or less, and 38 or 40.4 per cent attended for all or part of all four terms.

In the following table the expenditures for these schools are given. The schoolhouses are valued at \$1,650, approximately one-sixth of the value of the colored school property owned by the county, and they received \$1,316.47, approximately one-seventh of the total county expenditure for colored schools, including the part of the State fund for free books allotted to the colored schools of this county:

EXPENDITURE FOR SANDY SPRING SCHOOLS, 1898.

School.	Value of build-ings.	Teachers' salaries.	Free books.	Fuel.	Incidental ex-penses.	Repairs.	Furni-ture.	Insur-ance.	Total.
School 1, district 8.	\$700	\$397.80	\$63.76	\$21.00	\$1.31	\$76.03	.....	\$2.45	\$562.35
School 4, district 8.	900	217.00	10.80	12.50	4.32	55.55	\$8.32	1.05	309.54
School 8, district 5.	650	401.80	21.06	14.50	5.12	.....	.....	2.10	444.58
Total	1,650	1,016.60	95.62	48.00	10.75	131.58	8.32	5.60	1,316.47

The whole expenditure of \$1,316.47 for 221 pupils seems very meager, being a fraction of a cent above \$5.95 per pupil. Of the 221

a In the following discussion of schools and expenditures no omissions for comparison are made.

pupils in attendance, it is a fair estimate that 180 belong within Sandy Spring, which would make the proportion of the total expenditure properly belonging to Sandy Spring \$1,072. The Sandy Spring School (No. 1, district 8) received \$562.35, and on the basis of an average attendance of 94 each pupil of this school cost \$5.98. The cost per pupil for the county at large was \$16.10, and the cost per pupil of all the Negro pupils was \$5.74.

The following table shows the degree of illiteracy by sex and age periods:

LITERATES AND ILLITERATES, BY SEX AND AGE PERIODS.

Sex and age periods.	Able to read and write.	Able to read.	Illiterate.	Not reported.	Total.
MALES.					
10 to 20 years	94	6	10	2	112
21 to 30 years	40	1	10	.....	51
31 to 40 years	35	3	8	.....	46
41 years or over.....	36	8	48	4	96
Age unknown.....	2	1	2	3	8
Total males.....	207	19	78	9	313
FEMALES.					
10 to 20 years	120	4	10	3	137
21 to 30 years	61	2	6	1	70
31 to 40 years	48	4	3	.....	55
41 years or over.....	44	9	42	3	98
Age unknown.....	4	.....	1	5	10
Total females.....	277	19	62	12	370
BOTH SEXES.					
10 to 20 years	214	10	20	5	249
21 to 30 years	101	3	16	1	121
31 to 40 years	83	7	11	.....	101
41 years or over.....	80	17	90	7	194
Age unknown.....	6	1	3	8	18
Total both sexes.....	484	38	140	21	683

Of the 683 people reported in this table, 70.9 per cent could read and write; 5.5 per cent could read but not write; 20.5 per cent reported themselves as wholly illiterate, and 3.1 per cent are not reported.

Making the omissions for comparison with Farmville, we get the following table:

LITERATES AND ILLITERATES, BY SEX AND AGE PERIODS.

[This table does not include 10 males and 52 females employed as servants.]

Sex and age periods.	Able to read and write.	Able to read.	Illiterate.	Not reported.	Total.
MALES.					
10 to 20 years	91	6	10	2	109
21 to 30 years	36	1	10	.....	47
31 to 40 years	34	3	8	.....	45
41 years or over.....	36	8	46	4	94
Age unknown.....	2	1	2	3	8
Total males.....	199	19	76	9	303

LITERATES AND ILLITERATES, BY SEX AND AGE PERIODS—Concluded.

Sex and age periods.	Able to read and write.	Able to read.	Illiterate.	Not reported.	Total.
FEMALES.					
10 to 20 years	102	4	9	3	118
21 to 30 years	47	1	5	1	54
31 to 40 years	41	4	2	.....	47
41 years or over	41	8	37	3	89
Age unknown	4	.....	1	5	10
Total females	235	17	54	12	318
BOTH SEXES.*					
10 to 20 years	193	10	19	5	227
21 to 30 years	83	2	15	1	101
31 to 40 years	75	7	10	.....	92
41 years or over	77	16	83	7	183
Age unknown	6	1	3	8	18
Total both sexes	434	36	130	21	621

The table of illiteracy presents some strong contrasts to the report for Farmville. Of the 621 people reported, 69.9 per cent could read and write, 5.8 per cent could read but not write, and 20.9 per cent reported themselves as wholly illiterate, (a) as compared with 42.5 per cent, 17.5 per cent, and 40 per cent, respectively, for Farmville. The illiteracy of the youth from 10 to 20 years of age is 8.4 per cent, as against 23 per cent for Farmville. Following the division made for Farmville of the population "into four classes—those reared in slavery, those reared in time of war and reconstruction, those reared since 1867, and present youth," instead of being able to "trace the steps of advance by the decreasing amount of illiteracy," we get the varying result of an increasing amount of illiteracy as we come from war time (40 to 31 years) through the next decade (30 to 21 years), 10.9 per cent as against 14.9 per cent, followed by a decrease in illiteracy, 8.4 per cent, for the present generation, though this rate is only 2.5 per cent less than the rate for those reared between 1860 and 1870. The explanation of this variation is probably as follows: Just about one-half of those reporting between 31 and 40, inclusive, are natives of Sandy Spring; of the other half, one-fifth report themselves as of free origin, and of the remaining four-fifths, a large proportion came into Sandy Spring as children. The increasing illiteracy of the next decade seems to come with the increase of immigration. The decrease of illiteracy of the following decade is doubtless due to the public schools.

In Farmville, of those 41 years of age or over, about 1 in 4 was literate; in Sandy Spring, a little more than 1 in 2. Of those in this class native to Sandy Spring, about 3 in 5 could read and write; of the immigrants, about 4 in 9 could read and write. Of the Sandy Spring natives, more men than women were illiterate; among the immigrants, more women than men. It would seem to be true of the younger

a The remaining 3.4 per cent is of those not reported.

generations of Sandy Spring, as of Farmville, that the excess of illiteracy has already shifted from the women to the men, there being 8.1 per cent of females who are illiterate as against 12.8 per cent of males for those between 30 and 10 years of age, and 7.6 per cent of females as against 9.2 per cent of males for those between 20 and 10. There is profound significance in this fact, particularly for mothers. It is believed that for a considerable proportion of those reported in this table the ability to read was extremely limited and the ability to write consisted in making a crude signature.

It must be borne in mind that these statistics of illiteracy are derived entirely from the statements of those directly interested and have not been verified by any test.

OCCUPATIONS AND WAGES.

The occupations in Sandy Spring are those characteristic of a progressive agricultural community near enough to a large city to export thither much of its own products. In addition to milk and cream, many tons of hay are hauled to Washington, many crates of strawberries, many bushels of apples, loads of chickens and eggs and spring vegetables, and during the winter season of 1898-99 one enterprising dairyman exported thousands of pounds of homemade sausage. The statement of these exports suggests the occupations which are to be added to the usual routine of work in a district devoted chiefly to the cultivation of wheat and corn. During the winters, also, there is a good deal of woodcutting.

In the following enumeration of occupations several of the subdivisions of laborers into ditchers, fencers, wood choppers, gardeners, and so on, have been ignored, as none of these occupations are sufficiently distinctive of the lives of those practicing them to take such persons out of the class of day laborers.

The total Negro population above 10 years of age may be divided, according to the usual classification, into the following occupations: Professional (*a*) (including 5 monthly nurses), 12; domestic (including housewives), 228; commercial, 6; agricultural, 190; industrial, 25; not engaged in gainful occupations, 174; not reported, 49.

Following the other classification used in the Farmville report (but without omitting any of the Sandy Spring Negroes), we have those working on their own account, (*a*) 38; laboring class, 249; house service (including housewives), 125; day service, 49; at home, unoccupied, and dependent, 174; not reported, 49.

*a*One person is enumerated twice in this classification.

The following table shows the occupations, by sex and age periods:

OCCUPATIONS, BY SEX AND AGE PERIODS.

Occupations.	10 to 15 years.	16 to 20 years.	21 to 30 years.	31 to 40 years.	41 years or over.	Age unknown.	Total.
MALES.							
Barbers.....					1		1
Blacksmiths.....			3	1	2		6
Bricklayers and stone masons.....				1	1		2
Carpenters.....					2		2
Clergymen.....					a 2		a 2
Coachmen.....			1	2			3
Domestic servants.....				1	2		3
Engine drivers.....				1	2		3
Farm laborers.....	1	26	33	21	24		105
Farmers.....			1	5	13	1	20
Hucksters.....			1		1		2
Laborers.....	3	14	6	9	33		65
Mail carriers.....					1		1
Mail contractors.....					1		1
Merchants (grocers).....			1				1
Millers.....					1		1
Shoe makers and repairers.....					3		3
Shingle makers.....					1		1
Teachers.....				1			1
Waiters.....				1			1
Not reported.....	10	3			1	5	19
At home.....	2	1			4		7
At school.....	54	8				2	64
Total males.....	70	52	46	43	94	8	313
FEMALES.							
Day workers.....	3	13	5	3			24
Day workers and housewives.....			3	9	13		25
Domestic servants.....	4	20	21	13	13	1	72
Housewives.....		3	16	12	16	2	49
Nurses (monthly).....					5		5
Seamstresses and housewives.....			4	3			7
Teachers.....		2	2				4
Washerwomen and housewives.....		1	9	16	25		51
Not reported.....	12	5	7			6	30
At home.....	3		1	1	18		23
At school.....	67	12				1	80
Total females.....	89	56	68	57	90	10	370
Total males and females.....	159	108	114	100	184	18	683

a One counted also among farmers.

In the following table the Negroes of Sandy Spring are compared with the Negroes of Farmville and with the population of the United States as regards the percentage engaged in certain classes of gainful occupations. The table is taken in part from the Farmville study and the omissions necessary for comparison are made in the Sandy Spring lists.

PER CENT OF NEGROES OF SANDY SPRING, OF FARMVILLE, AND OF TOTAL POPULATION OF THE UNITED STATES AT WORK, ENGAGED IN EACH CLASS OF GAINFUL OCCUPATIONS.

[The figures for Sandy Spring and for Farmville are from schedules; those for the United States are from the census of 1890. This table does not include any of the 65 persons at Sandy Spring and 75 at Farmville mentioned on pages 55 and 56, mostly women in domestic service.]

Classes of occupations.	Negroes of Sandy Spring.				Per cent in Farmville.	Per cent in United States.
	Males.	Females.	Total.	Per cent.		
Agriculture.....	181		181	45.48	2.30	39.65
Professional service.....	a 3	9	11	2.76	3.38	4.15
Domestic and personal service.....	6	169	175	43.97	47.31	19.18
Trade and transportation.....	6		6	1.51	7.22	14.63
Manufactures and mechanical industries.....	18	7	25	6.28	39.79	22.39
Total.....	213	185	398	100.00	100.00	100.00

a One counted among farmers.

A brief discussion of these various occupations is of interest.

THE PROFESSIONS.—There are no Negro doctors in the neighborhood, but the training gained by long experience probably entitles the monthly nurses (*a*) to rank as professionals in their semimedical ministrations. One of the two preachers of the neighborhood has a small church and receives a very small salary, about \$50 a year; he is an unlearned man, and his chief business, farming, has caused him to be enumerated among the agriculturists. The other preacher is a man of some education and of great fluency of speech. He has charge of 3 churches, 2 of them within the neighborhood, and is active in the discharge of his duties. Some of the members of his largest congregation describe him as having “done a great work” since he took charge of the church. He is a zealous advocate of the temperance cause, and gives, so far as the investigator knows, a good example in his private and family life to those under his charge. His salary is \$600 a year and a house and lot.

Of the 5 teachers enumerated 4 are women. One of them is principal of the largest and the central school and receives the same salary (\$220) as her husband, who is principal of another school and is also active in politics, being a member of the county committee of his party. One of the other women is principal of the third school. The two others are assistants, and their salaries are about \$180 a year of 9 months.

THE ENTREPRENEURS.—That “the individual undertaker of business enterprise is a new figure among Negroes” is, broadly speaking, true, particularly as applied to commercial life. But it must be borne in mind that the Negro manager or foreman was a familiar figure in the plantation life of the South in antebellum days; that the plantations trained their own blacksmiths, wheelwrights, painters, and carpenters; that the Negro barber has long been almost as familiar as his own red, white, and blue sign pole, and that the Negro cook and restaurant keeper had for generations been frequent, even before the days of the old-time frequenters of Wormley’s Hotel in Washington or of old Tom Griffin’s in Richmond. One of the disastrous effects of freedom upon the Negroes has been that so many of the older ones have failed to pass on to their sons the industrial training which they had themselves received, and which would have been of great value to the younger generation.

The business of barbering is only one of the employments of the Sandy Spring operator, who has no regular shop and who does perhaps more work as a calciminer and whitewasher than as a barber.

^aOne of them, dead at about 91 years of age since this report was begun, has nursed a large part of the white community and was highly respected by them. It is believed that she was the last surviving Negro in this community who had been sold on the block.

Of the 6 blacksmiths, 2 own their own shops. One of these, now well along in life, is somewhat out of the track of trade, and he and his son, having but little work to do in the shop, devote themselves largely to his little farm. The other owner has a business of about \$500 a year, and has bought land and built himself a nice home. One rents his shop and gets a moderate trade, about \$25 a month. The remaining 2 are assistants in different shops—one in his brother's shop, where he receives small wages, eked out by other occupations while work is slack, the other in the leading shop of the neighborhood, where he is constantly employed at about the average wages of a good farm hand. To the observer it appears that the supply of blacksmith shops is greater than the local demand.

Two hucksters take their market wagons to Washington regularly, buying and selling as they go, and importing articles from the city on their own account or on commission. One also farms in a small way. They are both property holders. There is a mail contractor who has secured a short cross-country route, and he has in his employ a regular mail carrier. The mail carrier has owned his home for 20 years.

Of the 3 shoemakers one, who is also a whitewasher and a common carrier as opportunely offers, is a free-born native of Sandy Spring and owns his home. The other two are immigrants and renters. They make indifferent wages. All three were born before 1860.

There is only one Negro merchant in Sandy Spring. He is a young, unmarried native of free parents, is not a property holder, and he pays about \$5 a month rent for his store. This store was built and stocked several years ago by a company composed of Negroes who had, it seems, the right of credits to the extent of their holdings in the shares of the company (or had some such agreement among themselves). In consequence the company was soon self-consumed. The store was then bought in by several members of the company and rented to the present occupant. The business is very small, and is in immediate competition with several merchants of shrewdness and experience, perfectly acquainted with the mercantile needs and possibilities of the community and already in possession of the confidence and habitual trade of all classes. Under such circumstances considerable business capacity as well as sufficient capital would seem to be necessary to insure the successful issue of this mercantile venture, and at the present writing nothing more definite is obtainable than that this entrepreneur is making about the "usual wages," that is, from \$11 to \$15 per month.

There are 7 seamstresses among the women, who report themselves as making from \$4 to \$12 a month. They are all housewives also. One of them is still occasionally employed in white families, and leaves her own house for that purpose; otherwise they work in their homes. They are all under 40 years of age, and 4 of the 7 were born

beyond the limits of Sandy Spring. With the exception of monthly nursing and teaching this is the only employment reported by the women that is not directly connected with the management of domestic affairs. The picking of small fruits in their brief season should also be excepted.

The most important entrepreneurs are found naturally among the farming class. Thirty-one families own lots of from 2 to 4 acres of land; 9 own from 5 to 9 acres; and some 12 own farms of from 10 to 26 acres. In most of these last-mentioned cases the land is of poor quality and was bought at a low rate years ago. Some of the owners, however, are making a good deal more than a mere living. All of these men own one or more horses; indeed a large proportion, possibly two-thirds, of the actual Sandy Spring Negro families own a horse and one or more vehicles. More important still is the small group (5 or 6) of renting farmers who are working some of the average-sized farms (125 to 250 acres) of the neighborhood, either on shares or for a money rent. The largest operator among them pays a money rent of \$200 a year. He owns a large road wagon and a four-horse team and does a good deal of heavy hauling. He employs 2 farm hands regularly and owns and milks about 25 cows, selling the milk in the neighborhood for export. He is 37 years old, can read and write, is a native of Sandy Spring, freeborn in the third generation, has good credit, is of excellent character, and is considered by his neighbors of both races as a man of very sound judgment. A farmer's income and expenditure are difficult to estimate without accurate bookkeeping. It is likely that this man's receipts are not far from \$1,000 a year.

FARM LABORERS.—In addition to the farmers already spoken of, there are 105 farm laborers of various kinds. They have subdivisions of very considerable practical consequence in their work, and yet are hardly so distinguished as to make their differentiation a matter of consequence for this study. The milker, for example, would hardly be put to do the work of the teamster, and yet the same man could and would do the work of both, or turn ditcher, or plowman, or wood chopper, as occasion might require. The wages of the farm laborer vary from the \$3 or \$4 a month received by a boy to \$18 a month for a man doing work of considerable responsibility. The most common rate of wages for the "farm hand" is \$12 a month and house free of rent. Sometimes there are additional allowances, as firewood; or an increase to \$14 or \$15 in money is given and house rent is charged.

The decided tendency is to reduce everything to the money standard, and to recognize the hard fact of the actual relation of employer and employee without any of the old-time kindly condescension or the more recent political toadyism on the part of the whites. In other words, the economic principle is more and more prevailing

in rural Sandy Spring as in urban Farmville, and as it must do through the length and breadth of the country. Up to the present time, the relation between farmer and regular farm hand has been and is fairly satisfactory. The farmers themselves are intelligent men, active managers, and hard workers; they are much of the time (all day long at certain seasons) in the fields with the men, directing and working, thus keeping them up to the standard.

The number of farm laborers is greatly increased during the gathering of the small crops, when women and children go into the strawberry fields, where they make from 50 cents to \$1.25 a day, and during the harvesting and threshing of the larger crops, when gangs of men and older boys go around with the road engines and threshing machines, the wages being from \$0.75 to \$1 a day and board.

TRADES AND INDUSTRIES.—Of the 2 stone masons reporting, one, a man in the fifties, was born a slave in an adjoining county. The other, 36 years old, is a native of Sandy Spring and is free in the second generation. They report wages at from \$2 to \$2.50 per day and no time unemployed during the year—a remarkable record if to be taken literally. The elder man has owned his home for 20 years. The 2 carpenters are both freeborn men; one, over 60 years of age and free in the third generation, is a native of Montgomery County; the other, over 50, is the son of a Sandy Spring freedman, from whom he learned his trade. They reported wages of \$1.25 per day, with considerable time unemployed. They have owned their homes for 45 and 5 years, respectively. These men find most of their work beyond the limits of this neighborhood. The 3 engine drivers enumerated report wages of from \$12 a month to \$1 a day. One of these, over 40 years of age, born a slave in an adjoining county, has had charge of the boiler and engine in a steam flour mill in the neighborhood for 13 years. He is not a property holder and has rented his present home for 11 years. The second, over 50 years of age, born a slave in Montgomery County, is blacksmith as well as engine driver, and has charge from time to time of the traction engines owned in the neighborhood. He has owned his home for 12 years. The third, 38 years of age, a native of Sandy Spring, freeborn in the second generation, manages a traction engine from time to time. He has owned his home for 13 years. The report from two of these men that they have no time unemployed can not refer to their occupations as mechanics. The shingle maker, who is reported here rather than among the common laborers, is over 60, was born a slave in Montgomery County, does not report either his wages or his unemployed time, does not own any property, and rents his home. The miller has charge of a small grist and saw mill, driven by water power, when he is not otherwise occupied as a farm hand. He is 75 years old, freeborn in the second generation, a native of Montgomery County, is not a property owner,

receives the usual farm wages, and has his house rent free. It is to be noted that only 2 of these 9 men were born since 1860; not one since 1865. With the exception of a youth who is learning the blacksmith's trade, (a) there is not, so far as could be learned, a single regular apprentice under 21 years of age learning any of the trades or industries among the young Negroes of Sandy Spring.

CLERICAL WORK.—Beyond a little bookkeeping done by the former or present teachers, there is no clerical work done by the Negroes of Sandy Spring, so far as the investigator has ascertained.

COMMON LABORERS.—The 65 common laborers do almost anything that comes to hand about the yards, gardens, barnyards, and farms of the neighborhood. They earn from 40 to 75 cents or a dollar a day, with or without board, as the case may be. Some of the men classed as "day hands" have a horse and vehicle and are trying to build up trade as carriers. The thrifty and industrious ones probably get along about as well as the average farm hand, except for the painful element of uncertainty, and this uncertainty is much relieved in the case of most of them by the work done by their wives as cooks, seamstresses, or washers.

DOMESTIC SERVICE.—Three men and 72 women appear on the schedules as engaged in domestic service, and there is much domestic work done by the common-laborer class in addition. The wages range from "victuals and clothes" and lodging (in two cases) to \$10 a month. The usual wages for a young nurse girl is from \$1.50 to \$4 a month, generally \$3; for a housemaid, from \$4 to \$7, generally \$6; for a cook, from \$6 to \$10, generally \$7 or \$8. In the summer, when boarders are taken, these wages rise considerably. It is noteworthy that these wages are 50 per cent higher than the wages for like service in Farmville. In the cases of many of the girls and younger women domestic service here is a conscious training under the excellent management of the thrifty and energetic Sandy Spring housekeepers for the larger wages and more exciting life of the cities, and there is in consequence a perennial emigration of such servants to Washington, Baltimore, and the cities farther north. Another consequence is the dissatisfaction of the Sandy Spring employers at seeing themselves lose the fruits of their training and obliged to put up with much incompetent or untrained service. In addition to much incompetence, there are also much carelessness and impudence on the part of the younger servants, and a degree of restlessness not known until recent years and very disconcerting to the plans and reasonable expectations of the housekeepers. Shortness of temper on both sides naturally results. So far from despising the household work, as the Farmville dames are said to do, thus setting a bad example to their servants, the Sandy Spring

a He was omitted, by some mischance, in the enumeration.

housewives can, as a rule, do everything about a house, and they train their daughters up in the same excellent way. The effect upon the domestic servants is that many of them develop into rapid workers under the eye of the mistress of the household; but, in spite of the example given them, they do not seem, in any large proportion at least, to learn to honor the work they have chosen to the extent of doing it from a sense of duty, promptly and thoroughly, nor to refrain from the very human desire to do something else more agreeable and less confining. The wages they receive are not poor, other things being considered, as wages go in this country. But, whether in high or low estate, work in which one takes neither interest nor pride is a bore and is generally shirked unless done from a sense of duty. Hence it comes to pass that a poll of the Sandy Spring white homes at any given time would show several in which the servant or servants, in the presence of illness in the family or of guests expected or already arrived, had left without notice or were about to leave without reason and without any immediate prospect on the part of the mistresses of the households of the unexpected vacancies being filled. Doubtless there is often fault on both sides, and what has been said must not be taken in too sweeping a sense. The disgust that results from this state of affairs is intensified by the element of race. Perhaps this should not be so, but, human nature not being very logical, the fact remains that it is so.

There is a small group of women, several of them originally slaves, most of them born and trained before 1865, who are as shining jewels in the housekeepers' eyes; but only a few of them go into regular monthly domestic service, and their wages by the day are at the rate of about \$25 a month. They are in constant demand.

The number of illegitimate children signalizes another source of deep irritation between servants and mistresses in homes so chastely ordered as are those of Sandy Spring.

Much more might be said on this vexed and vexing subject, but further discussion would probably have much the effect of a railing at the imperfections of human nature as exemplified in the Sandy Spring house servants, the shortcomings of their employers not now being under discussion. From what has been said it may easily be seen that there exists a very dissatisfied state of mind on the part of the women of the two races with one another. And, as has already been noted, domestic service is, economically speaking, one of the two sources of the growing race alienation, the other being political—the one affecting primarily the women, the other affecting primarily the men.

There is in Sandy Spring very little of domestic service among the Negroes themselves. In a very few families there are children, orphans or relatives, who make some return for board and lodging

and the opportunity of schooling by doing chores, and in some families older girls or young women have their homes and look after house and children while the mothers are at work as breadwinners. Occasional domestic help is paid for as any other service would be, unless rendered out of neighborly regard. But whatever may be true of Farmville, it would be fanciful to speak of any system of domestic work among the Negroes of Sandy Spring as being "like that in New England or in parts of Germany to-day."

Among those classed as "domestic" in the summary of classifications are 49 housewives who do not, as a rule, go out from their homes to work.

DAY SERVICE.—Twenty-four single women and 76 housewives go out for day work or take family washing into their homes. In the majority of these cases the service is periodical, one worker often having two or more places at which she regularly does the washing or helps in the house cleaning. The usual rate is 50 cents a day; for special work, 75 cents a day—board being given in both cases. Those who take in washing at home make from \$4 to \$9 a month of 4 weeks. In the summer season some of these women make from \$3 to \$5 a week washing for the summer boarders.

THE UNEMPLOYED.—During the winter some of the farmers employ fewer hands than they do in the growing and harvesting months, and many housekeepers also employ fewer domestic servants in the winter than in the summer. This change in the demand for labor throws a certain number of workers of both sexes out of employment for the time being. Among the younger males some go to school for a few months. Some of the women go to the cities for the winter and return to the neighborhood in the late spring or early summer. But the demand for good workers is, on the whole, very constant, and there are very few of either sex who can not get work if they desire it. It is perhaps too strong a statement to say that there are regular and recognized loafers among the Negro men, but there are those who work as little as may be and for as short a time at any one place as is possible. The same thing is true of some of the women, particularly of some of the younger ones.

Of the criminal aspects of the Sandy Spring Negroes it is difficult to speak with any exactness, except to say that there is not much overt crime. There is believed to be a good deal of drinking and gambling. Some pilfering goes on. A number of the younger men get fair wages, have few expenses, and do not acquire property. Some of the younger women are unmarried mothers without employment and wear "good" clothes. But it is manifestly unjust to impute criminal intent to things which may not in themselves have passed

from weakness to wickedness. (a) The neighborhood is not free from the shadow of graver offenses against law. In 1899 1 Negro youth was sent to the house of correction for assault; 2 men are serving a term in the penitentiary for implication in a murder committed some years ago; 1 is a fugitive as the result of attempted burglary, and 2 ex-convicts are in or belong in the neighborhood.

MOVEMENT OF LABOR.

No omissions for comparison have been made in the discussion under this head. In the four following tables an attempt is made to show the movement of labor, as it may be called, and they are based upon the eighteenth, nineteenth, twentieth, and tenth (b) questions. The tables must be taken with many grains of allowance. The answers to the tenth question were facts of easy memory, and ordinarily the personal equation did not enter into them to any disturbing degree. But when the three other questions were reached, they were found to involve a sudden and often condemnatory appeal to the bar of conscience as well as of memory. In many instances the twentieth question was an added exasperation to the other two, and in many it was the source of comfortable self-gratulation. There was probably no intention of deliberate deception, but there was certainly a good deal of dodging the issue.

The few persons engaged in the professions and in trade and mechanical occupations have been omitted from consideration.

The first great class consists of those engaged in agriculture in some way. They were asked to state the number of places at which they had worked during the current year, whether one, two, or three or more; the number of places at which they had worked during the past 5 years, and whether in the past they had worked anywhere for as much as or more than 5 years consecutively. Strictly speaking, perhaps, many of the answers to the last question should be excluded as not pertaining entirely to the Sandy Spring community; but they are

a One young mother of a large family expressed her determination to keep her girls at home for their training instead of letting them go out into domestic service. Another mother of an older generation, commenting on this statement, said that all mothers felt the same way, but that to carry out this feeling was not possible for people in their situation and that the younger mother would change after a while. The older woman intimated plainly that a strong reason for the feeling was their fear for their daughters when away from home and home restraint. The concubinage they fear is not, however, the concubinage apparently meant in the Farmville report (p. 21), but concubinage from their own race. See also this report, pp. 64 and 65.

b See Schedule, p. 55.

given as of significance for the general aim of the questions, the movement of labor as shown in Sandy Spring laborers.

Of the 190 agricultural laborers, 112 reported themselves as having worked at only one place during the year; 14 as having worked at two places; 22 as having worked at three or more places ("several")—148 in all, and 42 were not reported. Sixty-four reported that they had worked at one place during the past 5 years, 27 at two places, and 40 at three or more places—131 in all. Thirty-one reported that they had worked at the same place for as much as 5 years consecutively in the past and 55 that they had worked at the same place for more than 5 years—86 in all.

The following table distributes these statistics by two general age periods among the farmers working for themselves, the farm hands, and the common laborers:

OCCUPATIONS BY LENGTH OF LOCAL SERVICE OF MALE AGRICULTURAL LABORERS.

Occupations and ages.	Places worked at during current year.					Places worked at during past 5 years.			Worked at same place for 5 years or over.	
	One.	Two.	Three or more.	Not reported.	Total.	One.	Two.	Three or more.	Five years.	Over 5 years.
Farmers:										
10 to 40 years.....	5	.....	.....	1	6	3	1	.....	2	3
41 years or over.....	12	.....	.....	2	14	11	1	.....	1	11
Farm hands:										
10 to 40 years.....	56	5	10	10	81	25	13	25	13	20
41 years or over.....	20	1	3	.....	24	14	4	4	5	15
Common laborers:										
10 to 40 years.....	7	4	5	16	32	3	5	5	3	2
41 years or over.....	12	4	4	13	33	8	3	6	7	4
Total.....	112	14	22	42	190	64	27	40	31	55

In the 112 reporting as having been at but one place during the year are included 17 out of 20 farmers on their own account, or 85 per cent, as was to be expected; 76 out of 105 farm hands, or 72 per cent, and 19 out of 65 common laborers, or 29 per cent. Five farm hands under 41 and only one farm hand over 41 had worked at two places. Eight common laborers reported as working at two places. This probably means, as in the case of the answers of the 19 laborers already cited, that they had two places for regular labor in addition to many other jobs. One of these men, for example, has been for years doing a part of the gardening at the same place.

Thirteen farm hands, 10 under 41 and 3 41 or over, and 9 common laborers report as working at 3 or more places during the year. Of the 42 not reporting 3 are farmers on their own account. One of these, over 41, had just moved to his present location, and the farmer

under 41 was just about to take charge of one of the well-known farms in the neighborhood. Only 10 farm hands, all under 41, out of 105 failed to report. Most of them are youths or young men not yet settled. The larger proportion of those not reporting, 29 out of 42, are day-laborers, and most of these are quite young or quite old.

The element of time enters largely into the constitution of the next block of this table. Of the 20 farmers 16 report. Fourteen of them have been at the same place for 5 years and 2 report having changed places once during that time. Of the 105 farm laborers 85 report. Thirty-nine of these have been at the same place for 5 years, 17 have been at 2 places, and 29 have worked at 3 or more places within that time. Of the 65 common laborers 30 report. Of these, 11 have worked at the same place (among others) during 5 years, 8 have worked at 2 (regular) places, and 11 have worked at 3 or more places.

Age is a still more important factor in the next group, in which some of the periods may have been served outside of Sandy Spring. Seventeen of 20 farmers report. Three of these worked at the same place for as much as 5 years, and 14 remained at the same place longer than that. Fifty-three of 105 farm laborers report. Of these, 18 worked at the same place for as much as 5 years and 35 worked at the same place for more than 5 years. One of these men has been on the same farm with the same farmer for 31 years, and another one has been on another farm with father and son for 33 years. Such facts speak well for farmer and farm hand. Of 65 day laborers 16 report. Of these, 10 worked at the same place for 5 years and 6 worked at the same place for more than 5 years.

This table makes a good showing for the agricultural labor of the community.

The next two tables deal with the domestic and personal labor of the women, the very few Negro men engaged in the work being omitted, as are also the women teachers, nurses, and seamstresses.

Of the 221 women reporting 109 have been at the same place during the year, 22 have been at 2 places, 26 have been in 3 or more places—157 in all, and 64 do not report.

Twenty-nine report that they have worked at 1 place during the past 5 years, 22 that they worked at 2 places, and 40 that they were at 3 or more places during that time; 91 in all.

Eleven report that they have worked for as much as 5 years at the same place, and 18 that they have worked more than 5 years at the same place.

Distributing this enumeration by two age periods and by classifications we get the following table:

OCCUPATIONS BY LENGTH OF LOCAL SERVICE OF FEMALES IN DOMESTIC AND PERSONAL SERVICE.

Occupations and ages.	Places worked at during current year.					Places worked at during past 5 years.			Worked at same place for 5 years or over.	
	One.	Two.	Three or more.	Not reported.	Total.	One.	Two.	Three or more.	Five years.	Over 5 years.
Housewives:										
18 to 40 years.....	31				31					
41 years or over.....	18				18					
Day workers:										
Under 40 years.....			2	22	24					
Day workers and housewives:										
10 to 40 years.....	8		3	2	13	4	2	3		2
41 years or over.....	3	1	5	3	12	3		5	4	3
Washerwomen and housewives:										
10 to 40 years.....	4	7	5	10	26	2	4	6	2	1
41 years or over.....	8	3	3	11	25	3	3	4		4
Domestic servants:										
10 to 40 years.....	29	9	6	15	59	13	11	18	4	4
41 years or over.....	8	2	2	1	13	4	2	4	1	4
Total.....	109	22	26	64	221	29	22	40	11	18

In the 109 reporting as having been at but one place during the year are included 49 housewives, who worked only for their families. Deducting this number, we have 60 reporting for one place during the year. Of these 60 women there were 11 out of 25 day workers and housewives, or 44 per cent; 12 out of 51 washerwomen and housewives, or about 24 per cent, and 37 out of 72 domestic servants, or 51 per cent.

One day worker and housewife, 10 washerwomen and housewives, and 11 domestic servants report as working at 2 places during the year. Two day workers out of 24, 8 day workers and housewives, 8 washerwomen and housewives, and 8 domestics report as working at 3 or more places. Of the 64 not reporting, 22 are day workers, young unmarried women; 5 are day workers and housewives, 21 are washerwomen and housewives, and 16 are domestic servants.

For the 5-year period we have reports from 17 of the 25 day workers and housewives. Seven of these were at 1 place during the past 5 years, 2 were at 2 places, and 8 were at 3 or more places. Of 51 washerwomen and housewives, 5 were at 1 place during the past 5 years, 7 were at 2 places, and 10 were at 3 or more places. Of 72 domestic servants, 17 were at 1 place during the past 5 years, 13 were at 2 places, and 22 were at 3 or more places. Not a single day worker is reported for this period.

For the third group, in which age enters so materially, 4 of the 25 day workers and housewives report that they have worked at the same place for as much as 5 years, and 5 report that they have worked at

the same place for more than 5 years. Of the 51 washerwomen, 2 report that they have worked at the same place for 5 years, and 5 that they have done likewise for a longer period. Of the 72 domestic servants, 5 report that they have worked at the same place for 5 years, and 8 for more than 5 years.

At the risk of being wearisome, and in order to make this matter still clearer, as its importance demands, the 49 housewives remaining at home are omitted, and the remaining 172 women are distributed by age periods and classification in the following table. It is fair to bear in mind that the withdrawal from the report of the housewives, a number of whom were married within a few years, naturally reduces the possible numbers for the second and third blocks of the table. But the table aims to give the facts of domestic service as they now exist, not as they were. This further elaboration gives us the following table, in which is set forth the movement of the largest single group in the Sandy Spring domestic service, the cooks:

OCCUPATIONS BY LENGTH OF LOCAL SERVICE AND AGE PERIODS OF FEMALES IN DOMESTIC AND PERSONAL SERVICE.

Occupations and ages.	Places worked at during current year.					Places worked at during past 5 years.			Worked at same place 5 years or over.	
	One.	Two.	Three or more.	Not reported.	Total.	One.	Two.	Three or more.	Five years.	Over 5 years.
Day workers:										
Under 40 years.....			2	22	24					
Day workers and housewives:										
10 to 20 years.....										
21 to 30 years.....	1		1	1	3			2		
31 to 40 years.....	7		2	1	10	4	2	1		
41 years or over.....	3	1	5	3	12	3		5	4	2
Washerwomen and housewives:										
10 to 20 years.....	1				1		1			
21 to 30 years.....	1	5		3	9	1	3	3	1	
31 to 40 years.....	2	2	5	7	16	1		3	1	1
41 years or over.....	8	3	3	11	25	3	3	4		4
Domestics—housemaids:										
10 to 20 years.....	3	3	1	4	11	2	2	1		
21 to 30 years.....	1			2	3	1	1		2	
31 to 40 years.....	2				2	1	1	1		
41 years or over.....	1				1	1				1
Domestics—cooks:										
10 to 20 years.....	6	2	1	5	14	1		5		
21 to 30 years.....	10	3	3	2	18	5	3	8	1	1
31 to 40 years.....	7	1	1	2	11	3	4	3	1	3
41 years or over.....	7	2	2	1	12	3	2	4	1	3
Total.....	60	22	26	64	172	29	22	40	11	18

In looking at this table we see that if we consider only women under 31 years old, only 23 worked at but one place during the year, that 13 changed places at least once, that 8 changed places two or more times, and that 39 did not report at all.

If we compare the distinctively domestic group in this table with the farm hands, we find that out of 59 house servants under 41, 29, or 49 per cent, remained at the same place during the year, as against 69 per cent of farm hands under 41, and out of 13 domestics over 41, 8, or 62

per cent, were at one place only, as against 83 per cent of farm hands over 41. Eleven domestics changed places once, as against 6 farm hands; 8 domestics as against 13 farm hands changed places more than once, and 16 domestics as against 10 farm hands did not report.

More particularly still, we learn that during the year, of 43 cooks under 41, 23, or 53 per cent, stayed at one place, as against 69 per cent of farm hands under 41, and that of 12 cooks over 41, 7, or 58 per cent, remained at one place, as against a percentage of 83 for farm hands of like age. Six cooks under 41 and 2 over that age out of 55 changed places once, as against 5 farm hands under 41 and 1 over that age out of 105; 7 cooks out of 55, as against 13 farm hands out of 105 changed places more than once—about the same proportion, and 10 cooks out of 55, as against 10 farm hands out of 105 did not report.

For the 5-year period 12 out of 55 cooks remained at one place, as against 39 out of 105 farm hands; 9 cooks and 17 farm hands had worked at two places during that time, and 20 cooks out of 55, as against 29 farm hands out of 105, had worked at three or more places.

Three cooks out of 55 reported having worked as long as 5 years at the same place, and 7 cooks reported a longer period, as compared with 18 farm hands out of 105 reporting a 5-year period and 35 a longer period—18 per cent of the cooks having worked at the same place for 5 or more years, as compared with 50 per cent of the farm hands, almost 3 to 1 in favor of the farm hands.

Attention was called in the beginning of the discussion of these tables to the need for caution in accepting the results, and later on to the probable difference of result had the present married housewives given in their records as cooks and housemaids. But making these allowances, the disparity between the male and female Negro workers of Sandy Spring in the matter of permanence of place, and presumably of steadiness of purpose, is very striking. It is true that the men are becoming more and more unwilling for their wives to go out to work, as is shown in the case of the 49 housewives, and probably also in the case of a number of day workers and housewives who would otherwise be house servants instead of workers by the day; and it is true also that some of the mothers, perhaps many of them, are unwilling for their daughters to go into domestic service, as has been mentioned. But this explanation does not reach very far, and the fact remains of the exceeding restlessness of the Negro women, particularly of the younger ones, and of the resultant constant friction with the women of the white race.

What of the future of a recently barbarous race, whose younger women seem so little disposed to steady employment and to home staying and home making, if, as is thought, the home is the true unit of civilized society? It is difficult to foretell the future, and the inves-

tigator will only add that the future of the Negro race would seem to be more in danger from a certain general looseness of the younger generations of the women than from lawlessness of the younger generations of the men.

As further illustrative of this subject, the following table, compiled from answers to the tenth question, is appended:

LENGTH OF PRESENT RESIDENCE, BY FAMILIES.

Length of residence.	Owners.	Renters.	Farm tenants.	Domestics.	Tenure not reported.	Total.
Under 1 month		1		3	1	5
Under 2 months		1		3		4
2 to 4 months			1	5		6
4 to 6 months	1	2	2	3		8
6 to 8 months				3		3
8 to 12 months	1		2	2		5
1 to 2 years	1	7	5	10		23
2 years	3	10	15	9	2	39
3 years	3	5	1	4		13
4 years	7	3	4			14
5 to 10 years	7	19	8	4		38
10 to 20 years	10	2	5			17
20 years or over	30		1	3	2	33
Not reported		4		8	1	13
Total	63	54	44	57	6	224

This table is composed of economic families. As was to be expected in this community, the column of owners shows that about half of the families have lived in their present homes for 20 years or more; as a matter of fact, a number of families have been living in the same house for two generations or more.^(a) The column for farm tenants does not at all show the real length of service of the farm hands, some of whom have become owners while remaining farm hands. The column for domestics differs greatly from the others. More than half the domestics are enumerated before the two-year limit is reached. Nine are reported as having remained at one place for 2 years, 4 for 3 years, none for 4 years, 4 for between 5 and 10 years, none for between 10 and 20 years. Of the 3 reported for over 20 years, 2 are practically pensioners. One of them, a woman over 92 (the oldest Negro reported), has been in the home of her present employer for 27 years; the other, a mental wreck of 70, has been cared for by his present employer for 35 years. This brief history of these two old Negroes is in strong contrast to the economic history set forth by the figures of the upper part of this same column.

ECONOMICS OF THE FAMILY.

In the enumeration of the families the attempt has been made to carry out the schedule suggested and partly carried out for the

^aIn a number of cases it is the wife who is the real owner, by purchase or inheritance. This fact did not appear during the early part of the investigation.

Farmville Negro families according to three conceptions of the word "family," viz:

1. The possible family, i. e., the parents and all children ever born to them living.

2. The real family, i. e., the parents and all children living at present.

3. The economic family, i. e., all persons, related and unrelated, living in one house under conditions of family life.

There have been some practical difficulties in the way of an altogether pleasing realization of getting and keeping the "possible" families straight—as, for example, when it was found that the heads of a real family had been married two or three times. Another difficulty was of a nature exactly opposite. When small boarding members of a family were traced to their real maternal source the discovery was sometimes made that the possible family did not have now and had never had visible heads enough. In cases of second marriage the children of the first wife born living were not always known and given; and also where the wife and mother was dead the number of children born living was sometimes not given. The same difficulties affect in some degree the statistics for the real families. The figures for both are given in the hope that some real profit may result.

The writer does not venture upon the interesting subject of the ratio of increase of the Negro population from the statistics here presented, except to say that it would naturally seem that the figures for the real families should show most truly the real condition for any given town or country neighborhood, as for the country at large. In the same way the economic family should certainly show the economic condition, approximately. If the people are living under normal conditions the real family and the economic family should approximate closely. If the conditions are abnormal, or if the set of people in question are changing their manner of life, then the real family and the economic family should, by their lack of approximation, show the divergence from the normal standard. The facts for the Sandy Spring families are given, as well as they could be ascertained, in the following table.

The large number of economic families of one member is the result of including the immigrant house servants and those house servants not really identified at the present time with their own families; and it may be that this list should be diminished by about 14 of these last-mentioned persons. The investigator had to make the choice of statistical evils.

The resulting average of persons per economic family seems to be too low, though that the average would probably not be high is indicated by the number of absentees. The Sandy Spring families report 185 children absent from the neighborhood. These children range in age from infants to middle-aged men and women.

NUMBER OF SANDY SPRING NEGRO FAMILIES, BY SIZE.

Size of family.	The possible family.		The real family.		The economic family.	
	Families.	Persons.	Families.	Persons.	Families.	Persons.
1 member	9	9	19	19	63	63
2 members	23	46	22	44	23	46
3 members	19	57	29	87	21	63
4 members	22	88	17	68	17	68
5 members	10	50	20	100	23	115
6 members	14	84	18	108	26	156
7 members	15	105	16	112	14	98
8 members	16	128	20	160	9	72
9 members	11	99	11	99	15	135
10 members	12	120	11	110	5	50
11 members	15	165	10	110	5	55
12 members	7	84	6	72	1	12
13 members	12	156	1	13	1	13
14 members	8	112	1	14	1	14
15 members	4	60	2	30	.....	.....
16 members	4	64	.....	.....	.....	.....
17 members	2	34	.....	.....	.....	.....
18 members	1	18	.....	.....	.....	.....
20 members	1	20	.....	.....	.....	.....
Total.....	205	1,499	203	1,146	224	900
Average .....	.....	7.31	.....	5.65	.....	4.29

In the next table due omissions have been made to conform to the Farmville standard for purposes of comparison. The 65 persons omitted from the list of economic families constitute 54 families of 1 member, 4 families of 2 members, 1 family of 3 members, 59 families in all. It is not practicable to make the same clear omissions for either the real families or the possible families. In these families the excluded house servants belong, just as they would were they in Baltimore or New York, and were counted as absent members, unless by the exclusion of the single member or the two members, as the case may be, the whole family is put beyond the pale of Sandy Spring. Thus two childless couples and several single women having one child outside of Sandy Spring disappear from the table entirely by their omission from the economic list; but quite a large number belong in some way to Sandy Spring real family life after exclusion from the economic list, and must be included in the table.

NUMBER OF SANDY SPRING NEGRO FAMILIES, BY SIZE.

[The economic families shown in this table do not include 65 persons, mostly women in domestic service. The figures for the possible and the real families are explained in the text preceding the table.]

Size of family.	The possible family.		The real family.		The economic family.	
	Families.	Persons.	Families.	Persons.	Families.	Persons.
1 member	8	8	7	7	9	9
2 members	14	28	17	34	19	38
3 members	14	42	24	72	20	60
4 members	20	80	17	68	17	68
5 members	9	45	20	100	23	115
6 members	13	78	18	108	26	156
7 members	14	98	16	112	14	98
8 members	15	120	20	160	9	72
9 members	11	99	11	99	15	135
10 members	12	120	11	110	5	50
11 members	15	165	10	110	5	55

NUMBER OF SANDY SPRING NEGRO FAMILIES, BY SIZE—Concluded.

Size of family.	The possible family.		The real family.		The economic family.	
	Families.	Persons.	Families.	Persons.	Families.	Persons.
12 members	7	84	6	72	1	12
13 members	12	156	1	13	1	13
14 members	8	112	1	14	1	14
15 members	4	60	2	30		
16 members	4	64				
17 members	2	34				
18 members	1	18				
20 members	1	20				
Total	184	1,431	181	1,109	165	895
Average		7.78		6.13		5.42

The number of economic families of 2, 3, 4, and 5 persons is in marked contrast with the Farmville report, which is reproduced below.

NUMBER OF FARMVILLE NEGRO FAMILIES, BY SIZE.

Size of family.	The possible family.		The real family.		The economic family.	
	Families.	Persons.	Families.	Persons.	Families.	Persons.
1 member					13	13
2 members	1	2	42	84	52	104
3 members	2	6	39	117	34	102
4 members	1	4	48	192	48	192
5 members	1	5	33	165	31	155
6 members	1	6	25	150	26	156
7 members			16	112	19	133
8 members			19	152	16	128
9 members			11	99	11	99
10 members	1	10	7	70	5	50
11 members	4	44	5	55	7	77
12 members	1	12				
13 members	3	39	2	26		
14 members			1	14		
15 members	1	15				
16 members	1	16				
17 members			1	17		
21 members	1	21				
25 members	1	25				
Total	19	205	249	1,253	262	1,209
Average		10.79		5.03		4.61

^aNot including 16 brickyard laborers, etc., who might be counted in families, but who have preferably been called "floating," so as not to disturb the economic statistics.

Out of 165 economic families Sandy Spring has 79, or 48 per cent, of from 2 to 5 members; while the Farmville report shows 165 out of 262, or 63 per cent. Just as there are fewer of the smaller families, so there are more, relatively, of the larger economic families in Sandy Spring than in Farmville—37 economic families of between 8 and 14 persons, inclusive, in Sandy Spring, as against 39 in Farmville; and there are more, absolutely, of the larger real families—62 in Sandy Spring of between 8 and 15 persons, as against 46 in Farmville of between 8 and 17 persons. The average number of members for both economic and real families is higher in Sandy Spring than in Farmville, probably the effect of rural as opposed to urban conditions of life.

The following table gives the percentages of Negro families, by size, for Sandy Spring and Farmville, and of families for the country at large:

PER CENT OF NEGRO FAMILIES OF SANDY SPRING AND OF FARMVILLE AND OF TOTAL FAMILIES OF THE UNITED STATES AND OF THE NORTH ATLANTIC STATES IN EACH GROUP, BY SIZE OF FAMILY.

[The figures for Sandy Spring and for Farmville are from schedules; those for the United States are from the census of 1890.]

Size of family.	Negroes of Sandy Spring.	Negroes of Farmville.	United States.	North Atlantic States.
1 member	5.45	4.96	3.63	3.23
2 to 6 members	63.64	72.90	73.33	78.05
7 to 10 members	26.06	19.47	20.97	17.00
11 members or over.....	4.85	2.67	2.07	1.72

As compared with Farmville and the North Atlantic States, this table does not indicate that Negro families are diminishing in size in so far as Sandy Spring is concerned. The basis for inference is very small.

There is another tabulation possible for these families that gives a very different result from that set forth in the preceding table.

If we revert to the original table for Sandy Spring Negro families, by size (p. 87), and if we assume that the "75 servants, mostly young women," and the "16 brickyard laborers" are to be added to the similar Farmville table, instead of being excluded from it, we shall get percentages that would be disconcerting if we attempted to compare them with the percentages for a part or the whole of the United States.

The table would then read as follows:

PER CENT OF FAMILIES OF SANDY SPRING AND FARMVILLE, BY SIZE.

Size of family.	Negroes of Sandy Spring.	Negroes of Farmville.
1 member.....	28.12	29.46
2 to 6 members	49.11	54.11
7 to 10 members	19.20	14.45
11 members or over.....	3.57	1.98

In this table we are dealing with 960 persons and 63 families of one member and a total of 224 families for Sandy Spring, and with 1,300 persons and 104 families of one member and a total of 353 families for Farmville. In this table, also, the excess of large families for Sandy Spring is to be noted.

There is doubtless good ground for a difference of opinion as to whether these individual domestic-servant families should be included in an enumeration like this or be excluded from it. The present investigator does not see that he is at liberty to go behind the existent facts of the community life as he finds them in the case of the Sandy Spring neighborhood. These individual domestic-servant Negro families are

here living and working as individuals and not in any other way. Many of them are supporting families of one, two, or more children, either in Sandy Spring or elsewhere. Why should they not be enumerated as members of the economic life in which they are found and to which they contribute? The children supported are counted as members of the economic families with whom they may happen to live, and children and mothers are counted together as members of the real families they constitute. Furthermore, Sandy Spring, like Farmville, is to some extent a point of concentration for population, a semiurban way station on the disrupting march of the Negroes from rural to urban life—from the country to Philadelphia, New York, Chicago. This movement affects particularly the domestic-service phase of Negro life. It seems to the writer that this movement should be emphasized wherever its effects become marked and characteristic, for it is a normal part of the Negro problem of the country.

In this connection it is pertinent to remember that employment agencies in the large Northern cities advertise for a thousand colored cooks or housemaids at a time, and that these advertisements are answered in person by hundreds and thousands of young Negro women, who are consequently distributed as members of the economic life of those cities. Are they to be omitted in a study of the Negro population of those cities? (*a*) The very fact of their emigration and distribution shows a progressive disruption of Negro family life on a great scale. It may, indeed, be fairly doubted whether our former system of slavery—after the slaves had once reached this country—ever could have produced among the Negroes so great a dislocation in so short a time as is now voluntarily going on. This fact is of deep interest for the future of the Negro race, and it is of deep interest also as suggesting what would have been, under economic pressure, the probable fate of Negro slavery several generations ago had the New England States not “logrolled” and voted with South Carolina and Georgia in the convention of 1787 to postpone the prohibition of the slave trade until 1808, instead of uniting with Virginia and North Carolina to stop it at once. That vote fastened the system of slavery upon the country.

The houses occupied by the Negro families of Sandy Spring contain from 2 to 9 rooms, the greater number having 4 or 5 rooms. The following table shows the distribution of the families in these dwellings:

a Cf. The Philadelphia Negro, by W. E. B. DuBois, Publications of the University of Pennsylvania, 1899, pp. 427-509.

FAMILIES, BY SIZE OF FAMILY, AND NUMBER OF ROOMS TO A DWELLING.

Size of family.	Families occupying dwellings of—									Total.
	2 rooms.	3 rooms.	4 rooms.	5 rooms.	6 rooms.	7 rooms.	8 rooms.	9 rooms.	Rooms not reported.	
1 member	5		3	1						9
2 members	3	2	8	2	3					19
3 members	1	1	9	3	3			1		20
4 members	1	1	5	6	2	1				17
5 members	2	1	11	1	3	1	1			23
6 members	3	3	14	2	3			1		26
7 members	1	2	7	1	2				1	14
8 members	1	2	3	1			1		1	9
9 members	1		10		1	1	1	1		15
10 members			4	1						5
11 members			3	1	1					5
12 members				1						1
13 members			1							1
14 members									1	1
Total families	18	12	78	20	18	3	3	3	10	165
Rooms	36	36	312	100	108	21	24	27		a 664

a Not including rooms occupied by 10 families not reported.

Nearly all the two-room houses and a large proportion of the three, four, and five room houses are log buildings, in many cases with frame work in addition. Probably the majority of the four-room houses are frame buildings. The houses are, on the whole, good; the rooms are of fair size; many of the rooms are carpeted and adorned with prints and pictures on the walls, and they are usually heated by stoves, in some cases coal being the fuel. Some of the houses are overcrowded. Nearly all have gardens attached.

One hundred and sixty-five families live in these houses, the other 59 economic families being provided for in the buildings of the whites. Of these 165 families 10.9 per cent occupy two-room homes; 7.3 per cent, three-room homes; 47.3 per cent, four-room homes; 12.1 per cent, five-room homes; 10.9 per cent, six-room homes; 5.4 per cent, homes of seven, eight, or nine rooms, and 6.1 per cent are not reported. There was an average of those reported of about 1.26 persons to a room and of 4 rooms to a family. About 164 separate houses are occupied by Negroes.

Of these 165 families, 63, or 38.2 per cent, own their homes; 54, or 32.7 per cent, rent the houses they occupy; 44, or 26.7 per cent, are farm hands, occupying their houses free of money rent as an incident to their position as farm hands, and the tenure of 4 families was not reported. The following table shows the number of families owning, renting, or occupying as farm hands.

FAMILIES OWNING AND RENTING HOMES, BY NUMBER OF ROOMS TO A DWELLING.

Tenure.	Families occupying dwellings of—									Families.
	2 rooms.	3 rooms.	4 rooms.	5 rooms.	6 rooms.	7 rooms.	8 rooms.	9 rooms.	Rooms not reported.	
Owners	6	3	26	8	13	2	2	2	1	63
Renters	8	8	27	2	2	1	1	1	4	54
Farm hands	4	1	25	10	3				1	44
Tenure not reported									4	4
Total families	18	12	78	20	18	3	3	3	10	165

Nine of the 54 tenants rent from Negroes and 45 from the whites. A number of both renters and farm hands own land.

The table following gives the rents paid by the 54 families. If the farm hands are rated as paying practically \$2 a month for their houses then the total annual rent charge would be about \$2,500, about one-half the rent charge for Farmville.

RENTS PAID BY TYPICAL FAMILIES, BY NUMBER OF ROOMS TO A DWELLING.

Monthly rent.	Families occupying dwellings of—									Total families.	Annual rent paid.
	2 rooms.	3 rooms.	4 rooms.	5 rooms.	6 rooms.	7 rooms.	8 rooms.	9 rooms.	Rooms not reported.		
\$0.50.....		1								1	\$6.00
1.00.....		1	2							3	36.00
1.50.....	3		4						1	8	144.00
2.00.....		4	10	2	1	1			1	19	456.00
2.50.....		2	8				1		1	12	360.00
3.00.....			2							2	72.00
3.50.....									1	1	42.00
4.25.....			1							1	51.00
4.50.....					1					1	54.00
5.00.....		1	1							2	120.00
Rent not reported..	3							1		4	α 90.00
Total.....	7	8	28	2	2	1	1	1	4	54	1,431.00
Average annual rent..											26.50

α Estimated.

The table of number of families, by size of family and annual income, which follows, must be regarded as an approximation. It was not difficult to get at the annual earnings of farm hands, as a rule; but for other men and for the greater number of the women, the result given is necessarily an estimate, and the investigator is inclined to think the estimate too low.

NUMBER OF FAMILIES, BY SIZE OF FAMILY AND ANNUAL INCOME.

[This table does not include 59 families composed chiefly of women in domestic service.]

Annual income.	Families of—										Total families.
	1 member.	2 members.	3 members.	4 members.	5* members.	6 members.	7 members.	8 members.	9 members.	10 members or over.	
\$50 or less.....						1					1
\$50 to \$75.....			2								2
\$75 to \$100.....	1	3				1		1			6
\$100 to \$150.....	6	4	2	2	3	4	1				22
\$150 to \$200.....	2	7	6	1	6	8	4	2	3	1	40
\$200 to \$250.....		1	4	6	6	8	4	4	2	3	38
\$250 to \$350.....		2	3	6	2	2	3	1	4	7	30
\$350 to \$450.....			3	1	3	2	1		3	1	14
\$450 to \$600.....				1	1		1		1	1	5
\$600 to \$750.....		1			2			1	2		6
\$750 or over.....											
Not reported.....		1									1
Total families..	9	19	20	17	23	26	14	9	15	13	165

One family is not reported for Sandy Spring and 9 families for Farmville. Of 164 Sandy Spring families, 9, or 5.5 per cent, made incomes not exceeding \$100, as against 27 families out of 253, or 10.7 per cent, in Farmville. In Sandy Spring 100 families, or 61 per cent, made between \$100 and \$250; in Farmville, 88 families, or 34.8 per cent. In Sandy Spring 55 families, or 33.5 per cent, made between \$250 and \$750; in Farmville, 132 families, or 52.2 per cent. It must be remembered that a great many of these Sandy Spring families have gardens and fowls, that many own a horse, and that the farmers among them have cows and all the usual farm supplies for their family needs.

Of the 59 families left out of consideration in this table, 38, composed of the mothers, daughters, and brothers of the Sandy Spring Negroes, receive for their domestic and other service an aggregate of about \$3,462 of wages per annum. This money goes almost wholly into the general annual receipts of the Sandy Spring Negro population, and is expended for their benefit. Probably \$1,500 more per annum is earned, and goes chiefly out of Sandy Spring. This amount of nearly \$5,000 is too important to be ignored in this study.

The table of prices for Farmville is said by the merchants of the neighborhood to represent very well the average of Sandy Spring prices, and is reproduced with the addition of the important item of molasses, and with the caution that bituminous coal is practically not used by Sandy Spring Negroes.

PRICES OF COMMODITIES IN SANDY SPRING AND IN FARMVILLE.

Article.	Unit.	Price.	Article.	Unit.	Price.
Food, etc.:			Food, etc.—Concluded.		
Fresh pork	Pound..	\$0.06	Molasses	Gallon..	\$0.25 to \$0.40
Pork steak	Pound..	\$0.08 to .10	Butter	Pound..	.12½ to .25
Beefsteak	Pound..	.08 to .10	Salt	Pound..	.01
Ham and bacon	Pound..	.08 to .10	Herrings	Each .....	.01
Chickens	Each .....	.12½ to .15	Eggs	Dozen .....	.10 to .12
Hens	Each .....	.20 to .25	Apples	Peck .....	.05 to .25
Turkeys	Pound..	.07 to .10	Apples, dried	Pound..	.06
Wheat flour	12-pound bag.	.35	Watermelons	Each .....	.01 to .20
Wheat flour	Barrel..	4.00 to 4.50	Pepper	Pound..	.15
Corn meal	Peck .....	.11 to .12	Milk	Quart .....	.06
Rice	Pound..	.05 to .06	Buttermilk	Gallon..	.10
Cabbage	Head .....	.01 to .06	Soap	Cake .....	.05
Potatoes	Bushel ..	.50 to .60	Starch	Pound..	.05
Green corn	Ear .....	.01	Fuel and lighting:		
Tomatoes	Gallon..	.05	Wood, uncut	Cord....	2.00
Peas	Quart..	.05	Wood, cut	Cord....	2.50
Beans	Quart..	.05	Coal, bituminous	Ton	4.50
Canned goods	Can .....	.08 to .10	Coal, anthracite	Ton	7.50
Tea	Pound..	.40	Kerosene oil	Gallon..	.15
Coffee	Pound..	.15 to .18	Clothing:		
Sugar	Pound..	.05 to .06	Men's suits	Each	7.00 to 12.00
Lard	Pound..	.07 to .08	Boys' suits	Each	2.00 to 5.00
			Women's dresses	Each	3.00 to 8.00

The following budgets of family expenditure are furnished by the three leading merchants of the neighborhood, all of whom were shown the Farmville budgets as an explanation of what was wanted. The first is an estimate drawn from the merchants' books as follows:

ESTIMATED ANNUAL INCOME AND EXPENDITURE OF FARM HAND'S FAMILY OF 5 PERSONS.

Income.		Expenditure.	
Items.	Amount.	Items.	Amount.
Man: 12 months' labor, at \$12.....	\$144.00	Food per week, at \$1.70 for 52 weeks...	\$88.40
Woman: 52 weeks' washing, at \$1.....	52.00	Fuel and lighting: 7 cords of wood, at \$3, \$21; oil, at 10 cents a week for 52 weeks, \$5.20.....	26.20
Boy: 6 months' labor, at \$3.....	18.00	Clothing.....	50.00
		Rent.....	18.00
		Miscellaneous.....	10.00
		Doctor and medicine.....	10.00
		Surplus.....	11.40
Total.....	214.00	Total.....	214.00

The surplus would only show if there were no loss of time from sickness or accident.

The second budget is an analysis of one year's dealings for a family of 6 persons. This is furnished by a dealer who is also an employer.

ESTIMATED ANNUAL INCOME AND EXPENDITURE OF FAMILY OF 6 PERSONS.

Income.		Expenditure.	
Items.	Amount.	Items.	Amount.
Wages, 12 months, at \$15.....	\$180.00	148 pounds sugar, at 6 cents.....	\$8.88
		5½ barrels flour, at \$4.....	21.50
		12 cords wood, at \$2.50.....	30.00
		12 months rent, at \$3.....	36.00
		9½ gallons molasses, at 40 cents.....	3.80
		Clothing.....	25.00
		Miscellaneous articles.....	54.82
Total.....	180.00	Total.....	180.00

This analysis takes no account of the earnings of any other member of the family.

The third budget is a transcript from the accounts of a family in the store of an employer for January, 1899. The family reports itself as consisting of 9 members; but 2 of the sons are at work, one as a farm hand at \$10 per month, the other as a laborer for \$8 per month for 8 months, and they are not counted in this budget, as they do not board at home, and it is not known how much of their wages goes into the family purse.

INCOME AND EXPENDITURE OF FAMILY OF 7 PERSONS FOR JANUARY, 1899.

Income.		Expenditure.	
Items.	Amount.	Items.	Amount.
Head of family: Farm hand, at \$15 per month.....	\$15.00	Food: Bacon, 17 pounds, \$1.70; beef, 25 cents; bread, 30 cents; flour, \$1.06; meal, 14 cents; sugar, 24 cents; lard, 36 cents; salt, 10 cents; sirup, 7 cents; yeast powder, 15 cents; dates, 8 cents; dried apples, 28 cents; ginger, 8 cents; cakes, 5 cents.....	\$5.06
Housewife: House servant, at \$10 per month.....	10.00	Fuel and lighting: Wood, \$2.50; oil, 28 cents.....	2.78
		Clothing: 2 pairs gum shoes, \$1.25; boy's pants, 25 cents; leggins, 75 cents; buttons, 5 cents.....	2.30
		Rent.....	2.50
		Miscellaneous: Pitcher, 50 cents; soap, 10 cents; matches, 2 cents.....	.62
		Surplus.....	13.26
			11.74
Total	25.00	Total	25.00

Carried out for the year this budget would result as follows:

ESTIMATED ANNUAL INCOME AND EXPENDITURE OF FAMILY OF 7 PERSONS.

Income.		Expenditure.	
Items.	Amount.	Items.	Amount.
12 months, at \$25.....	\$300.00	Food: 12 months, at \$5.06.....	\$60.72
		Fuel and lighting: 12 months, at \$2.78..	33.36
		Clothing: 12 months, at \$2.30.....	27.60
		Rent: 12 months, at \$2.50.....	30.00
		Miscellaneous: 12 months, at 62 cents ..	7.44
		Surplus: 12 months, at \$11.74.....	140.88
Total	300.00	Total	300.00

This family owns property which is assessed at \$350.

The following items will help to the understanding of the food expenditure of the Negro population. One butcher sold to one family of 2 persons meat to the amount of \$16.18; to another family of 3 to the amount of \$24.84; to a family of 5 to the amount of \$19.17; and to a family of 7 to the amount of \$17.59, during the course of the year—or nearly 7 cents a day for meat for the family of 3 persons. There are 3 other butchers dealing in the neighborhood. All of these families are property holders, although one of them is not assessed. The aggregate assessment of the others is \$865.

The writer has not learned of any cases of actual destitution among the Sandy Spring Negroes.

No omissions from the original Sandy Spring table of population have been made in the ensuing discussion of the Negro property holders.

The following list of property holders is not, it will be observed, quite coincident with the list of included taxpayers. In several instances several persons have interests in the same piece of property. There are in this list 18 families holding property valued by them—

selves at \$6,275 that are not assessed at all. The law exempts farm implements up to the value of \$300. Much other personal property doubtless also escapes the assessor. The value put upon their holdings by the owners has been added to the list, because in many cases it suggests better than the assessment the true earning power of the property, and also because of its psychological value.

ASSESSED VALUATION OF REAL ESTATE OWNED BY NEGROES IN SANDY SPRING IN 1898-99.

Property owner number.	Acres.	Assessed valuation.			Valued by owner.	Property owner number.	Acres.	Assessed valuation.			Valued by owner.
		Realty.	Personalty.	Total.				Realty.	Personalty.	Total.	
1		\$470	\$85	\$555	\$250	48.	15				\$900
2		215	70	285	200	49.	11	\$895	\$110	\$475	500
3	15	315	65	380	350	50.	4	415	50	465	500
4	½	395	30	365	500	51.	(c)				(c)
5	18	240		240	650	52.	10	150	70	220	800
6		210	35	245	500	53.	2	330	115	445	1,000
7	½	200	55	255	500	54.		250	80	330	150
8	6				600	55.	3	200		200	700
9		100	35	135	500	56.	2½				100
10		175		175	200	57.	21	395	110	505	2,000
11	a 3				a 300	58.		100		100	100
12	4				250	59.	16				250
13	26	1,005	200	1,205	1,500	60.	3	120		120	700
14	16	405	65	470	900	61.		150	35	185	200
15		150		150	450	62.	4	140		140	200
16	4	235	50	285	200	63.	3	100	50	150	150
17	12	235	45	280	1,100	64.		100		100	150
18	20	550	115	665	750	65.		830		380	150
19		275	15	290	250	66.	2				100
20	2				1,000	67.	20	390		390	1,000
21	2	100		100	200	68.	4	175	70	245	250
22	12	100		100	246	69.	10	480	45	525	1,500
23	2	100		100	80	70.		300	50	350	600
24		240	55	295	200	71.	1				60
25		100		100	600	72.	4	225	50	275	200
26	1½				75	73.	4	350	45	395	500
27	4	275	50	325	250	74.	½	265	80	345	600
28	1½	195		195	200	75.	20	460	55	515	1,000
29		155	10	165	200	76.	2½	390	30	420	150
30	2				100	77.	3			350	100
31		200	35	235	150	78.		215	25	240	125
32		100	20	120	100	79.	d 11½				d 700
33	(b)				(b)	80.	1				40
34					600	81.		225	35	260	200
35	5	290	125	415	1,500	82.	2	195		195	300
36	20	440	35	475	1,000	83.	6	330		330	500
37	12½	840	105	945	700	84.	6½	380	90	470	500
38	3	315	65	380	800	85.	15	300	45	345	350
39	3	100		100	150	86.	5	210	65	275	800
40	3	165	70	235	90	87.	5	170	25	195	400
41	9	220		220	700	88.	5				400
42					250	89.	2	100		100	500
43	2	100	45	145	100	90.	4	290		290	700
44	2	210	50	260	500	91.	4	200	50	250	600
45			140	140	500	92.	7½	100		100	1,000
46		180	25	205	700						
47	3				350	Total...	448½	18,515	3,075	21,590	42,666

a Including interest of property owner number 51.
 b Included in figures shown for property owner number 79.
 c Included in figures shown for property owner number 11.
 d Including interest of property owner number 33.

This table shows an assessment of \$3,075 of personal property and of \$18,515 of real estate, a total of \$21,590. The number of acres reported is 448½. This realty alone is valued by its owners at \$42,666, a sum more than double the assessed valuation. The total number of taxpayers in this list is 74. (a)

a Several lots of land are owned by Negroes living outside of Sandy Spring who are probably assessed, but who are not reported.

In addition to the personal property in their homes and on their farms, including cows, horses, vehicles, and a large number of bicycles, there are, among the Sandy Spring Negroes, 135 individual depositors in the savings bank, with an aggregate sum to their credit of more than \$15,881; of this amount 14 depositors own \$11,976 and 121 depositors own \$3,905. These bank deposits added to the owners' valuation of realty and to the assessed personalty gives a total of \$61,622. If this amount be approximately near the fact, the property owned by the Sandy Spring Negroes approaches more nearly in value that owned by the Farmville Negroes than might be expected.

Twenty-three of the 92 realty owners, or 25 per cent, report that they have owned their land for a period not longer than 5 years. This seems to indicate a rapid rate of acquisition. It does not show acquisition by inheritance, nor how long since payment began.

As well as the investigator could learn, there is a great deal of borrowing and lending, of note giving and indorsing among both property holders and nonproperty holders, so much so as to make it likely that some who have homes would lose them if called upon to make good their obligations thoughtlessly undertaken for the benefit of others.

The following table is an analysis of the list of property holders, with a view to discovering, if practicable, whether the fact of two or more generations of freedom has seemed to influence the Negroes of Sandy Spring in the matter of property getting and property keeping—the economic basis of civilization.

SANDY SPRING NEGROES OWNING REAL ESTATE.

Age.	Sex.	Living in Sandy Spring.			Generations free.			
		Under 20 years.	20 to 35 years.	35 years or over	One.	Two.	Three.	Four.
Born in Sandy Spring, free or freed before 1865:								
35 to 55 years.....	M.			20	7	10	1	2
	F.			4	2	1	1	
55 to 75 years.....	M.			6	2	4		
	F.			4	3	1		
75 years or over.....	M.			2	2			
	F.			3	2	1		
Total.....				39	18	17	2	2
Born out of Sandy Spring, free or freed before 1865:								
35 to 55 years.....	M.	1	6	1	7	1		
	F.			2	1	1		
55 to 75 years.....	M.		1	6	4	1	2	
	F.		1	1	1	1		
75 years or over.....	M.	1	1	1	2		1	
	F.			1		1		
Total.....		2	9	12	15	5	3	
Slaves in 1865:								
35 to 55 years.....	M.	3	7	3				
	F.							
55 to 75 years.....	M.	1	3	2				
	F.		1	1				
75 years or over.....	M.		1					
	F.							
Total.....		4	12	6				

SANDY SPRING NEGROES OWNING REAL ESTATE—Concluded.

Age.	Sex.	Living in Sandy Spring.			Generations free.			
		Under 20 years.	20 to 35 years.	35 years or over	One.	Two.	Three.	Four.
Born since 1865 in Sandy Spring.....	M.	.....	3	.....	.....	2	.....	1
	F.	.....	1	.....	1	.....	.....	.....
Total.....		.....	4	.....	1	2	.....	1
Born since 1865 out of Sandy Spring.....	M.	.....	1	.....	.....	1	.....	.....
	F.	.....	3	.....	3	.....	.....	.....
Total.....		.....	4	.....	3	1	.....	.....

Age.	Sex.	Conjugal condition.				Having children.	Having grand-children.
		Sin-gle.	Mar-ried.	Wid-owed.	Sepa-rated.		
Born in Sandy Spring, free or freed before 1865:							
35 to 55 years.....	M.	2	17	1	.....	19	2
	F.	.....	.....	4	.....	3	2
55 to 75 years.....	M.	.....	4	2	.....	4	4
	F.	.....	.....	3	1	4	4
75 years or over.....	M.	.....	2	.....	.....	2	2
	F.	.....	.....	3	.....	3	3
Total.....		2	23	13	1	35	17
Born out of Sandy Spring, free or freed before 1865:							
35 to 55 years.....	M.	.....	7	.....	1	4	1
	F.	.....	1	1	.....	2	1
55 to 75 years.....	M.	.....	7	.....	.....	6	6
	F.	.....	.....	1	.....	1	.....
75 years or over.....	M.	1	2	.....	.....	2	1
	F.	.....	.....	1	.....	1	1
Total.....		2	17	3	1	16	10
Slaves in 1865:							
35 to 55 years.....	M.	.....	13	.....	.....	9	5
	F.	.....	.....	.....	.....	.....	.....
55 to 75 years.....	M.	.....	5	.....	1	5	4
	F.	.....	.....	2	.....	2	1
75 years or over.....	M.	.....	1	.....	.....	.....	.....
	F.	.....	.....	.....	.....	.....	.....
Total.....		.....	19	2	1	16	10
Born since 1865 in Sandy Spring.....	M.	.....	3	.....	.....	2	.....
	F.	.....	1	.....	.....	.....	.....
Total.....		.....	4	.....	.....	2	.....
Born since 1865 out of Sandy Spring.....	M.	.....	1	.....	.....	1	.....
	F.	.....	3	.....	.....	2	.....
Total.....		.....	4	.....	.....	3	.....

Since preparing this table the writer has received information showing that he should have assigned at least one generation more of freedom to several of the property holders. Several of those marked as of the first generation should be assigned to the second; still more of those assigned to the second should be in the third, and so on.

The last slave sold in Sandy Spring was a boy who was sold in 1857. By the will of a head of a family who died in 1853, some 10 or 12 slaves were left to the heirs, to be set free upon attaining a certain age. Several of the heirs freed their slaves at once, and bought from their

coheirs and freed the others in the fall of 1853, except this boy, who belonged to one of the younger members of the family. Upon settling up the estate of this younger member, who had died in the meantime, this Negro boy was bought from the estate at public auction for the purpose of being set free by those who had already in the same way set the others free. He was bought and freed in 1857.

The percentage of heads of families now in Sandy Spring who were freed in other parts of the State before 1865 is large—about 37.8—nearly 4 in 10 of the free families. This fact throws a strong light upon the rapidity with which slavery was being destroyed by economic forces in Maryland, as it was in Virginia, when the gradual process of emancipation was stopped by the antislavery agitation.

Three of the 4 born in Sandy Spring were of free parents; 3 of the 4 born outside of Sandy Spring were of slave parents.

Of the 92 property holders 84 are over 35 years of age; of these, 62 were freeborn or freed before 1865; 23 of them are immigrants, and 39 are natives of Sandy Spring—about 42 per cent of the whole number. Of these 39, again, a careful estimate shows that a third have inherited their homes or have acquired them by the gift or the aid of their free parents. If this estimated proportion be right, the number of elderly freeborn natives of Sandy Spring acquiring their homes is 26, approximately the same as that of the freeborn immigrants and of those who were slaves in 1865. Of the 8 younger home getters 4 were born of parents free before 1865 and 4 of parents who were slaves in 1865.

The other side of the question may be briefly stated without the formality of tabulation. Twenty-four native Sandy Spring Negroes, free before 1865, are not property holders—about the same number as of those natives who have themselves acquired their homes; 15 immigrants, free before 1865, are without homes—about three-fifths of the number of their class who have gotten homes; and 29 former slaves are without property, as against 22 who are owners. Of the population born since 1865, 30 natives of Sandy Spring and 15 immigrants have not acquired property, as against 4 of each class who have—a large excess of percentage against natives.

Recurring to the older generation, of a total of 101 of those freeborn before 1865, 62, or 61.4 per cent, own property; of a total of 51 of those who were slaves in 1865, 22, or 43.1 per cent, own property. If we deduct, as suggested, a third of the native freeborn Negroes of Sandy Spring owning their homes, then of 88 free in 1865, 49, or 55.7 per cent, have acquired property, as compared with 43.1 per cent of slaves in 1865. Does or does not this excess of 12.6 per cent constitute an argument in favor of the superior home-making power of the freeborn and free-descended Negroes? Or, in view of the equal division of property holders between free-descended and slave-descended in the younger generation, and of the 30 nonproperty-

holding Sandy Spring Negroes, heads of families, as against 15 like outsiders who also do not hold property, is not the Scotch verdict of "not proven" the sound conclusion in this case? A suspension of judgment seems, to the writer at least, the wise mental attitude.

GROUP LIFE.

From an economic point of view, the general conclusion drawn from the investigation of this group would appear to be favorable. The Sandy Spring Negroes seem to be acquiring and holding property, and the agricultural element of labor among them gives a good account of itself. Beyond these statements, enough has been said incidentally during the course of this paper to make any extended remarks on the life of the Sandy Spring Negroes as a whole unnecessary. Several of the inferential conclusions arrived at for Sandy Spring would not, if elaborated, be found to coincide with the very interesting discussion of the group life for Farmville, to which the attention of the reader is particularly invited.

One hundred and forty-five males and 207 females over 18 years of age report themselves as members of some church.

The Methodist denomination is the strong one among the Negroes of Sandy Spring and of Maryland, as might be expected from the history of that church, and the leading religious organization among them is what is known as the Sharp Street Church, (*a*) which has about 500 members. The description of the chief Farmville Negro church as an organization is, in the main, the description of the Sandy Spring church. The meetings are frequent, various, and numerous attended. "The unifying and directing force is, however, religious exercises of some sort." The most marked exercise is the series of revival meetings which begins about September and is continued sometimes night after night, sometimes two or three nights a week, for months.

This church is the natural center for other organizations, social, political, and economic. Of the last class, the beneficial societies, several are almost a full generation old. The controlling idea in the case of most of them is to provide for burial and sometimes for help during sickness for their members. The dues are paid in quarterly, and periodically a division of the funds accumulated in excess of a certain amount takes place. The names of these societies are so characteristic that they are given, pretty much in the order of their organization: Young Men's Beneficial Society, of Sandy Spring (1871-72); Female Beneficial Society, of Sandy Spring; United Beneficial Society, of Sandy Spring; United Sons and Daughters of Wesley Society Number 6, of Sandy Spring; Little Gleaners of Sharp Street;

a Named after a church in Baltimore.

Sisters' Mutual Aid Society. These all belong in the congregation of Sharp Street Church, and they have \$1,834 to their credit in the savings bank. Two other societies—Golden Link of Sisters and Brothers, of Oakwood, and Golden Beneficial Society, of Good Hope—belong, respectively, to the two other churches on the same circuit with Sharp Street, and the Beneficial Society of the Rising Star belongs to the congregation of the Baptist Church of the neighborhood. Their deposited funds amount, all told, to \$3,265. The large majority of members are Sandy Spring Negroes. These societies are managed by committees, and are said to be well managed. This system is of great interest, both in itself and because of the curious resemblance it bears to the origin of the mediæval guilds.

One of the concluding remarks in the Farmville report is as follows:

Finally, it remains to be noted that the whole group life of Farmville Negroes is pervaded by a peculiar hopefulness on the part of the people themselves. No one of them doubts in the least but that one day black people will have all rights they are now striving for, and that the Negro will be recognized among the earth's great peoples. Perhaps this simple faith is, of all products of emancipation, the one of the greatest social and economic value.

Many of the Sandy Spring Negroes have been free for several generations, but the observation of the investigator does not warrant for them a similar statement. On the contrary, the light-hearted hopefulness or the absence of care which so agreeably characterized the race a couple of generations ago is largely gone. The struggle for existence in the midst of economically competitive and socially antagonistic surroundings has had its saddening—perhaps its hardening—effect upon these people. The talk of some of the older ones among them with the investigator showed a decided dissatisfaction with the general frame of mind of the younger generations of their race and a vague feeling of disquiet for the present and the future. The younger generations are not on as good terms with the whites as their elders, and they know it and show it. These two conditions of mind—or, rather, these two aspects of the same condition of mind—constitute a general condition certainly not to be described as one of "peculiar hopefulness," and this general condition seems to the writer a distinctive and definite fact, just as true of the Negroes of Sandy Spring as that their percentage of illiteracy is less than the percentage of illiteracy for the Negroes of Farmville. Whence this difference of reported impression for Farmville and for Sandy Spring? Is it that the contact of the two races is less close and is freer from irritation in Farmville than in Sandy Spring? Or is this important matter reducible, after all, to the comparatively unimportant matter of the personal equation of the investigators? Was the Farmville hopefulness due in part to the strong and hope-inspiring stimulus of personal contact with a highly

educated member of their own race in the person of the investigator, and is the Sandy Spring apparent lack of buoyancy due in part to the fact that the investigator is a member of the dominant race? This, too, "can only be determined by further study." The truth is what we want, and this divergence of impression emphasizes very strongly how much this whole subject, so vital to the well-being of the people of this country, needs comprehensive, systematic, and dispassionate examination.

THE BRITISH WORKMEN'S COMPENSATION ACT AND ITS OPERATION.

BY A. MAURICE LOW.

The Workmen's Compensation Act, (*a*) which received the royal assent August 6, 1897, and came into operation July 1, 1898, marks an advanced step in social legislation in Great Britain. It was regarded by the workmen not as a finality, but simply as the first stage. It was resisted by the employers because it was feared that it would be a heavy drain on their profits and encourage more drastic legislation in the near future.

That the act was considered as tentative and not as the last word in legislation is shown from the fact that it was made to apply to certain classes of labor only and brought within its scope rather less than 50 per cent of the wage-workers of the United Kingdom. These figures are not official, because no official data can be obtained. So far as the writer has been able to ascertain, after carefully weighing the different calculations made by men whose opinions are of value, the benefits of the act applied to about 6,000,000 men and excluded some 7,000,000. Since then, by the amendment adopted at the last (1900) session extending the act to agricultural laborers, (*b*) the balance has been turned in the other direction.

During the two years in which the law has been in operation it has not satisfied all of the sanguine hopes of its promoters, nor has it been attended by the dire consequences predicted. But it must be added that the law has not as yet had to stand the supreme test of all economic laws, a falling market, without which no proper verdict as to the value of any theory can be reached. During the brief period the law has been in force there has been a demand greater than the output for nearly all forms of manufactured articles, and labor has found steady and remunerative employment at constantly increasing wages. In some trades there has been a scarcity of labor, especially since the outbreak of hostilities in South Africa, which seriously affected the labor market by the withdrawal of men from gainful operations to join the colors. This fact can not be too strongly emphasized. Both employers and employees agree that the real merits and defects of the

a 60 and 61 Vict., chap. 37.

b Law of July 30, 1900, the provisions of which enter into force July 1, 1901.

law, its advantages and disadvantages, can only be determined when there is a time of stress, when capital can not find a productive return, and when labor can not find employment and the wage scale declines.

ANALYSIS OF THE LAW.

The act in extenso will be found at the end of the article, but as frequent reference is made to it, the principal sections are here summarized:

If an injury is caused to a workman by an accident arising out of and in the course of his employment, his employer shall be liable for its compensation in accordance with the first schedule, the more important provisions of which follow:

Where death results from the injury if the workman leaves dependents wholly dependent upon his earnings, the compensation shall equal his earnings in the employment of the same employer during the 3 years preceding the injury, or the sum of £150 (\$729.98), whichever is the larger, but must not exceed £300 (\$1,459.95). If the employment has been less than 3 years, the amount of earnings shall be deemed to be 156 times the average weekly earnings during the period of actual employment.

If the workman leaves dependents only in part dependent upon his earnings, the compensation may be determined by agreement or arbitration under this act, but must not exceed the amount payable under the foregoing provision.

If no dependents are left, the reasonable expenses of medical attendance and burial are to be paid, not exceeding £10 (\$48.67).

Where total or partial incapacity for work results from the injury a weekly payment must be made during incapacity after the second week, not exceeding 50 per cent of the workman's average weekly earnings during the previous 12 months, if he has been so long employed, but if not, then for any less period spent in the employment of the same employer, such payment not to exceed £1 (\$4.87).

No employer shall be liable for an injury which does not disable the workman for a period of at least 2 weeks from earning full wages, or for an injury due to the serious or willful misconduct of the workman.

In fixing the weekly payment the difference between the average weekly earnings before and after the accident must be considered, as well as any payment not wages received from the employer during the incapacity.

Where a workman has given notice of an accident he shall, if required by the employer, be examined by a medical practitioner provided by the employer, and if he refuses or obstructs the examination his right to compensation shall be suspended until the examination takes place.

Payment shall, in case of death, be made to the legal personal rep-

representative of the workman, or, if he has none, to his dependents. If he leaves no dependents, payment is made to the person to whom the expenses are due.

Any question as to who is a dependent, or as to the amount payable to each dependent, shall, in default of agreement, be settled by arbitration.

The sum allotted as compensation to a dependent may be invested or otherwise applied for his benefit, as agreed or as ordered by the committee or other arbitrator.

Any workman receiving weekly payments under this act shall, if required by the employer or by any person by whom the employer is entitled to be indemnified, from time to time be examined by a medical practitioner provided by the employer or such other person; but if the workman objects to such examination or is dissatisfied with the certificate, he may be examined by one of the medical practitioners appointed for the purposes of this act, as mentioned in the second schedule, and the certificate of that practitioner shall be conclusive evidence of the workman's condition. If he refuses to take the examination, or in any way obstructs it, his right to the weekly payments shall be suspended until the examination has taken place.

Any weekly payment may be reviewed at the request either of the employer or of the workman, and the amount of payment shall, in default of agreement, be settled by arbitration.

Where a weekly payment has been continued for not less than 6 months, the liability therefor may, on the application of the employer, be redeemed by the payment of a lump sum.

A weekly payment shall not be assigned, charged, or attached, and shall not pass to any other person by operation of law; nor shall any claim be set off against the same.

The act shall not affect the civil liability of the employer. A workman may, at his option, claim compensation under the act or seek the same remedy that was open to him before its passage; but the employer shall not be liable under more than one act.

If the question of liability is not settled by agreement, provision is made for arbitration.

Nothing in the act shall affect any proceeding for a fine under the factories and mines acts, but if the fine has been applied for the benefit of the person injured, that amount shall be taken into account in estimating the compensation.

Proceedings for recovery of compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable and before the workman has voluntarily left the employment in which he was injured, and unless the claim for compensation has been made within six months from the occurrence of the accident causing the injury, or, in case of death, within six months from the

time of death. Defect or inaccuracy in the notice shall not be a bar to the maintenance of the proceedings, if it is found in the proceedings for settling the claim that the employer is not prejudiced in his defense by the defect or inaccuracy, or that the defect or inaccuracy was occasioned by mistake or other reasonable cause.

Notice in respect of an injury shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury and the date at which it was sustained, and shall be served on the employer.

If the registrar of friendly societies, after taking steps to ascertain the views of the employer and the workmen, certifies that any scheme of compensation, benefit, or insurance is on the whole not less favorable to the general body of workmen and their dependents than the provisions of the act, the employer may, until the certificate is revoked, contract with any workman that the provisions of the scheme shall be substituted for the provisions of the act, and in that case he shall be liable only in accordance with the scheme.

No scheme shall be certified which contains an obligation upon the workmen to join the scheme as a condition of their hiring.

If complaint is made to the registrar of friendly societies on behalf of the workmen that the provisions of any scheme are no longer on the whole so favorable to the general body of workmen of an employer and their dependents as the provisions of the act, or that the provisions of the scheme are being violated, or that the scheme is not being fairly administered, or that satisfactory reasons exist for revoking the certificate, the registrar shall examine into the complaint, and, if satisfied that good cause exists for it, shall, unless the cause is removed, revoke the certificate.

A contractor shall be liable for injury caused to a workman in the employment of a subcontractor.

Where an employer insures his liability for accident and becomes bankrupt with unsatisfied claims against him by his workmen, they shall have a first charge upon the insurance money for the amounts due them.

The act applies only to employment on, in, or about a railway, factory, mine, quarry, or engineering work, and to employment on, in, or about any building which exceeds 30 feet in height, and is either being constructed or repaired by means of scaffolding, or is being demolished, or on which machinery driven by steam, water, or other mechanical power is being used for the purpose of its construction, repair, or demolition.

A careful examination of the act will show that it aims to accomplish three things: (1) To provide a method of compensation for accidents not due to the employee's negligence, unlike the attempts here-

tofore made to enforce the employer's liability, and at the same time differing from the German scheme of compulsory insurance; (2) to make the original "undertaker" liable for the acts of a subcontractor; (3) to abolish—by inference only, but with all the practical result of direct enactment—the doctrine of "common employment." While conferring these benefits, the law restricts the employee from recovering compensation if the injury was due to his serious and willful misconduct; and where he was entitled to compensation under the act it does not prohibit him from seeking his remedy under existing law if he so elects.

In pursuing the present investigation the endeavor has been to ascertain the general working and application of the law, its influence upon production and profits, whether it has been of any advantage to labor, and whether it has had any effect in improving the relations between capital and labor.

GENERAL WORKING AND APPLICATION OF THE LAW.

In view of the line of inquiry adopted, it has seemed to the writer that it is valuable and instructive to show how the proposed legislation was regarded before it came into being, and how far the predictions then made have been verified.

CONTRACTING OUT.

Attention must be called to the constant fear expressed by labor that the "contracting out" clause would cause the workingmen serious injury, because it substituted for the personal and human responsibility of the individual employer the impersonal and mechanical liability of a corporation whose only interest would be to escape payment as frequently as possible. But experience has shown that, while in many respects the act is defective and has given rise to litigation, which was the very thing its authors claimed it would abolish, the authority given to employers and employees to agree on a mutually satisfactory arrangement has worked admirably. In fact, as pointed out by Mr. Brabrook, the chief registrar of friendly societies, whose sanction is necessary before any scheme becomes operative, the term "contracting out" is a misnomer. The arrangement made between masters and men is not a contraction out of the scope of the law, but is, rather, bringing both parties more narrowly within its provisions.

This provision of the act is worthy of the careful consideration of observers of economic legislation, because both sides to the agreements regard them as a decided step in harmonizing the relations between capital and labor, and also because they have been found to give general satisfaction and to minimize litigation.

In his annual report for the year ending December 31, 1898, after the law had been in operation only 6 months, the chief registrar of friendly societies said:

It may be said without hesitation that the result of the first 6 months' working of the contracting-out section has been to show on the part of the employers who have applied for certificates to schemes a desire to meet their workmen in the most handsome manner, and on the part of the workmen an excellent feeling of fairness and good will. This is marked by the circumstance that in some cases where employers and workmen had unanimously consented to conditions which the registrar did not think justified him in granting the certificate under the act the employers have at once adopted the modifications suggested to them.

Further experience fortified the favorable opinion which the chief registrar had formed. In his last annual report (for the year ending December 31, 1899), after the law had been in operation for 18 months, he wrote:

In the aggregate the 32 schemes certified in 1898 and in operation on the 30th June, 1899, had at that date been adopted by 100,397 workmen, who had contributed £30,220 [\$147,065.63]. The employers had contributed £40,676 [\$197,949.75]. The payments on death had been £7,867 [\$38,284.76]; during incapacity, £31,197 [\$151,820.20], and for other benefits, £5,327 [\$25,923.85]. The funds had increased during the year by £24,436 [\$118,917.79]. The number of deaths resulting from injury was 102, and in 74 of these dependents were left, to nearly all of whom pensions were awarded in addition to the sums payable on death. The number of cases of incapacity from injury was 14,165. The average duration of incapacity was 3 weeks 2 days, and the average weekly allowance 13s. [\$3.16]. Taking into account (*a*) the other benefits, (*b*) the payments during the first two weeks of incapacity, (*c*) the subsequent payments in excess of those provided by the act, and (*d*) the increase of funds, it would appear that in the aggregate the workmen derive from these schemes benefits considerably exceeding the amount of their contributions. The circumstance that the common interest of the employer and the workmen in the success of a scheme is in favor of that vigilance which would tend to diminish the number and the severity of accidents and the fact that there has been an absence of litigation in the settlement of claims are also justly to be considered as advantages offered by the schemes.

The chief registrar gives in detail the operations of the various schemes. The largest of these is the Great Eastern Railway Accident Fund. The total number of workmen in the employment of the Great Eastern Railway June 30, 1899, was 27,668, and the number who had contracted out under the scheme was 27,139. It is stated in a footnote that the majority of the 529 who had not joined the scheme at that time have since done so.

Scheme No. 18, entitled, The London, Brighton and South Coast Railway Company Railway Servants' Insurance Against Accidents, has been selected for description here as typical of all the schemes. The

employees of this railway company numbered 13,506 on June 30, 1899, and 11,233 (*a*) had contracted out under the scheme. The following statements show the receipts and disbursements of this scheme and statistics of cases in which death and incapacity benefits were paid for the year ending June 30, 1899:

RECEIPTS.

Amount on hand at beginning of year.....	
Contributions of employers.....	\$12,000.79
Contributions of workmen.....	13,232.01
Other receipts.....	
Total.....	25,232.80

EXPENDITURES.

Death benefits.....	9,061.42
Incapacity benefits.....	15,996.19
Other benefits.....	175.19
Expenses of management (<i>b</i>).....	
Amount on hand at end of year.....	
Total.....	25,232.80

DEATH AND INCAPACITY BENEFITS PAID UNDER SCHEME NO. 18 FOR THE YEAR ENDING JUNE 30, 1899.

Classified duration of incapacity.	Cases where incapacity resulted from injury.			
	Number of cases.	Duration of incapacity.		Amount paid.
		Weeks.	Days.	
2 weeks or less.....	410	551	4	\$2,501.38
Over 2 weeks and not over 4.....	310	903		4,160.86
Over 4 weeks and not over 6.....	102	496	5	2,355.39
Over 6 weeks and not over 8.....	60	428	3	1,975.80
Over 8 weeks and not over 10.....	31	277	3	1,265.29
Over 10 weeks and not over 13.....	19	217	2	1,051.16
Over 13 weeks and not over 26.....	22	381	4	1,771.41
Over 26 weeks.....	6	182	3	914.90
Total.....	960	3,439		15,996.19

Class of cases as regards dependents.	Cases where death resulted from injury.				
	Number of cases.	Number and relation of dependents.			Amount paid.
		Wid-ows.	Chil-dren.	Par-ents.		Oth-ers.
Where dependents are left.....	9	5	14	5	\$8,209.78
Where no dependents are left.....	1				851.64
Total.....	10	5	14	5	9,061.42

During the short time the act has been in existence it has given rise to much litigation, all of which, with but very few exceptions, has been initiated by the workmen. In fact, the statement can be made

a To these should be added 1,069 workmen who contracted out and have left the service, died, etc., during the period from September 1, 1898, to June 30, 1899.

b Borne by railway company.

with propriety that the dissatisfaction with the act comes from the workingmen. The employers, as was ascertained from personal interviews, if not convinced as to any benefits which have come to them as a result of the law, have at least adjusted themselves to the new conditions, and finding, as was frankly admitted, that it has not thus far proved disastrous, have not felt any inclination to evade its obligations. The workingmen, on the other hand, regard the act as crude in many respects; as defeating, through its interpretation by the courts, the spirit of its framers, and as withdrawing from its benefits, owing to the construction put upon a phrase, a class of labor which the law intended to protect. Some of these defects the Government practically agreed to correct at the last session, but the war in South Africa and other important questions so fully occupied the attention of Parliament that domestic legislation suffered.

The exemption from liability on the part of the employer for injury which does not disable the workman for a period of at least 2 weeks from earning full wages (section 1), taken in connection with the wording of subclause b of section 1 of the first schedule, providing for estimating the "average" earnings after the second week, are the two clauses of the act which have caused the greatest dissatisfaction among the workingmen and given rise to the most litigation.

The court of appeal has held, on cases coming up from the county courts, that a workman who has been employed for less than 2 weeks by the same employer is not entitled to compensation under the provisions of the act, this opinion being based on the phraseology of section 1.

On March 5, 1900, the court of appeal handed down a decision (*Lysons v. Andrew Knowles & Sons, Limited*), a synopsis of which is published in the *Labor Gazette* (April, 1900), the official publication of the Board of Trade, as follows:

The compensation provided by the act where total or partial incapacity for work results from the injury is "a weekly payment during the incapacity after the second week not exceeding 50 per cent of the workman's average weekly earnings during the previous 12 months, if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed £1 [\$4.87]." A workman went to work for a colliery company on July 18, 1899, at a wage of 6s. [\$1.46] for each day on which he should be employed. On July 19 there was a holiday at the pit, but on the 20th this man went in to do another day's work and suffered an injury by accident. The colliery week ended on the evening of the 19th. On the 21st he was paid 6s. [\$1.46] for his work on the 18th; and on the 28th he received the same sum for his work on the 20th. He claimed compensation from the company; and the county court judge, taking as a basis the fact that the workman had earned 12s. [\$2.92] within seven days, awarded him a weekly payment of 6s. [\$1.46]—one-half of that amount. The company appealed, and the court of appeal allowed the appeal, holding that, in order to recover compensation for injury under the act, a man

must have been for at least 2 weeks in the employment of the employer in whose service he has been injured. If he had not, it was impossible to give any meaning to the words "average weekly earnings."

Five days later the same court handed down another decision in which the doctrine was again affirmed that a workman could not recover for injuries unless he had been continuously employed by the same master for 2 weeks. In this case (*Bebbington v. The Waverley Coal Company, Limited*) compensation was claimed by a workman who had been at work for a colliery company for 3, or at most 5, days when the accident occurred; and the county court judge made an award in his favor. This decision the higher court reversed on the same grounds as those in the *Lysons* case.

A month later the court once more reaffirmed its original position that no liability attached to the employer unless there was a "basis for the calculation of average weekly earnings." The following account of the decision in the case of *Stuart v. Nixon and Bruce*, court of appeal, April 6, is taken from the *Labor Gazette* of May, 1900:

The widow of a stevedore's laborer, who had been killed by accident arising out of and in the course of his employment, claimed compensation from his employers. The deceased workman had been employed by these employers for 5 days continuously at daily wages; on the fifth day he met with this accident. The county court judge held that the widow was not entitled to compensation, because her husband had not been in the employment of these employers for at least 2 weeks, and refused to make an award in her favor. The widow appealed, contending that she was entitled to the minimum compensation of £150 [\$729.98]. The court of appeal dismissed the appeal, holding that the act ought to be construed upon the basis that workmen who were not in the employment of the same employer for at least 2 weeks did not come within the purview of the act. It might not be necessary that the workman should have been employed every day during those 2 weeks, but the employment must be such as to form the basis for the calculation of average weekly earnings.

CASUAL LABOR.

The decisions of the court of appeal are reviewable by the House of Lords, but the expense of an appeal is so great that it deters the ordinary litigant from going to the court of last resort. Representatives of labor were, however, discussing, at the time this investigation was made, the advisability of prosecuting the appeal, as the decisions of the court of appeal affected adversely such a large class of labor and in the opinion of laboring men were so entirely repugnant to the spirit of the law that it was considered essential that no effort should be spared to obtain a more liberal construction of the act.

What is known as "casual labor" in England, i. e., labor employed by the piece, working for one employer to-day and another to-morrow and paid as soon as the job is finished, which seldom exceeds more than

a couple of days and generally is a day only, principally men working in and about the docks in London and in other great ports, and the other classes of what are known in the United States as unskilled labor, are debarred from compensation; and this interpretation of the law, more than any other, has caused the workmen to regard the act as falling far short of their expectations, defeating one of its main objects, and making it imperative that the law should be amended so as to correct its crudities. The size of the army of "casual labor" is apparently unknown, and the estimates of authorities vary so widely and are admittedly so purely a matter of guesswork that no attempt is made to give even approximate figures, which would be misleading. But on one point there is agreement—that the men who live by casual employment in the British Isles are a factor of no mean proportions in the labor equation.

Although the court of appeal has held that there must be a basis for the calculation of average weekly earnings, the court has awarded compensation where that basis existed, even though it applied to casual labor. In the case of *Williams v. Poulson* (court of appeal, November 18, 1899) the appellant, a casual dock laborer, was injured. When the accident occurred he had been working for the stevedore for 3½ days. The following account of the case is taken from the *Labor Gazette* for December, 1899:

From March 5, 1898, to January 25, 1899, he [the appellant] had worked for this employer in each week except 4, though sometimes on only 1 day in each week. During the previous 12 months he had earned from work done for this stevedore £38 13s. 6d. [\$188.21]. The applicant stated that his earnings throughout the year, from all his employers together, were equivalent to an average of 28s. [\$6.81] a week, his rate of pay being 5s. [\$1.22] a day. The county court judge took the amount earned in the year by the applicant while working for this stevedore as his basis, and calculated the average weekly wages of the applicant at 15s. [\$3.65], and awarded him one-half of this sum, viz, 7s. 6d. [\$1.83], a week. The applicant appealed, contending that the sum awarded him was too little; that his average weekly earnings ought for the purposes of the act to be taken to be 28s. [\$6.81] a week (his average earnings from all employers together), or that the average ought to be ascertained by taking as a basis the 3½ days during which he had been employed immediately before the accident, and accordingly should be reckoned at 30s. [\$7.30] a week. Thus he would in the one case be entitled to 14s. [\$3.41], in the other, 15s. [\$3.65], a week as compensation. On behalf of the employers it was contended, in the first place, that the applicant was not entitled to recover any compensation at all. The act only applied where there was continuous employment for at least 2 weeks before the accident. There was no mode provided by the act of assessing compensation where the employment was for a shorter period than 2 weeks. In the second place, if the act applied, the county court judge was right in awarding 7s. 6d. [\$1.83] a week. The court dismissed the appeal. The court held that the appeal must fail unless the applicant could show that the county court judge

gave him less than he was entitled to. That judge had found as a fact that the employment of the applicant had been continuous during the 12 months preceding the accident, and that his earnings during this period were the amount above mentioned, and having divided this amount by the number of weeks comprised in the period, he had awarded the applicant one-half of the sum so found. The applicant was not entitled to more than this. It was not for the court to say whether in point of fact there was during the period in question such a continuous employment by the same employer as would justify the award. The employer had not brought any appeal, and this point could therefore not be raised in the present case.

Other similar decisions are to be found.

Considerable litigation has followed the passage of the law—litigation perhaps natural under the circumstances, because a judicial interpretation was necessary to define the meaning of terms. The lords justices of appeal have been required to interpret the phrase “in and about a factory,” to say who is or is not a “dependent” within the meaning of the act, and to meet, in ever-varying form, the issue raised as to what constitutes “average wages.”

LABOR ON BUILDINGS.

Section 7 limits the benefits of the act to employment “on, in, or about any building which exceeds 30 feet in height, and is either being constructed or repaired by means of scaffolding,” and this limitation has given rise to much litigation. It is claimed by the representatives of labor that requiring the building to be over 30 feet before compensation can be claimed is ridiculous, as serious and fatal accidents often occur when the building is below that height; moreover, that the rulings of county court judges are not uniform, some estimating the 30 feet from the ground to the top of the walls, while others construe the 30 feet to mean to the tops of the roof.

A case involving a legal construction of this section was decided by the Liverpool county court in November, 1898. The following account of the decision is taken from the *Labor Gazette* for December, 1898:

A bricklayer claimed compensation from a firm of contractors for injuries received to his eye, which had in consequence to be removed. Plaintiff was engaged at work upon a building in the course of erection which was under 30 feet high. It was contended on behalf of the plaintiff that the fact that mechanical power—namely, a derrick—for the raising of beams was at work on the premises at the time brought the building within the definition of an “engineering work” in the act. The judge held that the case came within “engineering work” and awarded plaintiff 19s. 10d. [\$4.83] a week (being 50 per cent of his wages) from the 31st of August last and a further sum of 7s. 6d. [\$1.83] a week so long as partial incapacity continued.

The judgment of the lower court was affirmed by the court of appeal, which held that in section 7 the words “or on which machinery driven by steam, water, or other mechanical power is being used” have as

their antecedent the word "building" simply, and not the words "building which exceeds 30 feet in height." On the other hand, an almost identical case in Scotland was decided in favor of the defendant. Here the plaintiff, a laborer, was injured while demolishing a building which did not exceed 16 feet in height, and this point was relied on by the defense. Plaintiff asserted that the use of a steam crane rendered it an "engineering work," but the sheriff refused to accept that construction of the act. An appeal from the sheriff's court lies to the court of session, but no appeal was taken.

What constitutes a "scaffolding" is another vexed question which the court of appeal has passed upon more than once. The widow of a workman sued under the following circumstances: Her husband was employed to clean and paint the outside of a house under 30 feet high, long ladders being used. The rung of the ladder on which he stood broke and he was thrown to the ground and killed. On one ladder was a plank with one end tied to the rung of the ladder and the other end resting on a window sill, but deceased was not standing on the plank at the time of the accident. The case was referred to an arbitrator, who held that this ladder and plank did not constitute a scaffolding within the meaning of the act and made his award in favor of the employers, but submitted the case to the county court judge, who reversed the arbitrator and made an award in favor of the claimant. On appeal the court of appeal reversed the award on the ground that the ladder and plank did not constitute a scaffolding within the meaning of the act. (a)

In another case a workman, while engaged in putting some stays in a stable to strengthen it, and standing on some planks about 8 feet from the ground, supported by trestles, fell off the planks and was killed. The widow claimed compensation. The height of the building was 28 feet from the ground to the parapet, and to the top of the roof 36 feet. The county court judge awarded her compensation. The appellate court reversed the court below, holding that while the building exceeded 30 feet in height, it was not being "either constructed or repaired by means of a scaffolding." (b)

Commenting on these decisions, Judge Parry (c) says:

Other things that remain dark under the act are when a man's employment commences, how and when he is to make a claim for compensation, what is a building, what is a scaffold, what is repair. In connection with this the court of appeal have decided that painting the outside of a house is not repairing it, and thereby put a large class of men in a dangerous employment outside the provisions of the act. Though in a more recent case the same court decides that a decorative artist painting cupids on the ceiling of a theatre during construction

a Wood v. Walsh & Sons, court of appeal, March 18, 1899.

b Hoddinott v. Newton, Chambers & Co., Limited.

c "The Workmen's Compensation Act:" The Fortnightly Review, London, July, 1900.

is within the act, the same artist repainting the same cupids years hence would probably come within the first decision and be outside the act. One is, of course, not criticising the legal value of these decisions, but only pointing out the hardship to a painter or his employer of having to pay lawyers who are able to understand these cases, and being made to pay costs if the lawyers fail in the effort.

RESULTS OF THE LAW.

Before the passage of the act Mr. John Wilson, member of Parliament for Durham, and secretary of the Durham Coal Miners' Association, feared that the compensation would come out of the pockets of the workingmen. The practical operations of the act have evidently caused him to take a rather more hopeful view. In March, 1899, he called the attention of his association to an agreement just made with the colliery owners relating to funeral expenses. In the case of fatal accidents, where no dependents are left, the law provides that the employer shall pay the funeral expenses, but no amount is stipulated. The Durham mine owners agreed to pay £5 (\$24.33) if a coffin is provided at their expense, or £6 (\$29.20) when no such provision has been made. Commenting on this agreement, Mr. Wilson says: "This, I hope, will stereotype a mode and facilitate a settlement in this class of cases. As we get on we shall reach common ground in other directions."

In June of the same year Mr. Wilson showed that another step had been taken in the direction of reaching common ground. It had long been a custom that in the case of miners killed by accident their widows should be permitted to continue to live in their houses rent free. When the act went into effect the owners served notice that where compensation was paid rent would be exacted, the owners claiming that the heavy charges entailed upon them by the law would not permit them to exercise their former generosity. After some negotiation a compromise was effected by which the employers agreed to permit the widow of any miner killed by accident to remain in the house 2 months after his death rent free, but no compensation would be paid until after she had vacated the house.

It has been suggested by some employers that one effect of the passage of the act has been to make men careless and encourage malingering; that the workman, appreciating that he would be compensated for injury and loss of time, has become indifferent to his personal safety; and that there is a certain temptation among a certain class of men to do themselves a slight bodily injury and exaggerate its importance, which enables them to live in idleness at the expense of their employers. How true this charge is (a charge, it is proper to state, not generally made, but still suggested by more than one employer), it is, of course, impossible to tell. Representatives of labor, as might naturally be expected, deny it and point out that the love of life and

avoidance of suffering are to the average man of more weight than a small compensation, the payment of which is not always certain. The law provides safeguards against fraud by making the decision of the government medical referee final in case of failure to agree on the part of the medical experts called by the opposing interests, and in practice this has given general satisfaction. Officials of the Board of Trade whose duty it is to watch the returns of industrial accidents do not see that the law has increased the number.

Undoubtedly one result of the passage of the act has been to make employers, especially in the dangerous trades, more narrowly enforce their regulations, so as to avail themselves of the "serious and willful misconduct" clause. Mr. John Wilson points this out in his circular to his association, January, 1899. He cites the case of Dobbin, a wasteman, who begged a ride on a "kibble," which, running away, caused fatal injuries. His employers refused compensation on the ground that his death was due to his "serious and willful misconduct" (as it was not part of his duties to ride on the kibble) and did not arise out of or was not in the course of his employment. Commenting on the case, which had been referred to the county court judge (*a*) for decision, Mr. Wilson wrote:

If this does not arise out of or is not in the course of his employment, or if such an act as this can be classed as "serious and willful misconduct," the meaning of the words is much wider and more dangerous than the politicians who introduced the measure and some of the lawyers who took part in the discussion contemplated. Mr. Chamberlain said: "It would be unfair that the workmen should be debarred from compensation because of the breach of one, perhaps, out of a hundred rules. Even in the rules embodied in the acts of Parliament there are many that are not of a serious character." Lord Herschell said: "There may be a breach of the rule which could not be described as serious and willful misconduct. If every breach of a rule for which a magistrate can fine is therefore serious and willful, that would be a wide interpretation of the clause." Mr. Asquith said: "Willful misconduct is a totally different thing from negligence." This is one of the portions of the act which was opposed very strongly in the House of Commons by the miners' representatives. To them the dangers lying in these words were plain. Subsequent events have proved them right. Already there have been (as it was thought there would be) many conflicting opinions. It is therefore necessary that, if any living lawyer can define the limits of the clause, we should have a definition to guide our future consideration of parallel cases.

Mr. Wilson, in the same circular, mentions other accidents which have been caused by an infraction of the rules, and adds:

I mention these cases not for the purpose of expressing an opinion upon the evidence, because at the time of writing this our committee

a The judge ruled against the claim holding that "the deceased met with his accident in the kibble, in which he was riding for his own pleasure, and not in the course of his employment."

have not met, and it is for them to decide what course we shall take in relation to the cases. My aim is to draw attention to the requirements of the law and special rules. There is no doubt but there will be greater strictness in the application of the special rules and the law, and wherever a person is injured, and there be a violation of these, the "serious and willful misconduct" portion of the act will be brought into operation.

One of the results which might have been naturally anticipated from the passage of the law was that it would lead the employers to be more careful in their selection of workmen, and that they would employ more competent men. It can not be said that this expectation has been realized, due doubtless to the reasons already given, that since the law came into operation manufacturing in Great Britain has been carried on at high pressure, and in many branches of industry there has been a scarcity rather than a surplus of labor. Whether what was anticipated will come to pass when labor is vainly seeking employment and the employers have more applications for work than they are able to satisfy—i. e., on a falling labor market and a curtailment of production—is a speculative inquiry not to be answered here, and for which there is no basis on which to predict any satisfactory result. And so long as wages advance and production is unable to keep pace with the demand that phase of the question will not vex either capital or labor.

But the workings of the law have affected workingmen in a way hardly foreseen by them at the time they were demanding its passage. According to the statements made by Mr. Thomas Burt, M. P., and Mr. John Wilson, M. P., both of whom are competent authorities on all matters relating to the employment of labor in and about coal mines, since the enactment there has been a tendency among employers not to employ men who have passed their prime.

It is asserted that one of the effects of the law is to make it more difficult for elderly men, especially those whose bodily or mental faculties are in the least impaired or dulled, to obtain employment, and that in a time of stress men above a certain age would be the first marked for dismissal. Mr. Thomas Burt, M. P., general secretary of the Northumberland Miners' Mutual Confident Association, stated that to some extent this tendency had already been noticed. The reason, of course, is obvious. A workman past his prime is more likely to become injured than one younger and more alert, and as the law imposes severe liabilities on the employer he will naturally take every precaution to minimize his risk. How seriously this will affect labor when the scale falls would be idle speculation at this time. That it is a real and ever-present fear in the mind of labor can not be denied.

This tendency to discourage the employment of elderly men, or those not in the enjoyment of the fullest physical vigor, is not confined solely to colliery proprietors. According to the statements of representative

labor leaders, speaking for those trades brought under the scope of the act, the same thing is noticeable. This has been referred to without bitterness, but as a fact; an unfortunate but perhaps unavoidable corollary to the effort made to improve general conditions, which, as a general thing, brings about "the greatest good for the greatest number," but incidentally, in the process of adjustment, before its accomplishment entails some suffering on the minority.

It is obvious, as has been pointed out to the writer, that the employers, for their own protection, will not willingly employ aged and infirm men.

In this connection an effort has been made to ascertain whether the law has had any effect in inducing employers to use better appliances and in other ways guard their employees from death or accident by more narrowly protecting them. It can not be said that much change has been noticed. In England factories, mines, railways, and other places where labor is employed are brought under the control and supervision of the secretary of state for home affairs, whose powers are wide, plenary, and in some directions drastic. The home secretary, under the authority conferred on him by various acts of Parliament, makes regulations to safeguard the rights of both employers and employees, and his regulations do not become a dead letter, but are rigidly enforced by the constant supervision and investigation of the factory inspectors and the other officials of the Board of Trade. The numerous prosecutions brought under these various acts and the fines inflicted both on employer and employees for violations of the regulations testify to the rigid scrutiny exercised and the zealous care displayed to protect the employer from the malice or indifference of the workman and the workman against the cupidity or brutality of his master. As a matter of economy simply and without regard to sentiment or other motives, it is cheaper for an employer to use safety appliances and exercise all possible precautions to prevent accidents or loss of life than it is for him to pay compensation. But the vigilance of the factory inspectors would enforce that in any event, and it is rare that the working parts of machinery are not fenced in or that the other safeguards required by the regulations are not observed. Their violation is apt to prove costly.

The writer has been assured by representatives of the trade unions that in one respect at least the law meets with their approval, inasmuch as it has caused a decrease of legal expenses, despite the litigation which has followed its enactment, owing to so many cases being settled by the decisions of arbitrators and through the efforts of joint committees representing masters and men. The hope is expressed that after the courts have defined the scope of the act and limited the interpretation to be put on phraseology open to reasonable doubt—the more important of which has already been referred to—both sides will be fully

cognizant of their rights and litigation will be as rare as it is unnecessary. Before the passage of the Workmen's Compensation Act the workman's right of redress against his employer for injury was by an action brought under the Employers' Liability Act and other similar statutes. Those laws were fruitful sources of litigation. The adoption of schemes is also regarded as a means to remove friction. With agreements made on both sides, the rights of both being protected and a definite understanding existing, the not unreasonable hope is expressed that all disputes will be settled under the terms of the covenant and there will be no temptation to invoke the assistance of the law.

A return made by the home office giving the litigated cases for England and Wales only under the act during the first 6 months of its existence affords some interesting statistics. In an introductory note attention is called to the fact that "the Workmen's Compensation Act, 1897, came into force on the 1st July, 1898—that is to say, that the right to compensation under that act accrued with regard to accidents happening on and after that date; that it was only an interval after that date that disputed cases would come before the county court or arbitrators, and that usually a further delay would occur before the case could be decided. The return therefore, which gives the results of cases dealt with and settled, though it nominally covers 6 months, really relates to a much shorter period. Indeed, it may be doubted if, so far as regards arbitration, the normal number of cases was reached before the end of the year. Probably to regard the tables as representing 3 months' working of the act would not be very far from the mark."

The returns show, giving due consideration to the brief period which they cover, that 130 cases were settled in the county courts, of which 104 were by the judge's award, 8 by an arbitrator's award, and 18 by acceptance of money paid into court. There were 48 other cases either withdrawn, settled out of court, or otherwise disposed of in such a way as not to enable the officials of the court to state definitely the results. Of the 130 cases finally settled within the cognizance of the courts, the decisions in 101 cases were for the plaintiff and in 29 for the defendant. In 48 cases the award was a lump sum; in 53 cases a weekly payment. It is impossible to capitalize, even approximately, the value of the weekly payments.

In 38 cases compensation was awarded on account of death, the total amount awarded being £7,604 18s. 6d. (\$37,009.37), the average award being £200 2s. 7d. (\$973.93). There were 10 cases in which the compensation for injury consisted of a lump sum. The total amount in these cases was £161 2s. 7d. (\$784.14) and the average £16 2s. 3d. (\$78.41). Of the 53 cases of injury in which a weekly sum was assigned, there were 16 cases of total and 37 of partial incapacity. The average amount in the former was 11s. 4d. (\$2.76) a

week; in the latter 12s. 10d. (\$3.12). The compiler of the return comments as follows in explanation of these figures:

It appears somewhat remarkable that the average payment for total incapacity should be less than for partial incapacity. Probably the explanation is that partial incapacity usually means temporary incapacity and that in cases of temporary incapacity, even where the employer disputes his liability, he does not object, if he pays at all, to pay the full amount allowed under the act, i. e., half wages. On the other hand, the cases of total incapacity include a larger proportion of cases of permanent disablement in which a smaller allowance than the maximum, under the act, is awarded.

As already stated, the Workmen's Compensation Act will reduce the number of cases under the Employers' Liability Act, but the tables afford no proper basis of comparison. It is interesting to note, however, that of the 681 cases brought in 1898 under the Employers' Liability Act, 596 were in employments to which the Workmen's Compensation Act now applies and only 85 in other employments. It may also be of interest to note that the average amount of damages in case of death amounted to £85 6s. 4d. (\$415.19) under the Employers' Liability Act, as compared with £200 2s. 7d. (\$973.93) in arbitrations under the Workmen's Compensation Act, and that while solicitors' costs under the latter act in 60 cases averaged £11 1s. 1d. (\$53.80), under the Employers' Liability Act the average of 208 cases was £22 14s. 4d. (\$110.55).

The conclusion of the compiler is of so much importance that its salient features are herewith given:

In conclusion it should again be stated that the most serious mistake that could be made with regard to these returns is to imagine that the cases which come before the county courts represent any considerable proportion of the cases in which compensation is claimed or paid under the act. There is a concurrence of testimony that in the great majority of cases the full compensation allowed by the act is given without question, but unfortunately no figures can be obtained which even approximately represent the actual payments. The home office committee, which reported in the end of 1897 on the question of the appointment of medical referees as the result of a careful examination of all available statistics of accidents, both official and nonofficial, and of comparison of the German accident rates, estimated the annual number of accidents in England and Wales for which compensation would be payable as between 120,000 and 150,000. Taking the lower figures, this would give 30,000 as the number of cases of accident within the act in a period of 3 months.

Even if the total number of cases for the period covered by the return were put so low as 20,000, the number of cases carried to the county court (178) would still be considerably less than 1 per cent of the whole, and even of these some were taken to the court not to dispute payment, but to settle the question of the person to whom the payment should be made.

However far the figures just quoted may be from an accurate estimate of the total number of cases, they may perhaps serve to show

that the very small number of litigated cases must not be taken as any measure of the number of those in which compensation has been paid under the act.

This lesson is also enforced by the returns from some of the districts. * * * In the Stokesley and Guisborough district, with a population of 28,000, chiefly miners, while there were no litigated cases in the county court, there was, up to December 31, at least 80 cases in which compensation was paid without dispute (78 by agreement and 2 on the award of the committee). If it could be assumed that the same ratio of cases to population holds throughout England and Wales, this would give, against 178 litigated cases, about 80,000 cases in which compensation was paid by agreement. This figure is of course too high. In a district where a mining population preponderates the proportion of accidents for which compensation is payable under the act is much greater than in the country generally, but even when full allowance is made for this difference the result is sufficiently striking.

Not less noteworthy is the fact that in some of the largest and most populous industrial districts, where numerous accidents must certainly have occurred in the employments coming within the act, not a single litigated case under the new act had, up to 31st December, been taken to the county court and decided either by the judge or arbitrators. Thus there was not one case from the mining districts of Durham, Consett, and Bishop-Auckland, with a population of 312,000, nor from South Staffordshire, with a population of 575,000, nor from Plymouth and South Devon, with a population of 480,000, nor Cornwall, with a population of 314,000. In Bristol, with a population of 355,000, there was only 1 case, and only 2 in the circuit which includes Halifax, Huddersfield, and Dewsbury, and has a population of 582,000.

In addition to the above the following statement, taken from the Labor Gazette for August, 1900, shows the extent of litigation under the act for the year ending December 31, 1899:

Of 1,347 arbitrations in county courts in England and Wales 828 were decided by award of the judge, 98 by award of an arbitrator appointed by the judge, and 73 by acceptance of money paid into court. The remaining 348 cases were withdrawn, settled out of court, or otherwise disposed of in such a way as not to enable the officials of the court to state definitely the results. Of the 999 cases finally settled within the cognizance of the courts the decision in 753 cases was for the applicant and in 246 for the respondent.

The average amount of compensation paid in cases of death to dependents was £173 1s. 7d. [\$842.29]. The average amount of the lump sums awarded (in lieu of weekly payments) in cases of injury was £32 2s. 4d. [\$156.30]. The average weekly allowance in cases of injury was 10s. 11d. [\$2.66] in cases of total and 9s. 2d. [\$2.23] in cases of partial incapacity. The duration of these weekly payments can not in most cases be stated.

Fifty-four cases were carried to the court of appeal in England, or 4 per cent of the cases that came before the county courts. Twenty-three were appeals by work people and 31 by employers. Of the former 5, of the latter 12, were successful.

COST TO CAPITAL AND LABOR.

The question of cost, which naturally includes the cost both to capital and labor, is such an important one that the writer has devoted considerable time and effort in an attempt to obtain reliable data, but unfortunately the attempt has been without result. Prior to the passage of the act, when it was pending in Parliament, employers and employees raised objections, both expressing the fear that its burden would fall on their shoulders. Thus the colliery proprietors antagonized the measure because they foresaw a liability created which might easily become ruinous, while Mr. John Wilson, a member of Parliament, and secretary of the Durham Coal Miners' Association, dreaded the effect it would have on wages. Writing to his association in February, 1897, he said:

There is not a question within the probabilities of legislation which so vitally affects our interests.

After predicting that the effect of the law would be to induce employers to provide against loss by transferring the liability to an insurance company which, he feared, because of the removal of responsibility from the employer, would increase rather than diminish the number of accidents, he continued:

But suppose a universal scheme of compensation for all accidents established, and as easily as water flowing down a hill we received the amount arranged by the State for the class of accident we had received. Whence comes the money? The ready but incorrect answer will be, no doubt, from the employer. It will come no more from him than the water we drink comes from the tap or pipe it runs out of. It may run out of the tap, but it must first come from the spring or other source. So the money paid will come from the spring of the employer's wealth—the labor of the workman. The employers are alive to that simple truth of political economy. In conversation with one large employer he admitted that, and it can not be successfully controverted. It may be denied, but not refuted.

That was the view of labor's representative in Parliament. The Government view was expressed by Mr. Chamberlain, the secretary of state for the colonies. The legislation did not, of course, come under the purview of his department, but belonged to the home office, and the home secretary, Sir Matthew White Ridley, stood sponsor for the measure in the Commons, but Mr. Chamberlain has generally been regarded as the real creator of the law. Mr. Asquith, Sir Matthew Ridley's predecessor in the home office, suggested that a large share of the burden would fall upon wages and that little benefit would accrue to the workman. Replying to Mr. Asquith, Mr. Chamberlain said that, admitting the correctness of the argument, "every addition to the cost of manufacture must come out of wages, which, I think, will reduce the argument to an absurdity." He contended that legis-

lation on the line suggested did not result in reducing wages, and cited Germany as an example where, he said, wages, in common with those of other countries, had been advancing.

In asking leave to introduce the bill Sir Matthew White Ridley said:

It was shown that such a law of industrial compensation is well-nigh common to the whole of the Continent, and is in force in most of those countries with which we enter into any severe competition. It was pointed out also that such a scheme providing for general compensation, if it accurately defined the liabilities of one side and the other and if it provided a simple and inexpensive remedy, would prevent litigation. It would prevent uncertainty, and the parties would know what their rights were.

Mr. Chamberlain also said:

I believe the bill may stand very well on its merits as being a bill for compensation alone. If you consider that under the existing state of law something like 12 per cent only of accidents are in any way dealt with in the shape of compensation, the House can understand that a bill which is going to bring in for the first time 88 per cent more is a measure of such importance that it may very well stand on its own bottom.

And again, to show the extent of the act, he said:

We have provided for those who are injured by no fault of their own, but we have gone beyond that, because we have provided for those who have, in the technical terms of the law, contributed to the accident from which they suffer.

In June, 1897, after the bill had passed the committee stage, Mr. Wilson, again reporting to his association, expressed the fear that the compensation would come out of the pockets of the workingmen, and he ridiculed the assertions of the colliery proprietors that the proposed law would impose an obligation equivalent to nearly 3d. (6 cents) per ton, or an annual charge of £2,375,000 (\$11,557,937.50).

So far as labor is concerned, it has been shown that since the law went into effect wages have steadily advanced and employment in almost all trades has been obtained without difficulty, which would seem to prove that labor has not been taxed for whatever benefits it has enjoyed under the new dispensation, and, on the contrary, has been a direct gainer. But in regard to capital the problem is more complex. There are no general statistics available. The report of the chief registrar of friendly societies, to which reference has been made, gives the amounts which the operations of the act have cost capital under the schemes which have received his approval, but these schemes are so few comparatively and affect such a small number of workingmen as compared to the whole that their results are valueless as throwing light on this branch of the inquiry. Furthermore, the schemes vary so greatly and the cost differs so much, depending upon the trade and

the number of men interested, that the figures confuse rather than enlighten. For instance, the Great Eastern Railway scheme affects 27,668 men and costs the company £10,022 (\$48,772.06), or an average cost to the company per man of about 7s. 2d. (\$1.74), while the Monmouthshire and South Wales Miners' Permanent Provident Society, with a membership of 21,271, entails an expense on the employers of £13,030 (\$63,410.50), or an average cost per man of 12s. 3d. (\$2.98), or rather more than 70 per cent higher than the Great Eastern Railway's expense. This difference in cost may possibly be explained on the ground that coal mining is a more hazardous occupation than railroading, but it is not satisfactorily explained why the relative expense to the London, Brighton and South Coast Railway is so much less than to the Great Eastern, the conditions governing both systems being practically identical. Under the London, Brighton and South Coast's scheme 13,506 employees are affected, the cost to the company being £2,446 (\$11,903.46), or 3s. 7½d. (\$0.88) per employee, as against the Great Eastern's 7s. 2d. (\$1.74). These figures show that the schemes do not afford an accurate basis for estimating the cost.

Inquiry among employers shows either a reluctance or inability to enter into the expense of compensation. In some cases manufacturers have frankly stated that they prefer not to give figures, as they consider it advisable to keep the facts to themselves and not make them public for the benefit of rivals. Employers, of course, look upon the expense incident to the act as a necessary charge upon production, and to be estimated accordingly in calculating cost, precisely as fire insurance and other similar charges are considered. Furthermore, certain employers have pointed out that it is difficult to estimate the cost to them of the new legislation, because under the Employers' Liability Act and other general statutes they were constantly compelled to recompense employees for injuries sustained. It will require more time than has yet elapsed to determine whether the employers have gained or suffered by making the Workmen's Compensation Act virtually, although not statutorily, supersede the Employers' Liability Act.

Some employers underwrite their contingent liability to their employees by paying a fixed premium to insurance companies, who guarantee the insurer against loss, precisely as is done in other and more familiar forms of insurance. Application has been made to the two insurance companies doing the bulk of this business for data which would afford a basis of calculation, but while the officers of one of the companies very courteously gave the writer certain information, it was not detailed enough to throw much light on the question. The rate of premium paid this company varies from 1s. to 40s. per cent. The total amount of premiums received since the act came into force is £40,000 (\$194,660); losses paid, £16,000 (\$77,864), with 1,000 cases

unadjusted; number of employers insured, 6,000. The manager of the other company politely declined to give any information, on the ground that it was a trade secret which could not be made public without injury.

GENERAL CONCLUSIONS.

While no attempt is made by the writer to theorize or assert his own opinions, certain general conclusions may properly be drawn from the facts developed, especially in view of the results sought to be attained as stated on page 107. Unfortunately these results are only partial. So far as they go they show—

1. That the law has not worked without friction, but that friction is gradually being eliminated.

2. The effect of the law upon production and profits can not be stated. There has certainly been no curtailment of production, but Great Britain, in common with all the rest of the world, has enjoyed unexampled prosperity since the law came into operation; therefore all speculation as to the influence of the law is valueless. For the same reason no conclusion can be reached as to the bearing of the law upon profits. Prices have been steadily tending upward, the causes for which are so numerous that they can not be even touched upon here; but it would be foolish to assert that because the employer has to compensate his workmen the consumer has to pay more for articles of consumption than he did before the passage of the act. Whether the increased cost of production, the compensation, will in a falling market come out of the profits of the manufacturer or the wages of the laborer or the pocket of the consumer is a problem which no one feels qualified to answer with authority to-day.

3. That the law has improved the condition of labor is freely admitted. It has more narrowly defined the obligations of the employer; it has made him more vigilant to save his employee from harm, and it has given the employee a quicker, easier, and more certain means of obtaining redress when his injury has been caused by his employer's negligence or indifference.

4. That the law has improved the relations existing between capital and labor is also admitted. The adoption of schemes which can not be enforced at the will of the employer, but can only become operative by the consent of the workmen, has brought the two interests in closer communion, and both sides have a common purpose in seeing that the fund to which they jointly contribute is properly, economically, and justly administered. And the law has also tended to improve the relations existing between capital and labor by making labor feel that when it incurs disability in the service of capital it will be compensated and not cast adrift to shift for itself because it has ceased to increase the profits of capital.

Following is the text of the Workmen's Compensation Act, 1897, and of the Workmen's Compensation Act, 1900, which extends the benefits of the act of 1897 to workmen in agriculture:

AN ACT to amend the law with respect to compensation to workmen for accidental injuries suffered in the course of their employment [6th August 1897].

*Be it enacted by * * * Parliament assembled, and by the authority of the same, as follows:*

1.—(1) If in any employment to which this act applies personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as hereinafter mentioned, be liable to pay compensation in accordance with the first schedule to this act.

(2) Provided that:—

(a) The employer shall not be liable under this act in respect of any injury which does not disable the workman for a period of at least 2 weeks from earning full wages at the work at which he was employed;

(b) When the injury was caused by the personal negligence or willful act of the employer, or of some person for whose act or default the employer is responsible, nothing in this act shall affect any civil liability of the employer, but in that case the workman may, at his option, either claim compensation under this act, or take the same proceedings as were open to him before the commencement of this act; but the employer shall not be liable to pay compensation for injury to a workman by accident arising out of and in the course of the employment both independently of and also under this act, and shall not be liable to any proceedings independently of this act, except in case of such personal negligence or willful act as aforesaid;

(c) If it is proved that the injury to a workman is attributable to the serious and willful misconduct of that workman, any compensation claimed in respect of that injury shall be disallowed.

(3) If any question arises in any proceedings under this act as to the liability to pay compensation under this act (including any question as to whether the employment is one to which this act applies), or as to the amount or duration of compensation under this act, the question, if not settled by agreement, shall, subject to the provisions of the first schedule to this act, be settled by arbitration, in accordance with the second schedule to this act.

(4) If, within the time hereinafter in this act limited for taking proceedings, an action is brought to recover damages independently of this act for injury caused by any accident, and it is determined in such action that the injury is one for which the employer is not liable in such action, but that he would have been liable to pay compensation under the provisions of this act, the action shall be dismissed; but the court in which the action is tried shall, if the plaintiff shall so choose, proceed to assess such compensation, and shall be at liberty to deduct from such compensation all the costs which, in its judgment, have been caused by the plaintiff bringing the action instead of proceeding under this act.

In any proceeding under this subsection, when the court assesses the compensation it shall give a certificate of the compensation it has awarded and the directions it has given as to the deduction for costs, and such certificate shall have the force and effect of an award under this act.

(5) Nothing in this act shall affect any proceeding for a fine under the enactments relating to mines or factories, or the application of any such fine, but if any such fine, or any part thereof, has been applied for the benefit of the person injured, the amount so applied shall be taken into account in estimating the compensation under this act.

2.—(1) Proceedings for the recovery under this act of compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable after the happening thereof and before the workman has voluntarily left the employment in which he was injured, and unless the claim for compensation with respect to such accident has been made within 6 months from the occurrence of the accident causing the injury, or, in case of death, within 6 months from the time of death. Provided always that the want of or any defect or inaccuracy in such notice shall not be a bar to the maintenance of such proceedings, if it is found in the proceedings for settling the claim that the employer is not prejudiced in his defence by the want, defect, or inaccuracy, or that such want, defect, or inaccuracy was occasioned by mistake or other reasonable cause.

(2) Notice in respect of an injury under this act shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury

and the date at which it was sustained, and shall be served on the employer, or, if there is more than one employer, upon one of such employers.

(3) The notice may be served by delivering the same to or at the residence or place of business of the person on whom it is to be served.

(4) The notice may also be served by post by a registered letter addressed to the person on whom it is to be served at his last known place of residence or place of business, and if served by post shall be deemed to have been served at the time when the letter containing the same would have been delivered in the ordinary course of post, and in proving the service of such notice it shall be sufficient to prove that the notice was properly addressed and registered.

(5) Where the employer is a body of persons corporate or unincorporate, the notice may also be served by delivering the same at, or by sending it by post in a registered letter addressed to the employer at, the office, or, if there be more than one office, any one of the offices of such body.

3.—(1) If the registrar of friendly societies, after taking steps to ascertain the views of the employer and workmen, certifies that any scheme of compensation, benefit, or insurance for the workmen of an employer in any employment, whether or not such scheme includes other employers and their workmen, is on the whole not less favorable to the general body of workmen and their dependents than the provisions of this act, the employer may, until the certificate is revoked, contract with any of those workmen that the provisions of the scheme shall be substituted for the provisions of this act, and thereupon the employer shall be liable only in accordance with the scheme, but, save as aforesaid, this act shall apply notwithstanding any contract to the contrary made after the commencement of this act.

(2) The registrar may give a certificate to expire at the end of a limited period not less than 5 years.

(3) No scheme shall be so certified which contains an obligation upon the workmen to join the scheme as a condition of their hiring.

(4) If complaint is made to the registrar of friendly societies by or on behalf of the workmen of any employer that the provisions of any scheme are no longer on the whole so favorable to the general body of workmen of such employer and their dependents as the provisions of this act, or that the provisions of such scheme are being violated, or that the scheme is not being fairly administered, or that satisfactory reasons exist for revoking the certificate, the registrar shall examine into the complaint, and, if satisfied that good cause exists for such complaint, shall, unless the cause of complaint is removed, revoke the certificate.

(5) When a certificate is revoked or expires, any moneys or securities held for the purpose of the scheme shall be distributed as may be arranged between the employer and workmen, or as may be determined by the registrar of friendly societies in the event of a difference of opinion.

(6) Whenever a scheme has been certified as aforesaid, it shall be the duty of the employer to answer all such inquiries and to furnish all such accounts in regard to the scheme as may be made or required by the registrar of friendly societies.

(7) The chief registrar of friendly societies shall include in his annual report the particulars of the proceedings of the registrar under this act.

4. Where, in an employment to which this act applies, the undertakers as herein-after defined contract with any person for the execution by or under such contractor of any work, and the undertakers would, if such work were executed by workmen immediately employed by them, be liable to pay compensation under this act to those workmen in respect of any accident arising out of and in the course of their employment, the undertakers shall be liable to pay to any workman employed in the execution of the work any compensation which is payable to the workman (whether under this act or in respect of personal negligence or willful act independently of this act) by such contractor, or would be so payable if such contractor were an employer to whom this act applies.

Provided that the undertakers shall be entitled to be indemnified by any other person who would have been liable independently of this section.

This section shall not apply to any contract with any person for the execution by or under such contractor of any work which is merely ancillary or incidental to, and is no part of, or process in, the trade or business carried on by such undertakers respectively.

5.—(1) Where any employer becomes liable under this act to pay compensation in respect of any accident, and is entitled to any sum from insurers in respect of the amount due to a workman under such liability, then in the event of the employer becoming bankrupt, or making a composition or arrangement with his creditors, or if the employer is a company of the company having commenced to be wound up, such workman shall have a first charge upon the sum aforesaid for the amount so due, and the judge of the county court may direct the insurers to pay such sum into

the Post-Office Savings Bank in the name of the registrar of such court, and order the same to be invested or applied in accordance with the provisions of the first schedule hereto with reference to the investment in the Post-Office Savings Bank of any sum allotted as compensation, and those provisions shall apply accordingly.

(2) In the application of this section to Scotland, the words "have a first charge upon" shall mean "be preferentially entitled to."

6. Where the injury for which compensation is payable under this act was caused under circumstances creating a legal liability in some person other than the employer to pay damages in respect thereof, the workman may, at his option, proceed, either at law against that person to recover damages, or against his employer for compensation under this act, but not against both, and if compensation be paid under this act, the employer shall be entitled to be indemnified by the said other person.

7.—(1) This act shall apply only to employment by the undertakers as hereinafter defined, on or in or about a railway, factory, mine, quarry, or engineering work, and to employment by the undertakers as hereinafter defined on, in, or about any building which exceeds 30 feet in height, and is either being constructed or repaired by means of a scaffolding, or being demolished, or on which machinery driven by steam, water, or other mechanical power, is being used for the purpose of the construction, repair, or demolition thereof.

(2) In this act—

"Railway" means the railway of any railway company to which the Regulation of Railways Act, 1873, applies, and includes a light railway made under the Light Railways Act, 1896; and "railway" and "railway company" have the same meaning as in the said acts of 1873 and 1896:

"Factory" has the same meaning as in the Factory and Workshop Acts, 1878 to 1891, and also includes any dock, wharf, quay, warehouse, machinery, or plant, to which any provision of the Factory Acts is applied by the Factory and Workshop Act, 1895, and every laundry worked by steam, water, or other mechanical power:

"Mine" means a mine to which the Coal Mines Regulation Act, 1887, or the Metalliferous Mines Regulation Act, 1872, applies:

"Quarry" means a quarry under the Quarries Act, 1894:

"Engineering work" means any work of construction or alteration or repair of a railroad, harbor, dock, canal, or sewer, and includes any other work for the construction, alteration, or repair of which machinery driven by steam, water, or other mechanical power is used:

"Undertaker" in the case of a railway means the railway company; in the case of a factory, quarry, or laundry means the occupier thereof within the meaning of the Factory and Workshop Acts, 1878 to 1895; in the case of a mine means the owner thereof within the meaning of the Coal Mines Regulation Act, 1887, or the Metalliferous Mines Regulation Act, 1872, as the case may be, and in the case of an engineering work means the person undertaking the construction, alteration, or repair; and in the case of a building means the persons undertaking the construction, repair, or demolition:

"Employer" includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer:

"Workman" includes every person who is engaged in an employment to which this act applies, whether by way of manual labor or otherwise, and whether his agreement is one of service or apprenticeship or otherwise, and is expressed or implied, is oral or in writing. Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependents, or other person to whom compensation is payable:

"Dependents" means—

(a) in England and Ireland, such members of the workman's family specified in the Fatal Accidents Act, 1846, as were wholly or in part dependent upon the earnings of the workman at the time of his death; and

(b) in Scotland, such of the persons entitled according to the law of Scotland to sue the employer for damages or solatium in respect of the death of the workman, as were wholly or in part dependent upon the earnings of the workman at the time of his death.

(3) A workman employed in a factory which is a shipbuilding yard shall not be excluded from this act by reason only that the accident arose outside the yard in the course of his work upon a vessel in any dock, river, or tidal water near the yard.

8.—(1) This act shall not apply to persons in the naval or military service of the Crown, but otherwise shall apply to any employment by or under the Crown to which this act would apply if the employer were a private person.

(2) The treasury may, by warrant laid before Parliament, modify for the purposes of this act their warrant made under section one of the Superannuation Act, 1887, and

notwithstanding anything in that act, or any such warrant, may frame a scheme with a view to its being certified by the registrar of friendly societies under this act.

9. Any contract existing at the commencement of this act whereby a workman relinquishes any right to compensation from the employer for personal injury arising out of and in the course of his employment, shall not, for the purposes of this act, be deemed to continue after the time at which the workman's contract of service would determine if notice of the determination thereof were given at the commencement of this act.

10.—(1) This act shall come into operation on the first day of July, one thousand eight hundred and ninety-eight.

(2) This act may be cited as the Workmen's Compensation Act, 1897.

FIRST SCHEDULE.

SCALE AND CONDITIONS OF COMPENSATION.

Scale.

(1) The amount of compensation under this act shall be—

(a) where death results from the injury—

(i) if the workman leaves any dependents wholly dependent upon his earnings at the time of his death, a sum equal to his earnings in the employment of the same employer during the 3 years next preceding the injury, or the sum of £150 [\$729.98], whichever of those sums is the larger, but not exceeding in any case £300 [\$1,459.95], provided that the amount of any weekly payments made under this act shall be deducted from such sum, and if the period of the workman's employment by the said employer has been less than the said 3 years, then the amount of his earnings during the said 3 years shall be deemed to be 156 times his average weekly earnings during the period of his actual employment under the said employer;

(ii) if the workman does not leave any such dependents, but leaves any dependents in part dependent upon his earnings at the time of his death, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration under this act, to be reasonable and proportionate to the injury to the said dependents; and

(iii) if he leaves no dependents, the reasonable expenses of his medical attendance and burial, not exceeding £10 [\$48.67];

(b) where total or partial incapacity for work results from the injury, a weekly payment during the incapacity after the second week not exceeding 50 per cent of his average weekly earnings during the previous 12 months, if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed £1 [\$4.87].

(2) In fixing the amount of the weekly payment, regard shall be had to the difference between the amount of the average weekly earnings of the workman before the accident and the average amount which he is able to earn after the accident, and to any payment not being wages which he may receive from the employer in respect of his injury during the period of his incapacity.

(3) Where a workman has given notice of an accident, he shall, if so required by the employer, submit himself for examination by a duly qualified medical practitioner provided and paid by the employer, and if he refuses to submit himself to such examination, or in any way obstructs the same, his right to compensation, and any proceeding under this act in relation to compensation, shall be suspended until such examination takes place.

(4) The payment shall, in case of death, be made to the legal personal representative of the workman, or, if he has no legal personal representative, to or for the benefit of his dependents, or, if he leaves no dependents, to the person to whom the expenses are due; and if made to the legal personal representative shall be paid by him to or for the benefit of the dependents or other person entitled thereto under this act.

(5) Any question as to who is a dependent, or as to the amount payable to each dependent, shall, in default of agreement, be settled by arbitration under this act.

(6) The sum allotted as compensation to a dependent may be invested or otherwise applied for the benefit of the person entitled thereto, as agreed, or as ordered by the committee or other arbitrator.

(7) Any sum which is agreed or is ordered by the committee or arbitrator to be invested may be invested in whole or in part in the Post-Office Savings Bank by the registrar of the county court in his name as registrar.

(8) Any sum to be so invested may be invested in the purchase of an annuity from the national debt commissioners through the Post-Office Savings Bank, or be accepted

by the Postmaster-General as a deposit in the name of the registrar as such, and the provisions of any statute or regulations respecting the limits of deposits in savings banks, and the declaration to be made by a depositor, shall not apply to such sums.

(9) No part of any money invested in the name of the registrar of any county court in the Post-Office Savings Bank under this act shall be paid out, except upon authority addressed to the Postmaster-General by the Treasury or by the judge of the county court.

(10) Any person deriving any benefit from any moneys invested in a post-office savings bank under the provisions of this act may, nevertheless, open an account in a post-office savings bank or in any other savings bank in his own name without being liable to any penalties imposed by any statute or regulations in respect of the opening of accounts in two savings banks, or of two accounts in the same savings bank.

(11) Any workman receiving weekly payments under this act shall, if so required by the employer, or by any person by whom the employer is entitled under this act to be indemnified, from time to time submit himself for examination by a duly qualified medical practitioner provided and paid by the employer, or such other person; but if the workman objects to an examination by that medical practitioner, or is dissatisfied by the certificate of such practitioner upon his condition when communicated to him, he may submit himself for examination to one of the medical practitioners appointed for the purposes of this act, as mentioned in the second schedule to this act, and the certificate of that medical practitioner as to the condition of the workman at the time of the examination shall be given to the employer and workman, and shall be conclusive evidence of that condition. If the workman refuses to submit himself to such examination, or in any way obstructs the same, his right to such weekly payments shall be suspended until such examination has taken place.

(12) Any weekly payment may be reviewed at the request either of the employer or of the workman, and on such review may be ended, diminished or increased, subject to the maximum above provided, and the amount of payment shall, in default of agreement, be settled by arbitration under this act.

(13) Where any weekly payment has been continued for not less than 6 months, the liability therefor may, on the application by or on behalf of the employer, be redeemed by the payment of a lump sum, to be settled, in default of agreement, by arbitration under this act, and such lump sum may be ordered by the committee or arbitrator to be invested or otherwise applied as above mentioned.

(14) A weekly payment, or a sum paid by way of redemption thereof, shall not be capable of being assigned, charged, or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against the same.

(15) Where a scheme certified under this act provides for payment of compensation by a friendly society, the provisions of the proviso to the first subsection of section 8, section 16, and section 41 of the Friendly Societies Act, 1896, shall not apply to such society in respect to such scheme.

(16) In the application of this schedule to Scotland the expression "registrar of the county court" means "sheriff clerk of the county," and "judge of the county court" means "sheriff."

(17) In the application of this act to Ireland the provisions of the County Officers and Courts (Ireland) Act, 1877, with respect to money deposited in the Post-Office Savings Bank under that act shall apply to money invested in the Post-Office Savings Bank under this act.

SECOND SCHEDULE.

ARBITRATION.

The following provisions shall apply for settling any matter which under this act is to be settled by arbitration:

(1) If any committee, representative of an employer and his workmen, exists with power to settle matters under this act in the case of the employer and workmen, the matter shall, unless either party objects, by notice in writing sent to the other party before the committee meet to consider the matter, be settled by the arbitration of such committee, or be referred by them in their discretion to arbitration as hereinafter provided.

(2) If either party so objects, or there is no such committee, or the committee so refers the matter or fails to settle the matter within 3 months from the date of the claim, the matter shall be settled by a single arbitrator agreed on by the parties, or in the absence of agreement by the county court judge, according to the procedure

prescribed by rules of court, or if in England the Lord Chancellor so authorizes, according to the like procedure, by a single arbitrator appointed by such county court judge.

(3) Any arbitrator appointed by the county court judge shall, for the purposes of this act, have all the powers of a county court judge, and shall be paid out of moneys to be provided by Parliament in accordance with regulations to be made by the treasury.

(4) The Arbitration Act, 1889, shall not apply to any arbitration under this act; but an arbitrator may, if he thinks fit, submit any question of law for the decision of the county court judge, and the decision of the judge on any question of law, either on such submission, or in any case where he himself settles the matter under this act, shall be final, unless within the time and in accordance with the conditions prescribed by rules of the Supreme Court either party appeals to the court of appeal; and the county court judge, or the arbitrator appointed by him, shall, for the purpose of an arbitration under this act, have the same powers of procuring the attendance of witnesses and the production of documents as if the claim for compensation had been made by plaint in the county court.

(5) Rules of court may make provision for the appearance in any arbitration under this act of any party by some other person.

(6) The costs of and incident to the arbitration and proceedings connected therewith shall be in the discretion of the arbitrator. The costs, whether before an arbitrator or in the county court, shall not exceed the limit prescribed by rules of court, and shall be taxed in manner prescribed by those rules.

(7) In the case of the death or refusal or inability to act of an arbitrator, a judge of the high court at chambers may, on the application of any party, appoint a new arbitrator.

(8) Where the amount of compensation under this act shall have been ascertained, or any weekly payment varied, or any other matter decided, under this act, either by a committee or by an arbitrator or by agreement, a memorandum thereof shall be sent, in manner prescribed by rules of court, by the said committee or arbitrator, or by any party interested, to the registrar of the county court for the district in which any person entitled to such compensation resides, who shall, subject to such rules, on being satisfied as to its genuineness, record such memorandum in a special register without fee, and thereupon the said memorandum shall for all purposes be enforceable as a county court judgment. Provided that the county court judge may at any time rectify such register.

(9) Where any matter under this act is to be done in a county court, or by to or before the judge or registrar of a county court, then, unless the contrary intention appear, the same shall, subject to rules of court, be done in, or by to or before the judge or registrar of, the county court of the district in which all the parties concerned reside, or if they reside in different districts the district in which the accident out of which the said matter arose occurred, without prejudice to any transfer in manner provided by rules of court.

(10) The duty of a county court judge under this act, or of an arbitrator appointed by him, shall, subject to rules of court, be part of the duties of the county court, and the officers of the court shall act accordingly, and rules of court may be made both for any purpose for which this act authorizes rules of court to be made, and also generally for carrying into effect this act so far as it affects the county court, or an arbitrator appointed by the judge of the county court, and proceedings in the county court or before any such arbitrator, and such rules may, in England, be made by the 5 judges of the county courts appointed for the making of rules under section 164 of the County Courts Act, 1888, and when allowed by the Lord Chancellor, as provided by that section, shall have full effect without any further consent.

(11) No court fee shall be payable by any party in respect of any proceeding under this act in the county court prior to the award.

(12) Any sum awarded as compensation shall be paid on the receipt of the person to whom it is payable under any agreement or award, and his solicitor or agent shall not be entitled to recover from him, or to claim a lien on, or deduct any amount for costs from, the said sum awarded, except such sum as may be awarded by the arbitrator or county court judge, on an application made by either party to determine the amount of costs to be paid to the said solicitor or agent, such sum to be awarded subject to taxation and to the scale of costs prescribed by rules of court.

(13) The secretary of state may appoint legally qualified medical practitioners for the purpose of this act, and any committee, arbitrator, or judge may, subject to regulations made by the secretary of state and the treasury, appoint any such practitioner to report on any matter which seems material to any question arising in the arbitration; and the expense of any such medical practitioner shall, subject to treasury regulations, be paid out of moneys to be provided by Parliament.

(14) In the application of this schedule to Scotland—
 (a) "Sheriff" shall be substituted for "county court judge," "sheriff court" for "county court," "action" for "plaint," "sheriff clerk" for "registrar of the county court," and "act of sederunt" for "rules of court":

(b) Any award or agreement as to compensation under this act may be competently recorded for execution in the books of council and session or sheriff court books, and shall be enforceable in like manner as a recorded decree arbitral:

(c) Any application to the sheriff as arbitrator shall be heard, tried, and determined summarily in the manner provided by the fifty-second section of the Sheriff Courts (Scotland) Act, 1876, save only that parties may be represented by any person authorized in writing to appear for them and subject to the declaration that it shall be competent to either party within the time and in accordance with the conditions prescribed by act of sederunt to require the sheriff to state a case on any question of law determined by him, and his decision thereon in such case may be submitted to either division of the court of session, who may hear and determine the same finally, and remit to the sheriff with instruction as to the judgment to be pronounced.

(15) Paragraphs 4 and 7 of this schedule shall not apply to Scotland.

(16) In the application of this schedule to Ireland the expression "county court judge" shall include the recorder of any city or town.

AN ACT to extend the benefits of the Workmen's Compensation Act, 1897, to workmen in agriculture [30th July, 1900].

*Be it enacted by * * * Parliament assembled, and by the authority of the same, as follows:*

1.—(1) From and after the commencement of this act, the Workmen's Compensation Act, 1897, shall apply to the employment of workmen in agriculture by any employer who habitually employs one or more workmen in such employment.

(2) Where any such employer agrees with a contractor for the execution by or under that contractor of any work in agriculture, section four of the Workmen's Compensation Act, 1897, shall apply in respect of any workman employed in such work as if that employer were an undertaker within the meaning of that act.

Provided that, where the contractor provides and uses machinery driven by mechanical power for the purpose of threshing, ploughing, or other agricultural work, he, and he alone, shall be liable under this act to pay compensation to any workman employed by him on such work.

(3) Where any workman is employed by the same employer mainly in agricultural but partly or occasionally in other work, this act shall apply also to the employment of the workman in such other work.

The expression "agriculture" includes horticulture, forestry, and the use of land for any purpose of husbandry, inclusive of the keeping or breeding of live stock, poultry, or bees, and the growth of fruit and vegetables.

2. This act may be cited as the Workmen's Compensation Act, 1900, and shall be read as one with the Workmen's Compensation Act, 1897, and that act and this act may be cited together as the Workmen's Compensation Acts, 1897 and 1900.

3. This act shall come into operation on the first day of July, one thousand nine hundred and one.

RECENT REPORTS OF STATE BUREAUS OF LABOR STATISTICS.

KANSAS.

Fifteenth Annual Report of the Bureau of Labor and Industry, for 1899. W. L. A. Johnson, Commissioner. viii, 587 pp.

The following subjects are treated in this report: Statistics of wage-earners, 305 pages; labor organizations, 24 pages; the packing industry, 12 pages; the creamery industry, 18 pages; the lead and zinc industry, 3 pages; county charities, 64 pages; industrial education, 5 pages; chattel mortgages, 12 pages; factory inspection, 15 pages; strikes, labor difficulties, and court decisions affecting labor, 46 pages; proceedings of the State Society of Labor and Industry and State Association of Miners, 72 pages.

STATISTICS OF WAGE-EARNERS.—The usual investigation was made with regard to the condition of wage-earners. Details are presented showing earnings, cost of living, hours of labor, nativity, conjugal condition, etc. The following table shows, by occupation groups, the more important data presented:

STATISTICS OF WAGE-EARNERS, BY OCCUPATION GROUPS, 1899.

Occupation groups.	Average yearly wages.		Average yearly income from all sources.		Average cost of living.		Average hours of labor per day.		Days unem-ployed during year.	
	No. report-ing.	Am't.	No. report-ing.	Am't.	No. report-ing.	Am't.	No. report-ing.	Hrs. per day.	No. report-ing.	Days unem-ployed
Railway trainmen	150	\$865.58	152	\$894.65	142	\$806.96	126	11.1	100	70.7
Other railway employees ..	84	607.25	84	650.45	78	568.43	80	10.2	47	27.5
Building trades	236	386.75	238	436.10	227	408.33	243	9.4	183	94.4
Miscellaneous trades	371	500.66	374	546.75	336	493.64	354	10.5	208	51.0
Female wage-earners	117	281.66	118	294.04	75	261.46	101	8.8	61	71.1
All occupations	958	512.34	966	552.38	858	509.43	904	10.7	599	67.5

Of 819 wage-earners making returns, 454 reported increased opportunities for employment as compared with 1898, 137 reported decreased opportunities, and 228 reported conditions about the same. Of 770 returns, 339 reported increased wages, 76 reported decreased wages, and 355 reported no change in wages as compared with the preceding year. Of 714 returns, 473 reported an increased cost of living as compared with 1898, 41 reported a decreased cost, and 200 reported no change.

Returns regarding accident insurance were received from 83 wage-earners. The accident insurance carried amounted to \$1,895.48 per

person insured, costing an average of \$24.24 annually, or 2.7 per cent of the total income. Of 1,058 wage-earners reporting, 504, or 47.6 per cent, carried life insurance. Of these, 114 were insured in old-line companies, the amount of insurance carried being \$1,649.83 per person insured, costing an average of \$45.50 per year, or 6.1 per cent of the total income. There were 430 insured in fraternal organizations, the insurance carried amounting to \$2,277.31 per person insured, at an average cost of \$24.12 per year, or 3.6 per cent of their entire income.

A comparison between organized and unorganized wage-workers shows that 127 who were organized earned an average of \$0.248 per hour, while 133 who were unorganized earned an average of \$0.181 per hour; 128 organized wage-workers were employed an average of 8.9 hours per day, while the same number of unorganized wage-workers were employed 10.1 hours per day.

LABOR ORGANIZATIONS.—The following table shows the number and membership of 98 labor organizations on December 31, 1899:

NUMBER AND MEMBERSHIP OF LABOR ORGANIZATIONS, DECEMBER 31, 1899.

Labor organizations.	Local unions or branches.	Members.
Amalgamated Meat Cutters and Butcher Workmen of North America.....	3	a 70
Amalgamated Sheet-Metal Workers' International Association.....	1	14
American Federation of Musicians.....	1	27
American Railway Union.....	1	31
Bricklayers and Masons' International Union.....	1	20
Brotherhood of Boiler Makers and Iron Shipbuilders.....	1	14
Brotherhood of Locomotive Engineers.....	9	408
Brotherhood of Locomotive Firemen.....	12	569
Brotherhood of Painters and Decorators of America.....	1	33
Brotherhood of Railroad Trainmen.....	10	a 430
Brotherhood of Railway Trackmen of America.....	1	5
Building Laborers' International Protective Union.....	1	160
Cigar Makers' International Union.....	4	88
Coopers' International Union of North America.....	1	138
Federal Labor Union.....	4	435
International Association of Machinists.....	1	92
International Brotherhood of Blacksmiths.....	1	30
International Brotherhood of Stationary Firemen.....	1	19
International Stone Masons' Union of America.....	2	25
International Typographical Union.....	2	121
Journeyman Barbers' International Union of America.....	3	93
Kansas State Barbers' Association.....	1	23
Order of Railway Conductors.....	12	597
Retail Clerks' National Protective Association.....	1	34
Switchmen's Union of North America.....	1	15
Team Drivers' International Union.....	1	32
Teamsters' Union.....	1	40
Trades and Labor Assembly.....	1	39
United Association of Journeymen Plumbers, Gas Fitters, Steam Fitters, and Steam-Fitters' Helpers of the United States and Canada.....	2	24
United Brotherhood of Carpenters and Joiners of America.....	5	193
United Brotherhood of Leather Workers on Horse Goods.....	1	20
United Mine Workers of America.....	11	2,088
Total.....	98	b 5,930

a Not including 1 union not reporting.

b Not including 2 unions not reporting.

Returns from 100 labor organizations were tabulated, but of these 4 did not report membership. The other 96 reported a total of 5,930 members on December 31, 1899. Fifty-three unions reported an aggregate increase of 1,982 members, and 15 reported a total decrease of 480 members during the year. Of 95 local unions reporting, 71 had

agreements, schedules, or contracts with employers. The annual fees charged for membership in 92 unions reporting ranged from 24 cents to \$25, the average annual fee being \$5.79 per member. Ninety-one unions reported an average of 71.3 per cent of the trade in their localities as being organized. The members of 85 unions reporting were employed an average of 10.5 months per year. The average working day of members of 79 unions was 9.9 hours. Of 89 unions, 62 reported increased opportunities for employment as compared with 1898, 9 reported decreased opportunities, and 18 reported no change. Of 79 unions, 37 reported increased wages, 10 decreased wages, and 32 reported no change as compared with 1898.

THE PACKING INDUSTRY.—Tables are given showing the character of ownership, capital invested, assessed valuation, receipts and expenditures, capacity of plant, number, wages, and salaries of employees, etc., for 11 packing plants in the State. The returns published were largely incomplete, only a few of the items being given for all the establishments. The 11 plants employed 8,333 persons, and paid a total of \$4,146,190.86 for salaries and wages.

THE CREAMERY INDUSTRY.—Returns for this industry were likewise incomplete. The tables given show for each establishment reporting the character of ownership, capital invested, value of plant and of product, receipts and expenditures, the number, wages, and salaries of employees, etc.

THE LEAD AND ZINC INDUSTRY.—This part of the report contains statistics of the output and value of the mine products and a descriptive account of the lead and zinc industry of the State in 1899. Returns from 138 plants show an output of 14,186,670 pounds of lead, valued at \$375,553.40, and 128,120,310 pounds of zinc, valued at \$2,738,431.

INDUSTRIAL EDUCATION.—This chapter gives an account of the character of the manual training taught in each of 4 educational institutions in the State, the number of pupils taking manual-training courses, the cost of these courses, effects of manual training, and other information.

STRIKES.—Accounts are given of 8 strikes which occurred in the State during the year, as follows: 1 of coal miners, 3 of coopers, 2 of team owners and drivers, and 2 of carpenters.

MARYLAND.

Eighth Annual Report of the Bureau of Industrial Statistics of Maryland, for 1899. Jefferson D. Wade, Chief of Bureau. x, 167 pp.

The following subjects are treated in the present report: Strikes, 15 pages; seamen, 17 pages; sweat shops, 6 pages; labor laws, 1 page; trade unions in Baltimore, 4 pages; incorporations in Baltimore, 119 pages.

STRIKES.—Detailed accounts are given of 11 strikes which occurred in the State during the year.

SEAMEN.—This chapter consists of a report made by the local agent at Baltimore of the Atlantic Coast Seamen's Union, calling attention to certain abuses in the treatment of seamen, particularly by means of the "crimping" system, and making suggestions for the guidance of legislators as to the correction of these abuses. It also contains a synopsis of the act of Congress of December 21, 1898, (a) having this object in view.

SWEAT SHOPS.—A brief account is given of an inspection of sweat shops in Baltimore and of the difficulties encountered by the health department in correcting the evils under existing legislation.

TRADE UNIONS.—A list is given of 55 trade unions in Baltimore, all of which were affiliated with the Federation of Labor. Of these, 17 were organized during the year.

CORPORATIONS.—A list is given of the incorporations in the city of Baltimore from 1870 to 1899, showing in each case the name, date of incorporation, and amount of capital stock. This list supplements that given in the previous report, relating to incorporations in the rest of the State. There were 3,616 incorporations reported in Baltimore, with an aggregate capital stock of \$795,189,200. Of these, 1,096 were building and loan associations, under a variety of names, with a capital stock of \$422,843,500.

MICHIGAN.

Seventeenth Annual Report of the Bureau of Labor and Industrial Statistics. 1900. Joseph L. Cox, Commissioner. vii, 264 pp.

The present report consists of a number of short chapters devoted to various subjects. The following relate to labor and industrial conditions: Review of industrial conditions, 3 pages; statistics of retail trade, 6 pages; hotel statistics, 3 pages; real-estate interests, 10 pages; labor canvass, 11 pages; organized labor, 13 pages; electric railways, 4 pages; the vehicle industry, 5 pages; the furniture industry, 17 pages; the sugar-beet industry, 5 pages; coal mines, 20 pages; labor laws, 5 pages; labor disputes, 5 pages; papers on factory inspection, 8 pages.

INDUSTRIAL CONDITIONS, 1899.—A canvass of nearly 5,000 factories of the State by the factory inspectors showed that 545 had increased their invested capital \$6,531,884 during 1899, and that 1,382 factories employed 24,262 more persons in 1899 than in 1898, or an average increase of 17.6 per cent per factory considered. Seventy-four per cent of the factories reported an increase of business over 1898. The average daily wages of all grades of employees found at work in fac-

a For a copy of this act see Bulletin No. 24, pages 756-762.

tories in 1899 were \$1.39 per day in that year, as compared with \$1.37 per day in 1898.

LABOR CANVASS.—One chapter is devoted to male and another to female wage-earners. Special canvassers interviewed 5,399 male and 2,102 female wage-earners outside the regular factory-inspection canvass. Inquiries were made regarding age, nativity, social condition, number of dependents, occupation, length of service, hours of labor, months employed during the year, daily wages, etc. The two following tables show for male and female employees, respectively, for selected occupations, the average daily wages, hours of labor per day, number of months employed during 1899, and the average number of years engaged in present occupation:

WAGES AND HOURS OF LABOR OF MALE EMPLOYEES, BY SELECTED OCCUPATIONS.

Occupations.	Number.	Average daily wages.	Average hours worked per day.	Average months employed during 1899.	Average years at present occupation.
Bookkeepers and office clerks.....	34	\$2.22	9.4	11.6	10.3
Day laborers.....	750	1.27	10.6	10.7	12.6
Electricians.....	5	3.12	10.0	12.0	8.2
Engineers.....	108	2.12	10.5	11.1	15.2
Firemen.....	15	1.62	11.3	11.8	8.4
Millers.....	23	1.79	10.5	11.6	11.4
Molders.....	345	2.55	9.9	11.2	17.8
Printing-office employees.....	55	2.00	9.7	11.7	12.7
Railroad employees.....	9	1.99	11.7	9.3	8.9
Salesmen and store clerks.....	214	1.52	11.5	11.7	7.2
Shipping clerks.....	29	1.77	10.0	11.5	6.4
Teamsters.....	85	1.33	10.2	11.3	11.2
Telegraph operators.....	6	1.49	12.0	12.0	10.8

WAGES AND HOURS OF LABOR OF FEMALE EMPLOYEES, BY SELECTED OCCUPATIONS.

Occupations.	Number.	Average daily wages.	Average hours worked per day.	Average months employed during 1899.	Average years at present occupation.
Bean sorters.....	13	\$0.67	10.0	9.5	3.2
Bookbinding employees.....	50	.81	9.6	11.2	4.1
Bookkeepers.....	33	1.23	9.8	11.5	7.0
Cash girls.....	9	.23	9.7	2.7	.5
Cashiers.....	12	1.21	9.8	11.1	5.0
Domestics.....	79	.49	9.8	10.6	5.2
Dressmakers, seamstresses, etc.....	174	.81	10.0	9.9	5.1
Editors.....	5	1.74	8.4	12.0	6.8
Hotel employees.....	35	.67	10.5	11.0	4.2
Laundry employees.....	54	.85	10.0	11.0	4.0
Milliners.....	56	1.39	11.0	10.0	6.9
Office clerks.....	105	1.05	9.6	11.5	4.7
Photographers.....	4	1.06	9.5	11.5	9.5
Printing-office employees.....	61	1.01	9.3	11.0	4.5
Saleswomen.....	33	.90	9.6	11.3	5.6
Stenographers.....	57	1.18	8.6	11.5	3.4
Store clerks.....	104	.84	10.0	11.2	3.6
Teachers.....	43	1.25	6.8	9.0	4.6
Telegraph operators.....	18	.58	10.0	9.5	2.0

The returns for all of the 5,399 male employees canvassed in 61 cities and villages showed the following average results: Daily wages, \$1.78; hours of labor per day, 10.2; months employed during the year, 10.9; years engaged at present occupation, 13.5; age, 33.4. Sixty per cent

were married. The 5,399 employees had 17,324 dependents, or 3.2 per person canvassed. Twenty-seven per cent owned their homes. Those who rented homes paid an average monthly rental of \$6.88. Fifty-five per cent of the persons canvassed reported that they were able to save something from their earnings.

Returns for the 2,102 female employees canvassed in 25 cities and villages showed the following average results: Daily wages, \$0.84; hours of labor per day, 9.8; months employed during the year, 10.8; years engaged at present occupation, 3.6; age, 24.7. Thirteen per cent were married, 83 per cent were single, and 4 per cent were widowed. The 2,102 female employees had 2,712 dependents, or 1.3 per person canvassed. Six per cent owned their homes.

The canvass of 1899 showed a general improvement in the condition of wage workers over that of the preceding year.

ORGANIZED LABOR.—A brief report is given of each trade union in the State from which returns were received, showing the name, locality, membership, wage scales, and other information. Returns from 99 unions showed a total membership of 8,589 persons in 1899. Eighty-six unions reported steady employment on the part of their members and 39 reported increased wages. The average daily wages received by members during the year were \$2.19 for time work and \$2.21 for piecework.

ELECTRIC RAILWAYS.—This investigation covered 19 roads, having an aggregate capital stock of \$14,045,000 and employing 1,692 men. The aggregate monthly pay rolls of the roads amounted to \$87,879. A canvass of 1,021 of the employees showed the following wage rates for an average of 10 hours of labor per day:

DAILY WAGES OF ELECTRIC-RAILWAY EMPLOYEES, 1899.

Occupations.	Number canvassed.	Average years at present occupation.	Average daily wages.	Occupations.	Number canvassed.	Average years at present occupation.	Average daily wages.
Superintendents.....	9	4.2	\$2.48	Electricians	13	7.3	\$2.08
Assistant superintendents.....	3	1.6	2.03	Carpenters	8	10.0	1.97
Foremen	16	6.6	1.83	Blacksmiths	3	7.3	1.83
Engineers	13	11.4	2.25	Firemen	10	2.7	1.96
Assistant engineers.....	6	2.6	1.06	Painters	4	1.0	1.50
Motor inspectors.....	12	5.1	1.95	Machinists	6	8.5	1.83
Conductors	391	5.1	1.76	Trackmen	37	4.3	1.32
Motormen	471	4.6	1.71	Linemen	5	5.0	1.36
				Barn men.....	14	4.8	1.37

Nearly all the employees received extra pay for overtime. They averaged nearly 30 days' work each month, and worked, on an average, 11.8 months during the year. Forty employees reported increased wages, the increase averaging 14 per cent. Forty-seven per cent reported that they were able to save something from their earnings. Those who rented homes paid an average monthly rental of \$7.98.

THE VEHICLE INDUSTRY.—Fifty-five firms in 19 towns were canvassed. They had an aggregate capital stock of \$3,672,200. The

value of the output of 49 firms during 1898 was \$9,208,447; the aggregate weekly pay rolls amounted to \$44,815, there being 4,948 persons employed. A canvass of 2,034 employees, including apprentices, showed the average daily wages to be \$1.66. Of these employees 944 reported that they were able to save something from their earnings, 427 owned their homes, and 675 who rented homes paid an average monthly rental of \$6.07.

THE FURNITURE INDUSTRY.—This chapter is devoted to an historical account of the furniture industry and a description of its present condition in the State.

THE SUGAR-BEET INDUSTRY.—A canvass of 9 beet-sugar manufacturing establishments in operation December 1, 1899, showed an aggregate capital stock of \$2,850,000. The manufacturing plants, which cost \$3,630,000, had a capacity of 3,975 tons of beets in each 24 hours. The factories employed 1,340 persons when running full capacity.

COAL MINES.—This chapter contains a description of the coal-mining industry in the State and the results of a canvass of 25 mines in operation in 1899, and of 1,015 mine employees. The following averages were obtained from the returns regarding employees: Age, 32.6; wages per day, \$1.70; daily hours of labor, 8.1; days worked per month, 22; months employed during year, 9.3; years worked at present occupation, 14.7. In 323 cases employees reported that they were able to save something from their earnings.

LABOR DISPUTES.—Brief accounts are given of 49 strikes, 1 lockout, and several other labor disputes occurring in the State during the year 1899.

OHIO.

Twenty-second Annual Report of the Bureau of Labor Statistics of the State of Ohio, for the year 1898. John P. Jones, Commissioner. 293 pp.

The contents of the present report are as follows: Introduction, 14 pages; labor laws and court decisions, 52 pages; coal mining, 6 pages; manufacturing, 187 pages; free public employment offices, 21 pages; chronology of labor bureaus, 2 pages.

COAL MINING.—Comparative statistics of coal mining during 16 years are reproduced for Ohio and other leading coal-producing States. The data collected by the bureau give the industrial and labor conditions of the mining industry for 1897. These statistics show that there were, in 1897, 1,126 coal mines in operation in the State, producing 8,342,698 tons of coal mined by pick and 4,108,124 tons mined by machine. There were 12,131 miners and 6,654 day laborers employed. The scale rate for pick mining was \$0.51 per ton from January 1 to July 4, and \$0.56 from September 11 to the close of the

year, a strike having occurred in the interval. The pick miners worked an average of 150 days during the year. Statistics of earnings, days employed, and rents paid are given by counties.

MANUFACTURING.—As in preceding years, this subject occupies the greater part of the report. Detailed statistical tables are given, showing, by occupations, for cities and villages, the number of males and females employed in various industries, the average daily wages, yearly earnings, and hours of daily labor in 1897, and the average number of days worked in 1896 and 1897. Other series of tables show, by industries, for cities, villages, and the State, the number of establishments reported, males and females employed each month in 1897, and monthly average for 1896 and 1897, total wages paid in 1896 and 1897, and the number and salaries of office employees, capital invested, value of product, and cost of material used in 1897.

Following is a brief summary of some of the figures presented: In 2,258 establishments \$48,195,074.25 were paid in wages during 1897, which was an increase of \$1,324,847.51 over 1896 in the same establishments. During 1897 the total value of goods made in 2,212 establishments was \$204,905,134.91, and the value of material used in the same establishments was \$109,706,958.90. In 1897, 2,153 establishments employed a monthly average of 89,537 males and 18,818 females.

EMPLOYMENT OFFICES.—During the period from December 17, 1897, to December 30, 1898, the free employment offices at Cincinnati, Cleveland, Columbus, Toledo, and Dayton received applications from employers for 4,498 males and 16,147 females. Applications for situations were made by 14,118 males and 12,891 females. Positions were secured for 4,029 males and 13,666 females.

TENNESSEE.

Ninth Annual Report of the Bureau of Labor, Statistics, and Mines of the State of Tennessee, for the year ending December 31, 1899. R. A. Shiflett, Commissioner. viii, 192 pp.

This report is mainly devoted to the mining industries. It treats of the following subjects: Coal mining, 12 pages; coke manufacture, 9 pages; iron ore, 10 pages; copper, zinc blende, and barytes, 7 pages; casualties, 46 pages; location and general condition of coal mines, 68 pages; the phosphate industry, 6 pages; strikes, 3 pages; labor laws, 27 pages.

STATISTICS OF MINES AND COKE MANUFACTURE.—The statistics relate to the coal, coke, iron, copper, zinc blende, barytes, and phosphate industries and show the amount produced, the location of the establishment, number of employees, days in operation, and in some cases the value of the products and comparative figures for a series of

years and for Tennessee and other States. Casualties in mines are extensively treated. Following is a summary of the most important returns presented for 1899 with respect to mining and related industries in Tennessee:

Total number of coal mines.....	100
Coal mines in operation.....	83
Average days in operation.....	230
Coal produced..... tons..	3, 736, 134
Value of coal produced at mine.....	\$3, 706, 617
Average value of coal per ton at mine.....	\$0. 99
Maximum number of employees in coal mines.....	7, 694
Coke produced..... tons..	440, 157
Value of coke produced at ovens.....	\$864, 073
Maximum number of employees engaged in coke making.....	453
Iron ore produced..... tons..	667, 149
Maximum number of employees in iron mines.....	1, 465
Copper ore produced..... tons..	100, 022
Maximum number of employees in copper mines.....	750
Zinc blende ore produced..... tons..	3, 750
Maximum number of employees in zinc blende mines.....	65
Barytes ore produced..... tons..	14, 000
Maximum number of employees in barytes mines.....	150
Phosphate rock produced..... tons..	462, 561
Maximum number of employees in phosphate mines.....	5, 037

There were 20 fatal and 74 nonfatal accidents reported in the mines during the year.

STRIKES.—Brief accounts are given of 17 strikes which occurred in the State during the year 1899. Of these, 11 were in coal mines and the remaining 6 were strikes of copper and iron mine employees, bricklayers, woodworkers, street-railway employees, printers, and theater employees, respectively.

**FOURTEENTH ANNUAL REPORT OF THE BOARD OF ARBITRATION
AND CONCILIATION OF MASSACHUSETTS.**

Fourteenth Annual Report of the State Board of Arbitration and Conciliation of Massachusetts, for the year ending December 31, 1899.
Charles H. Walcott, Chairman. 184 pp.

This report contains a brief account of each of the 37 cases dealt with by the board during the year, and reproductions of laws relating to State and local boards and other tribunals of conciliation and arbitration in the United States.

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RECENT FOREIGN STATISTICAL PUBLICATIONS.

AUSTRIA.

Die Arbeitseinstellungen und Aussperrungen in Österreich während des Jahres 1898. Herausgegeben vom Arbeitsstatistischen Amte im k. k. Handelsministerium. 322 pp.

In the present report on strikes and lockouts in Austria the mining industry is included in the returns for 1898 as well as in the comparative data for previous years. This causes a considerable difference between the data presented in this report and those previously published. The scope of the present report is otherwise the same as that of the reports for previous years. The data are presented in a series of 6 tables, containing (1) strikes according to geographical distribution, (2) strikes according to industries, (3) general summary of strikes, (4) comparative figures for 1894 to 1898, (5) details of each individual strike, (6) details of each strike and lockout in the mining industry during the years 1894 to 1897. An appendix contains a brief review of industrial conditions in 1898, a report of the Austrian trade-union commission with tables showing contributions of trade unions in aid of strikes, and copies of papers and documents relating to strikes and lockouts in 1898.

The year 1898 shows a slight increase in the number of strikes, establishments affected, and strikers involved, but a decrease in the days lost on account of strikes when compared with the preceding year. The following table gives the aggregate results for each of the years 1894 to 1898:

STRIKES, BY YEARS, 1894 TO 1898.

Year.	Strikes.	Estab- lish- ments affected.	Strikers.	Per cent of strikers of total employ- ees.	Days lost.
1894.....	172	2,542	67,061	69.47	795,416
1895.....	209	874	28,652	59.68	300,348
1896.....	305	1,499	66,234	65.72	899,939
1897.....	246	851	38,467	59.03	368,098
1898.....	255	885	39,658	59.86	323,619

There were in 1898 255 strikes, affecting 885 establishments and involving 39,658 strikers and 5,458 other employees, who were thrown out of employment on account of the strikes. The strikers repre-

mented 59.86 per cent of all employees in the establishments considered. Of the striking employees 37,316 were reemployed, and 1,343 new employees took the places of strikers. These items are shown, by industries, in the following table:

STRIKES, BY INDUSTRIES, 1898.

Industries.	Strikes.	Estab-lish-ments.	Total em-ploy-ees.	Strikers.		Others thrown out of em-ploy-ment.	Strikers reem-ployed.	New em-ployees after strikes.
				Num-ber.	Per cent of total em-ploy-ees.			
Mining.....	29	32	10,066	7,046	70.00	356	6,956	7
Stone, glass, china, and earthen ware.....	27	47	6,988	4,491	64.27	166	4,383	71
Metals and metallic goods.....	26	119	5,764	991	17.19	306	862	141
Machinery and instruments.....	13	13	3,414	2,471	72.38	125	2,414	38
Wooden and caoutchouc goods.....	28	151	2,047	1,318	64.39	99	1,119	111
Leather, hides, brushes, and feathers.....	10	15	635	275	43.31	34	220	43
Textiles.....	28	36	6,657	3,171	47.63	1,434	2,967	71
Paper hanging and upholstering.....	4	6	75	31	41.33		19	8
Wearing apparel and millinery.....	19	79	1,901	1,354	71.23	178	1,293	26
Paper.....	6	77	2,397	1,537	64.12	210	1,837	173
Food products.....	5	64	3,070	2,414	78.63	19	2,237	142
Hotel and restaurant (waiters).....	1	1	25	25	100.00		25	
Chemical products.....	1	1	57	49	85.96		14	85
Building trades.....	49	223	22,261	13,961	62.72	2,392	12,950	473
Printing and publishing.....	6	7	356	120	33.71	29	120	
Commerce.....	2	13	390	280	71.79	110	276	4
Transportation.....	1	1	148	124	83.78		124	
Total.....	255	885	66,251	39,658	59.86	5,458	37,316	1,343

The strikes in the building trades were more numerous and extensive than those in any other industry, involving 13,961, or 35.20 per cent, of all the strikers reported. Next in importance with regard to the number of strikers were the mining industry with 7,046, and the group of stone, glass, china, and earthen ware industries with 4,491.

The following table shows, for each of the years 1894 to 1898, the per cent of strikers and of days lost in each of the 8 groups of industries most extensively affected by strikes, and in the remaining 9 groups of industries collectively:

PER CENT OF STRIKERS AND OF DAYS LOST, BY INDUSTRIES, 1894 TO 1898.

Industries.	Per cent of strikers.					Per cent of days lost.				
	1894.	1895.	1896.	1897.	1898.	1894.	1895.	1896.	1897.	1898.
Mining.....	34.28	2.19	45.47	9.44	a17.17	28.81	0.83	33.80	8.56	16.91
Stone, glass, china, and earthen ware.....	9.57	34.70	4.86	7.94	b11.33	3.90	30.93	5.28	16.59	13.98
Metals and metallic goods.....	4.10	12.89	4.49	4.08	2.50	4.76	18.20	4.87	12.42	3.31
Machinery and instruments.....	.29	.88	3.11	12.19	6.23	.20	.56	4.99	11.33	11.16
Wooden and caoutchouc goods.....	14.60	8.15	9.02	3.59	c3.22	35.49	18.08	16.82	4.47	9.52
Textiles.....	9.47	14.26	14.78	29.31	8.00	5.73	11.27	26.11	26.45	6.91
Food products.....	.45	1.80	.54	3.95	6.09	.12	.38	.14	1.92	2.23
Building trades.....	22.33	18.71	8.20	12.98	35.20	16.48	9.50	2.74	10.35	24.21
Other industries.....	4.96	6.42	9.53	16.52	d10.26	4.51	10.25	5.25	12.91	11.77
Total.....	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00

a Figures here apparently should be 17.77; those given, however, are according to the original.
 b Figures here apparently should be 11.32; those given, however, are according to the original.
 c Figures here apparently should be 3.32; those given, however, are according to the original.
 d Figures here apparently should be 9.57; those given, however, are according to the original.

Of the 39,658 strikers reported, 32,094, or 80.93 per cent, were males and 7,564, or 19.07 per cent, were females. These figures represent 58.62 per cent of all male employees and 65.76 per cent of all female employees in the establishments considered.

The duration of strikes in 1898 is shown by 10-day periods for each industry in the following table:

DURATION OF STRIKES, BY INDUSTRIES, 1898.

Industries.	10 days or less.	11 to 20 days.	21 to 30 days.	31 to 40 days.	41 to 50 days.	51 to 60 days.	Over 60 days.	Total.
Mining.....	25	2	.....	1	1	.....	.....	29
Stone, glass, china, and earthen ware.....	19	2	1	2	.....	1	2	27
Metals and metallic goods.....	17	6	2	.....	.....	.....	1	26
Machinery and instruments.....	11	1	.....	1	.....	.....	.....	13
Wooden and caoutchouc goods.....	12	7	2	2	2	.....	3	28
Leather, hides, brushes, and feathers.....	7	.....	1	.....	.....	.....	2	10
Textiles.....	16	8	1	1	.....	1	1	28
Paper hanging and upholstering.....	3	1	.....	.....	.....	.....	.....	4
Wearing apparel and millinery.....	13	5	.....	.....	.....	.....	1	19
Paper.....	5	.....	.....	1	.....	.....	.....	6
Food products.....	3	1	.....	1	.....	.....	.....	5
Hotel and restaurant (waiters).....	1	.....	.....	.....	.....	.....	.....	1
Chemical products.....	1	.....	.....	.....	.....	.....	.....	1
Building trades.....	43	3	1	1	1	.....	.....	49
Printing and publishing.....	5	1	.....	.....	.....	.....	.....	6
Commerce.....	2	.....	.....	.....	.....	.....	.....	2
Transportation.....	1	.....	.....	.....	.....	.....	.....	1
Total.....	184	37	8	10	4	2	10	255

The strikes were nearly all of short duration. Of the 255 strikes reported, 184, or 72.16 per cent, lasted 10 days or less, while but 10 lasted over 60 days. The longest strike reported continued for 153 days. The average duration of strikes was 11.18 days.

In the presentation of strikes by causes, the cause and not the strike is made the unit, and the figures, therefore, show the number of times that each cause figured as an incentive to a strike, regardless of the actual number of strikes. Thus, in 1898 there were 255 strikes, while 352 causes were enumerated. The following table shows the causes of strikes by industries:

CAUSES OF STRIKES, BY INDUSTRIES, 1898.

Industries.	Against reduction of wages.	For increase of wages.	For change in method of payment.	For reduction of hours.	For discharge of foremen.	Against obnoxious treatment.	Against discharge of employees.	Against obnoxious rules.	For discharge of employees.	Other causes.	Total.
Mining.....	1	10	.....	2	.....	.....	9	1	2	6	31
Stone, glass, china, and earthen ware.....	3	16	2	6	.....	.....	1	3	1	2	34
Metals and metallic goods.....	3	12	2	6	4	1	3	.....	3	.....	24
Machinery and instruments.....	3	4	.....	.....	3	2	3	2	.....	3	20
Wooden and caoutchouc goods.....	4	14	1	10	1	2	3	2	.....	2	39
Leather, hides, brushes, and feathers.....	2	3	.....	1	.....	.....	3	.....	.....	2	11
Textiles.....	5	10	.....	3	4	2	5	2	1	6	38

CAUSES OF STRIKES, BY INDUSTRIES, 1898—Concluded.

Industries.	Against reduction of wages.	For increase of wages.	For change in method of payment.	For reduction of hours.	For discharge of foremen.	Against obnoxious treatment.	Against discharge of employees.	Against obnoxious rules.	For discharge of employees.	Other causes.	Total.
Paper hanging and upholstery		2		2							4
Wearing apparel and millinery	6	11		4	1	1	1	1	1	2	28
Paper	1	3		3	2	1		1		1	12
Food products		2		1	1		3	2			9
Hotel and restaurant (waiters)		1									1
Chemical products		1									1
Building trades	4	32	3	16	4		3	3		14	79
Printing and publishing		2			1		2	3			8
Commerce		1								1	2
Transportation	1										1
Total	33	124	8	54	21	9	36	20	8	39	352

The most frequent cause of strikes in 1898 was the demand for increased wages. Next in importance was the demand for reduced hours of labor. Of the demands relating to wages, 21.47 per cent were successful, 40.11 per cent were partly successful, and 38.42 per cent were unsuccessful. Of the demands relating to hours of labor, 33.33 per cent were successful, 26.67 per cent were partly successful, and 40 per cent were unsuccessful.

The following table shows the results of strikes in 1898, classified according to industries:

RESULTS OF STRIKES, BY INDUSTRIES, 1898.

Industries.	Succeeded.		Succeeded partly.		Failed.		Total.	
	Strikes.	Strikers.	Strikes.	Strikers.	Strikes.	Strikers.	Strikes.	Strikers.
Mining	2	58	12	3,939	15	3,049	29	7,046
Stone, glass, china, and earthen ware	10	537	10	3,442	7	512	27	4,491
Metals and metallic goods	4	119	10	374	12	498	26	991
Machinery and instruments	1	531	5	1,704	7	236	13	2,471
Wooden and caoutchouc goods	7	267	8	596	13	455	28	1,318
Leather, hides, brushes, and feathers	2	77	3	105	5	93	10	275
Textiles	8	832	10	995	10	1,344	28	3,171
Paper hanging and upholstery	1	16			3	15	4	31
Wearing apparel and millinery	3	20	10	1,237	6	97	19	1,354
Paper	2	129	2	1,363	2	45	6	1,537
Food products			2	2,247	3	167	5	2,414
Hotel and restaurant (waiters)					1	25	1	25
Chemical products			1	49			1	49
Building trades	5	703	28	9,908	16	3,350	49	13,961
Printing and publishing	3	26	2	53	1	41	6	120
Commerce			1	220	1	60	2	280
Transportation			1	124			1	124
Total	48	3,315	105	26,356	102	9,987	255	39,668

Of the 255 strikes reported, 48 succeeded, 105 succeeded partly, and 102 failed. Of the strikers involved, 3,315 were successful, 26,356 were partly successful, and 9,987 failed.

DENMARK.

Arbejdslønnen i København med Nabokommuner i Aaret 1898. Udgivet af Københavns Kommunalbestyrelse. 1900. xx, 72 pp.

This publication gives the results of an extensive investigation undertaken by the statistical bureau of the city of Copenhagen regarding the earnings of the working people in that city and in the neighboring communes. The data relate to 104 distinct occupations, and are presented in the form of statistical tables and an analysis. The tables show the highest, lowest, and average wages paid to journeymen, unskilled workers, and women for time and piece work, the hours of labor per day, and frequency of and wage rates for overtime and Sunday and holiday labor. Comparisons are also made between wage rates in 1898 and those ascertained by a previous investigation in 1892.

GERMANY.

Die Deutsche Volkswirtschaft am Schlusse des 19. Jahrhunderts. Auf Grund der Ergebnisse der Berufs- und Gewerbebezahlung von 1895 und nach anderen Quellen bearbeitet im Kaiserlichen statistischen Amt. 1900. vii, 209 pp.

The present work is a résumé of the statistics contained in the 18 volumes which constitute the report of the census of occupations and industries taken June 14, 1895. It also contains such statistics as have appeared in subsequent publications of the Government, which supplement the former. Chapters are devoted to population, agriculture, manufactures, trade and commerce, and production and consumption, respectively. Summaries of the more important results of the census of occupations have been given in previous digests. (a)

GREAT BRITAIN.

First Annual Abstract of Foreign Labor Statistics. 1898-99. viii, 149 pp. (Published by the Labor Department of the British Board of Trade.)

This abstract is the first of a series to be published annually as supplementary to the Foreign Statistical Abstracts and the Annual Abstract of Labor Statistics of the United Kingdom.

The present volume deals with four subjects, namely: Wages, hours of labor, trade disputes, and cooperation. Figures relative to eleven

a See Bulletin No 8, pp. 71, 72; No. 11, pp. 498-503; No. 12, pp. 624-627.

leading countries of Europe and to the United States are included in the abstract. No attempt has been made to bring the information together in the form of comparative tables. Each country and each source is separately considered, the figures in the tables being as far as possible rearranged on the lines adopted in the reports relating to the labor statistics of the United Kingdom.

In succeeding volumes of this abstract it is intended to continue and extend the information presented in the first issue and to include available statistics relating to other subjects, such as trade unions, arbitration and conciliation, accidents, workingmen's insurance, and other matters affecting labor.

ITALY.

Statistica degli Scioperi avvenuti nell'Industria e nell'Agricoltura durante l'anno 1898. Ministero di Agricoltura, Industria e Commercio, Direzione Generale della Statistica. 1900. xli, 118 pp.

The present report on strikes and lockouts during the year 1898 is the seventh of the series prepared by the bureau of statistics of the Italian department of agriculture, industry, and commerce. It relates to disputes in the various branches of industry, including agriculture.

There were 292 strikes reported, of which 36 were among agricultural employees and 256 in the other industries. Eighteen shut-downs were reported, of which 4 were lockouts.

STRIKES.—In the summary tables presented in the report only the 256 strikes in the branches of industry other than agriculture were considered. These involved a total of 35,705 strikers, and caused a loss of 239,292 working days. The following table shows the number of strikes, strikers, and days lost during each year, from 1879 to 1898, in all industries except agriculture:

STRIKES, STRIKERS, AND DAYS LOST ON ACCOUNT OF STRIKES, 1879 TO 1898.

Year.	Total strikes.	Strikes for which strikers were reported.	Strikers.	Strikes for which days lost were reported.	Days lost.	Year.	Total strikes.	Strikes for which strikers were reported.	Strikers.	Strikes for which days lost were reported.	Days lost.
1879...	32	28	4,011	28	21,896	1889.	126	125	23,322	123	215,880
1880...	27	26	5,900	26	91,899	1890.	139	133	38,402	129	167,657
1881...	44	39	8,272	38	95,578	1891.	132	128	34,733	123	258,059
1882...	47	45	5,854	45	25,119	1892.	119	117	30,184	114	216,907
1883...	73	67	12,900	65	111,697	1893.	131	127	31,628	122	234,823
1884...	81	81	23,967	78	149,215	1894.	109	104	27,595	103	823,261
1885...	89	86	34,166	82	244,393	1895.	126	126	19,307	126	125,968
1886...	96	96	16,951	95	56,772	1896.	210	210	96,051	210	1,152,503
1887...	69	68	25,027	66	218,612	1897.	217	217	76,570	217	1,113,535
1888...	101	99	28,974	95	191,204	1898.	256	256	35,705	256	239,292

During 1898 there were no strikes of exceptional magnitude, such as the strike of the straw plaiters of Florence in 1896 and 1897, hence while the number of strikes was greater the number of strikers and of days lost was much smaller in 1898 than during the two preceding years.

The causes of strikes in 1898 and their results are shown in the two following tables:

CAUSES OF STRIKES, 1898.

Cause or object.	Strikes.		Strikers.	
	Number.	Per cent.	Number.	Per cent.
For increase of wages.....	118	44	16,779	47
For reduction of hours.....	12	5	891	2
Against reduction of wages.....	44	17	6,902	19
Against increase of hours.....	7	3	908	3
Other causes.....	80	31	10,225	29
Total.....	256	100	35,705	100

RESULTS OF STRIKES, BY CAUSES, 1898.

Cause or object.	Succeeded.				Succeeded partly.				Failed.			
	Strikes.		Strikers.		Strikes.		Strikers.		Strikes.		Strikers.	
	Num-ber.	Per-cent.	Num-ber.	Per-cent.	Num-ber.	Per-cent.	Num-ber.	Per-cent.	Num-ber.	Per-cent.	Num-ber.	Per-cent.
For increase of wages.....	30	26	4,185	25	37	33	5,513	33	46	41	7,081	42
For reduction of hours.....	6	50	375	42	2	17	130	15	4	33	386	43
Against reduction of wages.....	14	32	1,518	22	10	23	2,004	29	20	45	3,380	49
Against increase of hours.....	3	43	340	37	1	14	7	1	3	43	561	62
Other causes.....	17	21	3,046	30	18	23	3,576	35	45	56	3,603	35
Total.....	70	27	9,464	27	68	27	11,230	31	118	46	15,011	42

Of the 256 strikes, 157, or 61 per cent, were due to wage disputes; 19, or 8 per cent, to disputes regarding hours of labor, and 80, or 31 per cent, to other causes. Taking the number of strikers as the basis, it is shown that of the 35,705 reported, 23,681, or 66 per cent, struck on account of wage disputes; 1,799, or 5 per cent, on account of hours of labor, and 10,225, or 29 per cent, for other reasons.

With regard to the results of strikes in 1898, it is shown that 27 per cent of the strikes, involving 27 per cent of the strikers, were successful; 27 per cent of the strikes, involving 31 per cent of the strikers, were partly successful, and 46 per cent of the strikes, involving 42 per cent of the strikers, were failures.

The following table gives a comparison of the proportionate results of strikes during a period of years:

RESULTS OF STRIKES, 1879-1891 TO 1898.

Year.	Per cent of strikes.			Per cent of strikers.		
	Success-ful.	Partly success-ful.	Failed.	Success-ful.	Partly success-ful.	Failed.
1879-1891.....	16	43	41	25	47	28
1892.....	21	29	50	29	19	52
1893.....	28	38	34	29	44	27
1894.....	34	28	38	19	24	57
1895.....	32	31	37	33	40	27
1896.....	38	24	38	49	31	20
1897.....	33	27	40	23	45	32
1898.....	27	27	46	27	31	42

The percentage of strikes which failed was greater in 1898 than any other year during the period, except 1892, and the percentage of successful strikes was smaller than at any time except 1879-1891 and 1892.

In the following table the total strikes, strikers, and working days lost in 1898 are given by occupations:

STRIKES, STRIKERS, AND WORKING DAYS LOST, BY OCCUPATIONS, 1898.

Occupations.	Strikes.	Strikers.			Total.	Working days lost.
		Adults.		Children 15 years of age or under.		
		Males.	Females.			
Employees in textile industries.....	79	4,121	7,715	1,449	13,285	120,666
Miners and quarrymen.....	26	3,699	.....	1,843	5,542	33,300
Masons and stonecutters.....	25	2,207	41	170	2,418	6,755
Day laborers.....	23	3,556	.....	.....	3,556	17,819
Potters and kilnmen.....	15	785	137	113	1,085	3,870
Shoemakers, tailors, and others engaged in the clothing industry.....	12	331	197	75	593	13,310
Machinists.....	9	1,221	15	47	1,281	11,786
Hack drivers and tramway employees.....	6	1,814	.....	.....	1,814	2,438
Bakers and pastry cooks.....	5	1,317	.....	2	1,319	18,909
Founders.....	5	292	.....	.....	292	1,144
Compositors and lithographers.....	5	173	33	67	273	836
Tanners.....	5	145	.....	.....	145	1,572
Dyers and gilders.....	5	93	8	1	97	3,503
Cart drivers.....	4	677	.....	.....	677	1,998
Firemen.....	3	649	.....	.....	649	929
Carpenters and joiners.....	3	96	.....	23	124	772
Hatters.....	3	66	150	.....	216	524
Other occupations.....	23	880	1,282	227	2,389	4,661
Total.....	256	22,112	9,571	4,022	35,705	239,292

The number of strikes in agriculture, as in the other industries, was greater in 1898 than in the preceding year, there being 36, as against 12 strikes in 1897. The 36 strikes involved 5,376 men, 2,576 women, and 543 children, or a total of 8,495 persons. Nine of the strikes were successful, 13 were partly successful, and 14 failed.

LOCKOUTS.—Eighteen cases were reported in 1898 where proprietors closed their establishments for the purpose of accomplishing certain objects, but of these only 4 were directed against employees and could properly be called lockouts. The 4 lockouts affected 334 employees. Of these lockouts 2 were successful, 1 was partly successful, and in the other the result was not reported.

COUNCILS OF PRUDHOMMES.—On December 31, 1898, there were 81 councils of prudhommes, or councils for the conciliation and arbitration of labor disputes, instituted according to law. This was an increase of 22 during the year. Only 32, however, performed their functions at the close of the year. During the year 11 cases were reported where they had occasion to intervene in strikes.

NORWAY.

Tabeller vedkommende Arbejdslønninger i Aarene 1890 og 1895. Norges officielle Statistik. Tredie Række No. 321. Udgivne af det statistiske Centralbureau. 1899. 36 pp.

The present work, which is one of a series of publications of the Norwegian statistical bureau, consists of a number of tables, showing, by occupations and localities, the wages of agricultural and other rural laborers and of working people in cities and towns. The detailed tables show the wages for the years 1890 and 1895, while summary tables show average wages at 10-year periods from 1850 to 1870, and at 5-year periods from 1870 to 1895. Tables are also given showing the wages of railway and road laborers for each year from 1871 to 1898, and of employees in the fire and engineering departments of the city of Christiania from 1868 to 1898.

DECISIONS OF COURTS AFFECTING LABOR.

[This subject, begun in Bulletin No. 2, has been continued in successive issues. All material parts of the decisions are reproduced in the words of the courts, indicated when short by quotation marks and when long by being printed solid. In order to save space, immaterial matter, needed simply by way of explanation, is given in the words of the editorial reviser.]

DECISIONS UNDER STATUTORY LAW.

CONSTITUTIONALITY OF STATUTE—CITY ORDINANCE—HOURS OF LABOR—*City of Seattle v. Smyth et al.*, 60 *Pacific Reporter*, page 1120.—A complaint was filed in the superior court of King County, Wash., against Sidney Smyth and others, charging them with violation of an ordinance of the city of Seattle. The defendants filed a demurrer to the complaint, which was sustained by the court, and the city then appealed the case to the supreme court of the State, which rendered its decision April 6, 1900, and sustained the action of the lower court, declaring the ordinance, which made it unlawful to require or permit any day laborer or mechanic to work on the public works more than eight hours in a day, to be unconstitutional. From the opinion of the court the following is quoted:

Statutes and ordinances similar in character have been held unconstitutional by many courts, and we have not been cited to a single case wherein their constitutionality is asserted. The principle upon which they are held to be unconstitutional is that they interfere with the constitutional right of persons to contract with reference to compensation for their services where such services are neither unlawful nor against public policy, nor the employment such as might be unfit for certain classes of persons—as females and infants. “Every person sui juris has a right to make use of his labor in any lawful employment on his own behalf, or to hire it out in the service of others. This is one of the first and highest of civil rights.” (Cooley, *Torts*, 2d ed., p. 326.) The judgment of the superior court is affirmed.

EMPLOYERS' LIABILITY—CONSTITUTIONALITY OF STATUTE LIMITING AMOUNT OF DAMAGES TO BE RECOVERED—*Hamman v. Central Coal and Coke Co.*, 56 *Southwestern Reporter*, page 1091.—This action was brought against the above-named company by one Mary Hamman to recover \$10,000 damages for the death of her husband, a coal miner in the employ of said company at date of his injury and death,

which death was alleged to have been caused by the negligence of said company. Action was brought under section 7074 of the Revised Statutes of Missouri, 1889, as amended by act approved April 23, 1891, page 182, acts of Missouri of 1891. Said section as amended reads as follows:

For any injury to persons or property occasioned by any violation of this article [regulating mines] or failure to comply with any of its provisions, a right of action shall accrue to the party injured for any direct damages sustained thereby; and in case of loss of life by reason of such violation or failure as aforesaid, a right of action shall accrue to the widow of the person so killed, his lineal heirs or adopted children, or to any person or persons who were, before such loss of life, dependent for support on the person or persons so killed, for a like recovery of damages sustained by reason of such loss of life or lives: *Provided*, That all suits brought under this article shall be commenced within one year after any cause of action shall have accrued under this article and not afterwards; *And, provided further*, That any person entitled to sue under this section for loss of life or lives may recover any sum not exceeding \$10,000.

The amendment made to this section by the act of April 23, 1891, above referred to, is contained in the last proviso of the section, which allows one entitled to sue for damages under the section to recover any sum not exceeding \$10,000. In the circuit court of Bates County, Mo., where the trial of the case was had, a judgment was rendered for the plaintiff and the defendant company appealed the case to the supreme court of the State, which rendered its decision May 8, 1900, and affirmed the judgment of the lower court. Among the many points raised on this appeal was the constitutionality of the amendment to section 7074, above referred to, which was upheld by the supreme court in the following language, which is quoted from the opinion of the court as delivered by Judge Burgess in division and approved by the court in banc:

There is no more important question presented on this appeal than that with respect to the constitutionality of the act of 1891 (page 182, laws of 1891) amending section 7074, Rev. Sta., 1889, which prescribes the measure of the recovery of damages in cases of this character, which defendant contends is class legislation, and in conflict with section 53, art. 4, of the constitution of this State, which provides, "that the general assembly shall not pass any local or special law * * * granting to any * * * individual any special or exclusive right, privilege or immunity," and therefore void. The law of which the act in question is amendatory pertains to all kinds of mines and mining in this State, and regulates them with respect to providing safeguards for the protection of employers [employees] while at work in mines, and its constitutionality is not questioned; but the argument is that the amendatory act, which entitled the widow and children of anyone killed by the negligence of his employer while engaged at work in a mine to recover any sum not exceeding \$10,000 damages therefor, while under the general damage act they are only entitled to recover an amount not exceeding \$5,000 in such circumstances, is

class legislation, in that it refers to widows who are entitled to recover damages when their husbands are killed by the negligence of their employers, while the right conferred, not the liability imposed, is the test. "A statute which relates to persons or things as a class is a general law, while a statute which relates to particular persons or things of a class is special." *State v. Herrmann*, 75 Mo., 346; *Lynch v. Murphy*, 119 Mo., 163, 24 S. W., 774. The act of 1891, in fixing the maximum amount of damages which any and all persons are entitled to recover under its provisions for the death of a miner at \$10,000, merely places a restriction upon the amount of damages that may be recovered upon a right of action created by the original act. It applies alike to all persons of a certain class (that is, the widows and other persons entitled to sue for the deaths of miners, which may be occasioned by the negligence of the employer), and does not apply to any particular person; is therefore a general law, and not obnoxious to the objection urged against it. It is of common knowledge that no class of laborers are so much exposed to danger, or who, in proportion to the number engaged, meet with so many fatal disasters, as miners; and the legislature, doubtless for that reason, in order to protect human life, and to prevent such occurrences, as far as possible, thought that the necessity for increasing the maximum amount of damages over that fixed by law in other cases existed, in order to stimulate operators of such mines to all needful and proper precautions for their protection. Moreover, "class legislation is not necessarily obnoxious to the constitution. It is a settled construction of similar constitutional provisions that a legislative act which applies to and embraces all persons 'who are or who may come into like situations and circumstances' is not partial." *Humes v. Railway Co.*, 82 Mo., 221. Our conclusion is that the act is not unconstitutional.

'EMPLOYERS' LIABILITY—CONSTRUCTION OF STATUTE—RECOVERY OF DAMAGES THEREUNDER BY NONRESIDENT ALIEN—*Mulhall v. Fallon et al.*, 57 *Northeastern Reporter*, page 386.—Suit was brought by a Mrs. Mulhall against one Fallon and others, defendants, to recover damages for the death of her son who was an employee of said defendants at the date of his death. The suit was brought under authority of section 2 of chapter 270, acts of Massachusetts of 1887, which reads as follows:

Where an employee is instantly killed or dies without conscious suffering, as the result of the negligence of an employer, or of the negligence of any person for whose negligence the employer is liable under the provisions of this act, the widow of the deceased, or in case there is no widow, the next of kin, provided that such next of kin were at the time of the death of such employee dependent upon the wages of such employee for support, may maintain an action for damages therefor and may recover in the same manner, to the same extent, as if the death of the deceased had not been instantaneous, or as if the deceased had consciously suffered.

The case was heard in the superior court of Norfolk County, Mass., and after the hearing the defendants requested the court to take the

case from the jury and direct a verdict for them. Upon the refusal of the court to do so, and a verdict being rendered in favor of the plaintiff, the defendants excepted to the ruling of the court and carried the case upon these exceptions before the supreme judicial court of the State, which rendered its decision May 31, 1900, and overruled the exceptions.

The opinion of the court, delivered by Chief Justice Holmes, sufficiently shows the gist of the exceptions and the reasons for the court's decision overruling them. The following is quoted therefrom:

This is an action under St., 1887, c. 270, sec. 2, for causing the death of the plaintiff's son. The plaintiff is an Irish woman, who, so far as appears, never has left Ireland. In the superior court she had a verdict, and the case is here on exceptions to a refusal to direct a verdict for the defendant either on the ground that the statute conferred no rights upon the plaintiff, or on the ground that she did not appear to have been dependent upon the wages of her son for support. On the question of the plaintiff's dependence upon her son we are of opinion that there was evidence for the jury.

We come, then, to the more difficult question whether the plaintiff claimed the benefit of the act. However this may be decided, it is not to be decided upon any theoretic possibility of Massachusetts law conferring a right outside her boundary lines. It is true that legislative power is territorial, and that no duties can be imposed by statute upon persons who are within the limits of another State. But rights can be offered to such persons, and if, as is usually the case, the power that governs them makes no objection, there is nothing to hinder their accepting what is offered. The question, then, becomes one of construction [of the statute], and of construction upon a point upon which it is probable that the legislature never thought when they passed the act.

Under the statute the action for death without conscious suffering takes the place of an action that would have been brought by the employee himself if the harm had been less, and by his representative if it had been equally great, but the death had been attended with pain. (St., 1887, c. 270, sec. 1, cl. 3.) In the latter case there would be no exception to the right of recovery if the next of kin were non-resident aliens. It would be strange to read an exception into general words when the wrong is so nearly identical, and when the different provisions are part of one scheme. In all cases the statute has the interest of the employees in mind. It is on their account that an action is given to the widow or next of kin. Whether the action is to be brought by them or by the administrator, the sum to be recovered is to be assessed with reference to the degree of culpability of the employer or negligent person. In other words, it is primarily a penalty for the protection of the life of a workman in this State. We can not think that workmen were intended to be less protected, if their mothers happen to live abroad, or less protected against sudden than against lingering death. In view of the very large amount of foreign labor employed in this State, we can not believe that so large an exception was silently left to be read in. We are of opinion that the superior court was right in letting the case go to the jury.

EMPLOYERS' LIABILITY—CONSTRUCTION OF STATUTE—RECOVERY OF DAMAGES THEREUNDER BY NONRESIDENT ALIEN—*Vetaloro v. Perkins et al.*, 101 *Federal Reporter*, page 393.—This case was heard in the United States circuit court for the district of Massachusetts on answer in abatement and motion to dismiss. The court rendered its decision April 17, 1900, and overruled the answer and denied the motion.

The facts in the case and the reasons for the decision are clearly set forth in the opinion of the court, delivered by Circuit Judge Colt, and the following is quoted therefrom:

This is an action brought by the widow of an employee to recover damages for the death of her husband, under section 2 of the employers' liability act of Massachusetts (Acts, 1887, c. 270). It is contended that this action can not be maintained, because it appears that the plaintiff is a citizen and resident of Italy. There is nothing in the language of the act which limits the right of recovery to citizens or residents of Massachusetts, and there seems to be no sound reason for holding that nonresident aliens are excluded from the benefits conferred by section 2. To adopt such a construction of the statute would be to say that employers may escape liability for negligence, where an employee is instantly killed or dies without conscious suffering, by the employment of alien laborers. This consideration alone is sufficient to condemn such a construction, in the absence of some express limitation in the statute itself.

Section 2, under which the present suit is brought, reads as follows:

“Where an employee is instantly killed or dies without conscious suffering, as the result of the negligence of an employer, or of the negligence of any person for whose negligence the employer is liable under the provisions of this act, the widow of the deceased, or in case there is no widow, the next of kin, provided that such next of kin were at the time of the death of such employee dependent upon the wages of such employee for support, may maintain an action for damages therefor and may recover in the same manner, to the same extent, as if the death of the deceased had not been instantaneous, or as if the deceased had consciously suffered.”

This section extends the liability of employers under the act to cases of instant death resulting from the negligence of the employer, and gives the widow or next of kin the right to maintain an action. In construing the words at the close of the section, “in the same manner, to the same extent, as if the death of the deceased had not been instantaneous, or as if the deceased had consciously suffered,” it was said by the court in *Ramsdell v. Railroad Co.*, 151 Mass., 245, 249; 23 N. E., 1104; 7 L. R. A., 155: “The meaning obviously is that the right of action given in the first part of the section shall not be affected by the fact that the deceased died instantaneously or without conscious suffering.” The manifest purpose of section 2 is to give the widow and next of kin of an employee the same right to bring an action in the case of death as the employee in case he had survived would have had under section 1. No distinction is made between citizens and aliens in either section. The only limitation imposed is that the next of kin, in order to maintain an action, must be dependent for support on the wages of the employee. To exclude nonresident aliens from the right to maintain an action under section 2 is to incorporate

into the act a restriction which it does not contain. It is to refuse compensation to a certain class of persons for a real injury recognized by statute law. It is to relieve employers with respect to some employees from the exercise of due care in the employment of safe and suitable tools and machinery and competent superintendents. It is to offer an inducement to employers to give a preference to aliens and to discriminate against citizens. It is to hold that the legislature of Massachusetts intended by this act to declare that employers should not be liable for the grossest negligence which results in the instant death of an alien employee in cases where his widow or next of kin happen to reside in a foreign country.

I can find no sound or just reason for holding that the legislature intended to exclude nonresident aliens from the benefits of this section. This whole act relating to the liability of employers is highly remedial. It was designed to benefit all employees. It has received, and should continue to receive, a liberal construction. It certainly should not receive a narrow and inequitable construction, founded upon any distinction between citizens and aliens, or residents and nonresidents. The answer in abatement is overruled, and the motion to dismiss denied.

EMPLOYERS' LIABILITY—DUTY OF EMPLOYER—CONSTRUCTION OF STATUTE—QUESTION FOR JURY—*Deserant v. Cerillos Coal Railroad Co.*, 20 *Supreme Court Reporter*, page 967.—This action is consolidated of three, brought by Josephine Deserant as administratrix of the estates, respectively, of her husband, Henri Deserant, and her sons, Jules Deserant and Henri Deserant, jr. These actions were brought against the above-named company for damages for the deaths of her husband and sons by an explosion in a mine owned by the defendant company, which explosion was alleged to have been caused by the negligence of the company. There were two trials, both by jury, in the district court of the Territory of New Mexico. The first resulted in a verdict and judgment for the plaintiff, Mrs. Deserant. They were reversed by the supreme court of the Territory. The second resulted in a verdict and judgment for the defendant company. They were affirmed by the supreme court of the Territory. The plaintiff then sued out a writ of error directed to the United States Supreme Court, which after a hearing rendered its decision May 28, 1900, and reversed the decision of the supreme court of the Territory and ordered a new trial.

The opinion of the Supreme Court was delivered by Mr. Justice McKenna and clearly shows the facts in the case and the reasons for the decision. It reads, in part, as follows:

The issue between the parties is as to the amount and sufficiency of ventilation, its obstruction, the accumulation of explosive gases, their negligent ignition, whether by a fellow-servant of plaintiff's intestates or by a representative of the defendant, making it liable, or whether the explosion was of powder accidentally ignited.

The method of ventilation was by machinery causing a circulation of air through the mine and up to the face of the working places, for the purpose of rendering harmless or expelling the noxious gases.

It is contended by plaintiff that the machinery was insufficient for that purpose, the employees of the defendant inefficient and negligent, and that the air shafts had been permitted to become obstructed, whereby gases accumulated, and stood in the mine and exploded on the 27th of February, 1895, causing the deaths of plaintiff's intestates.

The means of ventilation was a fan at the entrance of the mine, which by its revolutions exhausted the air in the mine, and outside air rushed in and through the passages of the mine, and was directed where desired by means of curtains called "brattices."

It is claimed there were defects in those appliances, whereby there were leaks in the circulation of the air, and besides that water had been allowed to accumulate in the fourth left air course, which so interrupted the quantity of air which passed into room 8 of the fourth left entry that the air did not go to the face of that room, but feebly passed around the brattice at a distance of 12 or 14 feet, thus permitting the accumulation of a dangerous body of gas, until it passed beyond the danger signals, which may have been put into the room by the fire boss, and that Donahoe, the day foreman, and Flick and Kelly, all miners, entered the room on the day of the explosion, with naked lamps, and ignited the gas before they saw or had an opportunity to see the danger signal.

The conclusion which plaintiff claimed to be established by the evidence is, that Flick and Kelly went with Donahoe, under whose direction they worked, into room 8 with naked lights, and that an explosion was caused by the gas in the room coming in contact with the lights.

The defendant, on the contrary, contended that the "explosion was of some kind or other at or in the neighborhood of room 16 in the fourth left entry of the mine, where the deceased were working as coal miners." It is claimed that the cause of the explosion is altogether of conjecture and surmise, and that the greatest evidence or effect of explosion and fire appeared in the neighborhood of rooms 16 and 17, in the entry way thereabout, and that some powder cans were found exploded, and coal dust was found coked on some of the pillars on the back of a car, and a car loaded with coal was moved several feet off the track. It is hence conjectured that the explosion was caused by some negligent or accidental ignition of powder which instantly set fire to the coal dust, which more or less impregnated the air and the entry ways, and of particles of gas which might be found in the hollows and crevices; so that death would be caused by concussion, or by the after damp caused by the explosion. Or it is conjectured again that the explosion might have been caused by some miner, while working, suddenly striking a seam or body of gas, which was ignited by his light, and thus ignited powder near at hand.

We have read the evidence, and we can not concur with the supreme court of the Territory that the trial court "should have granted the motion of the defendant, and instructed the jury to find the defendant not guilty." It was for the jury to determine from the evidence the place of the explosion and its cause, and what, if any, negligence the defendant was guilty of, and the evidence offered on the issues required the submission of those questions to the jury.

The trial court, in giving instructions to the jury, read section 6 of the act of Congress of March 3, 1891, which is as follows:

“That the owners or managers of every coal mine at a depth of one hundred feet or more shall provide an adequate amount of ventilation of not less than fifty-five cubic feet of pure air per second, or thirty-three hundred cubic feet per minute, for every fifty men at work in said mine and in like proportion for a greater number, which air shall by proper appliances or machinery be forced through such mine to the face of each and every working place so as to dilute and render harmless and expel therefrom the noxious or poisonous gases, and all workings shall be kept clear of standing gas.”

The main charge of the court was not objected to. The objections were to certain instructions given at the request of the defendant. They were [in part] as follows:

“1. The jury are instructed that what was required of the defendant in the conduct of its mining business, in caring for the miners employed by and engaged in working its mine, was the adoption and use of appliances and methods reasonably sufficient for the protection of the miners against any dangers attending the operation of its mine that were obvious or might with reasonable diligence have become known; and, in the absence of evidence to the contrary, it is presumed that the defendant performed its entire duty toward the miners in that respect.”

“6. Although the jury may believe from the evidence that gas of the quantity mentioned in the evidence had accumulated and was allowed to remain in room 8 for the time stated in the evidence, and believe from the evidence that the explosion testified to originated in room 8, and further believe from the evidence that signals of the kind described in the evidence warning against entry into said room were placed in such a manner as to be observed by the deceased Flick and Kelly, and the meaning and significance of such signal was understood by them, and such signal was known to be in use by the miners engaged in working in said mine, and that the use of such signal was understood by such miners to inform them of the presence of gas in dangerous quantity; then, if the jury believe from the evidence that such explosion was caused by Flick and Kelly entering said room with a naked light, the defendant is entitled to, and you should render, a verdict in its favor.”

“11. If the jury shall believe from the evidence that the defendant permitted fire gas to accumulate in room 8 of its mine, and that such gas would not produce any injury until ignited, and that it was ignited by Flick and Kelly, or either of them, by going into the said room with a naked light (contrary to the rules and orders of the defendant), and by such naked light the fire gas was ignited and exploded, causing the death of plaintiff's intestates, such explosion and injury were directly and immediately caused by the act of the fellow-servants of plaintiff's intestates, and not by the negligence of defendant, and defendant is not liable therefor; and a verdict should be rendered for the defendant.”

The act of Congress makes three requirements—(1) Ventilation of not less than 55 feet of pure air per second, or 3,300 cubic feet per minute, for every fifty men at work, and in like proportions for a greater number; (2) proper appliances and machinery to force the air through the mine to the face of working places; (3) keeping all work-

ings free from standing gas. If either of these three requirements was neglected, to the injury of plaintiff's intestates, the defendant was liable.

We think the instructions numbered 1, 6, and 11, given at the request of the defendant, ignored the obligations of the act of Congress, and are so far inconsistent with the other instructions that they tended to confusion and misapprehension—making the duty of the mine owner relative, not absolute, and its test what a reasonable person would do, instead of making the test and measure of duty the command of the statute. The act of Congress does not give to mine owners the privilege of reasoning on the sufficiency of appliances for ventilation or leave to their judgment the amount of ventilation that is sufficient for the protection of miners. It prescribes the amount of ventilation to be not less than 55 cubic feet per second; it prescribes the machinery to be adequate to force that amount of air through the mine to the face of every working place. Nor does it allow standing gas. It prescribes, on the contrary, that the mine shall be kept clear of standing gas. This is an imperative duty, and the consequence of neglecting it can not be excused because some workman may disregard instructions. Congress has prescribed that duty, and it can not be omitted and the lives of the miners committed to the chance that the care or duty of someone else will counteract the neglect and disregard of the legislative mandate.

But, aside from the statute, it is very disputable if the instructions were correct. It is undoubtedly the master's duty [at common law] to furnish safe appliances and safe working places, and if the neglect of this duty concurs with * * * the negligence of a fellow-servant, the master has been held to be liable.

The judgment of the supreme court of the Territory is reversed, and the case remanded, with instructions to reverse the judgment of the district court and direct a new trial.

EMPLOYERS' LIABILITY—RAILROAD COMPANIES—CONSTRUCTION OF STATUTE—CONTRIBUTORY NEGLIGENCE—*Southern Railway Company v. Harbin*, 36 *Southeastern Reporter*, page 218.—Suit was brought by J. D. Harbin against the Southern Railway Company to recover damages for injuries received while in its employ. Evidence was produced upon the trial in the city court of Floyd County, Ga., which tended to show that the plaintiff's own negligence had contributed to cause the accident on account of which he received his injuries; nevertheless a judgment was rendered in his favor. The defendant company carried the case to the supreme court of the State upon a writ of error, and said court rendered its decision May 14, 1900, and reversed the judgment of the lower court.

The opinion was delivered by Presiding Justice Lumpkin, who, in the course of the same, used the following language:

The plaintiff predicated his action upon a statute of the State of Alabama, now embodied in section 2590 of the Alabama Code, which, among other things, declares that: "When a personal injury is received

by a servant or employee in the service or business of the master or employer, the master or employer is liable to answer in damages to such servant or employee, as if he were a stranger, and not engaged in such service or employment, in the cases following: (1) When the injury is caused by reason of any defect in the condition of the ways, works, machinery, or plant connected with, or used in the business of the master or employer."

The case necessarily turns upon the construction which should be placed upon the Alabama statute as applied to the facts. It therefore seems entirely proper for us to follow the decisions which have been rendered by the supreme court of Alabama with reference to this very statute, and so doing leads, we think, to the conclusion that the plaintiff was not entitled to a verdict. In the case of *Wilson v. Railroad Co.*, 85 Ala., 269, 4 South., 701, which was an action for personal injuries by an employee against the defendant company, it was held that "under statutory provisions, as at common law, contributory negligence is a defense to such action." In that case the court, speaking through Judge Clopton, discussed the statute with which we are now dealing, and distinctly held that, notwithstanding its enactment, the plaintiff's right of recovery was defeated by his own negligence contributing to the bringing about of the injury of which he complained. Again, in *Railroad Co. v. Walters*, 91 Ala., 435, 8 South., 357, the same court ruled that, "in an action for damages against the employer on account of personal injuries received by plaintiff or his intestate while in the performance of the duties of his employment (Code, sec. 2590), the defense of contributory negligence is available, as in an action at common law."

We may therefore take it as established by the decisions of the highest court of Alabama that an employee is not entitled to recover damages for personal injuries when he negligently contributed to the bringing about of the same. Judgment reversed.

DECISIONS UNDER COMMON LAW.

EMPLOYERS' LIABILITY — RAILROAD COMPANIES — NEGLIGENCE — *Southern Railway Co. v. Duvall*, 56 *Southwestern Reporter*, page 988.—In this suit, brought against the above-named railway company to recover damages for the alleged negligent killing of one Duvall while in the employ of said company, a judgment in favor of the plaintiff was obtained in the circuit court of Jefferson County, Ky. The defendant then appealed the case to the court of appeals of the State, alleging as error of the trial court its refusal to give peremptory instructions to the jury to find a verdict for the defendant. In April, 1899, the court of appeals rendered a decision reversing the judgment of the circuit court. The plaintiff then filed a petition for a rehearing, and in September, 1899, the court of appeals sustained said petition, withdrew its former opinion, and affirmed the judgment of the circuit court. The defendant company then filed a petition for a rehearing and asked for an oral argument before the court of appeals. The court rendered its decision May 25, 1900, and denied the petition. The opinion of the court of appeals, showing the evidence in the case, reads, in part, as follows:

The evidence in this case conduces to show that appellant had, on or about July 27, placed a furniture car in its train which was considerably higher than the cars that belonged to appellant, and which it usually used upon its railroad tracks, and so tall that a man could not stand upright on it and pass under a bridge over the railroad between Jeffersontown and Tuckers. But a person could so safely pass under said bridge on the cars belonging to appellant and in common use by it. Decedent was a front brakeman on appellant's train, and in the night of July 27, 1895, was, as is alleged, killed by coming in contact with said bridge. It can hardly be contended that placing such a car in appellant's train was not negligence, and we have no hesitancy in saying that appellant was not bound to receive and transport from another railroad such a car.

But it is earnestly contended for appellant that the decedent was guilty of such contributory negligence as to bar the right to recover. This contention has nothing to support it, except the fact that the decedent must, of necessity, have known that the foreign car was higher than the others; hence it is argued that he should not have been on the car when the train went under the bridge. It is also suggested that there was no necessity for him to have been upon the car at that time. It nowhere appears that his attention had been called to the car in question, which, in fact, had been put in the train for the first time that evening or night, and there is nothing to show that he knew that standing upon said car when passing under said bridge was dangerous to his life. It is pretty evident that he was killed by coming in contact with the bridge, and there is nothing to indicate that he was guilty of any negligence by riding upon the car when passing the bridge, if he was so riding. It would be a harsh rule, indeed, that would require a brakeman to know the exact height of a foreign car placed in the regular train shortly before it started on its usual trip.

It is also evident that a brakeman is not guilty of negligence by simply remaining on the top of a car; and the evidence in this case tends to show that a few minutes before the bridge was reached it was necessary for him to be on top of some of the cars to adjust brakes. The proof also tends to show that he had a right, if he so elected, after adjusting the brakes, to go into the cab or engine, and to do so would pass over the car in question. The evidence is ample to authorize the jury to find that the injury was caused by the intestate coming in contact with the bridge, and the question of negligence on his part was a question of fact to be submitted to the jury. In fact, we are of opinion that there was no evidence in this case from which the jury could have found decedent guilty of contributory negligence. After this, the third thorough and patient investigation of this case, we are satisfied that the judgment appealed from ought to have been affirmed. Petition overruled.

EMPLOYERS' LIABILITY—RAILROAD COMPANIES—RATIFICATION BY EMPLOYER OF CUSTOMARY VIOLATION OF RULES BY EMPLOYEES—*Fluhrer v. Lake Shore and Michigan Southern Ry. Co., 83 Northwestern Reporter, page 149.*—Action was brought by Mary Fluhrer, administratrix of the estate of John M. Fluhrer, against the above-named railway company, to recover damages for the death of her intestate, who was an employee of said company at the time of his death. There

was a judgment in her favor in the circuit court of Lenawee County, Mich., and the defendant company brought the case upon a writ of error before the supreme court of the State, which rendered its decision June 18, 1900, and affirmed the judgment of the lower court.

The opinion of the court by Judge Moore reads as follows:

This case has been here once before, and is reported in 80 N. W., 23. Upon the second trial, plaintiff recovered a verdict. The case is brought here by the defendant by writ of error.

The counsel for defendant argue over again in their brief the questions passed upon when the case was here before. We do not think any further reference is necessary to that feature of the case. The case was sent back for trial upon a single point, in relation to which the court declared the law to be as follows: "It is well settled that a violation of the rules of the company will defeat recovery. The exception to this is where the company itself has sanctioned the custom of their employees to act in violation of the rules, and has thus virtually abrogated them. This exception is based upon the theory that it would be unjust in employers to establish rules, and then sanction their violation, and interpose such violation as a defense. Fairly construed, the above rule is notice to brakemen not to enter between the cars, while in motion, to uncouple them, and an agreement not to do so. The danger in doing so is apparent. Only when this rule is violated by brakemen so universally and notoriously that it is a fair inference that the company sanctioned and approved the violation is the company barred from this defense. The court instructed the jury that, if they believed that the motion of the cars was so slow that it was not negligence to pass between them to uncouple them, and that such was the usual custom of brakemen under like circumstances, then such act would not necessarily prevent recovery by the plaintiff. There was evidence tending to show that it was usual and customary for brakemen to pass between the cars, while in motion, to uncouple them. The case was not submitted to the jury upon the theory that the company had sanctioned a violation of this rule. The question was not referred to in the instructions. * * * When the defendant had entered into the contract with the deceased, in which he acknowledged a receipt of a copy of these rules, and agreed to abide by them, it had met the plaintiff's case, even though it was not negligence per se to go between the cars when in motion. The onus probandi was then cast upon the plaintiff to show that the company sanctioned a departure from the rule by a custom so universal and notorious that the company was presumed to have had knowledge of it, and to have ratified it. This is an important feature of the case, and was not, we think, by the instructions, properly submitted to the jury. Counsel for plaintiff urge that the evidence does not show that Fluhrer ever read or saw these rules. The production of the duplicate contract signed by him was prima facie proof that he had received and read them. If there was a conflict of testimony on this point, it should be submitted to the jury under proper instructions."

Upon the second trial testimony was given in relation to the custom of the employees about going between the cars, when in motion, to couple them. The jury were properly instructed in accordance with the law as stated by the court when the case was here before, and the jury rendered a verdict in favor of plaintiff. Judgment is affirmed. The other justices concurred.

LAWS OF VARIOUS STATES RELATING TO LABOR ENACTED SINCE JANUARY 1, 1896.

[The Second Special Report of the Department contains all laws of the various States and Territories and of the United States relating to labor in force January 1, 1896. Later enactments are reproduced in successive issues of the Bulletin from time to time as published.]

VIRGINIA.

ACTS OF 1899-1900.

CHAPTER 328.—*Railroad bridges—Safety of employees.*

SECTION 1. Where any railroad track passes under any bridge or structure not sufficiently high to admit of the safe passage of the cars upon such railroad tracks, with the servants and employees standing at their posts of duty on said cars, the person or persons, firm or corporation, operating said railroad and running its trains thereon, shall erect and maintain, at proper distance on each side of such bridge or structure, warning signals of approved design, and in general use to warn the servants and employees, or those operating such railroads, of the approach to such bridge or structure, and the failure to erect and maintain such danger signals shall make those operating such railroads liable in damages for the death or injury of any employee or servant resulting from the insufficient height of such bridge or structure, and no contract, expressed or implied, and no plea of, or defense based upon, the contributory negligence of the servant or employee shall relieve those operating such railroads of the liability hereby imposed. The railroad commissioner is hereby authorized, by general or special regulations or order, to determine or approve the character and location of any danger signal which may be erected and maintained to comply with the provisions of this act, and any and every such danger signal constructed and located as the railroad commissioner shall so determine and approve shall be deemed within the meaning of this act to be an approved danger signal and erected at the proper distance on each side of such bridge.

SEC. 2. This act shall be in force from April first, nineteen hundred.

Approved February 14, 1900.

CHAPTER 806.—*Licensing of labor agents, etc.*

Whereas the farming and other interest of Buckingham County are being badly crippled, and in some instances almost ruined, by the carrying off by labor agents, and agents of railroad contractors and others, the pick of the laboring class of Buckingham County, by offering inducements, which are seldom, if ever, carried out, with the result of taking from Buckingham County the most desirable and best labor for six or seven months of the year, and leaving them without employment for the remainder of the year, and thereby seriously embarrassing the agriculturists and manufacturers of Buckingham County as before stated, and not being any benefit or gain to the laboring man; now, therefore,

1. Be it enacted by the general assembly of Virginia, that the board of supervisors of Buckingham County, Virginia, are hereby authorized and empowered to place a tax upon all labor agents, or representatives of persons, firms, or corporations, that come into Buckingham County for the purpose of inducing the laborers to move from the county, as before stated.

2. In no case shall the tax imposed upon such agents or representatives of persons, firms, or corporations soliciting men to leave Buckingham County be less than one hundred dollars per annum or more than two hundred dollars per annum, at the discretion of the board of supervisors. Any agent or representative found in any part of the county soliciting men to leave said county for the purpose heretofore stated, without having in his possession license or receipt showing that license has been paid, shall be deemed guilty of a misdemeanor, and punished, on conviction, by fine of not less than fifty nor more than one hundred dollars in each case.

3. All acts or parts of acts in conflict with this act are hereby repealed.

Approved March 5, 1900.

UNITED STATES.

ACTS OF CONGRESS OF 1899-1900.

CHAPTER 339.—LEGISLATION FOR THE TERRITORY OF HAWAII.

CHAPTER 1.—*Contracts for labor.*

SECTION 10. * * * *Provided*, That no suit or proceedings shall be maintained for the specific performance of any contract heretofore or hereafter entered into for personal labor or service, nor shall any remedy exist or be in force for breach of any such contract, except in a civil suit or proceeding instituted solely to recover damages for such breach: *Provided further*, That the provisions of this section shall not modify or change the laws of the United States applicable to merchant seamen.

All contracts made since August twelfth, eighteen hundred and ninety-eight, by which persons are held for service for a definite term, are hereby declared null and void and terminated, and no law shall be passed to enforce said contracts in any way; and it shall be the duty of the United States marshal to at once notify such persons so held of the termination of their contracts.

The act approved February twenty-six, eighteen hundred and eighty-five, "To prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," and the acts amendatory thereof and supplemental thereto, are hereby extended to and made applicable to the Territory of Hawaii.

CHAPTER 3.—*Collection of statistics by the United States Commissioner of Labor.*

SECTION 76. * * * It shall be the duty of the United States Commissioner of Labor to collect, assort, arrange, and present in annual reports statistical details relating to all departments of labor in the Territory of Hawaii, especially in relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes, and to all such other subjects as Congress may, by law, direct. The said commissioner is especially charged to ascertain, at as early a date as possible, and as often thereafter as such information may be required, the highest, lowest, and average number of employees engaged in the various industries in the Territory, to be classified as to nativity, sex, hours of labor, and conditions of employment, and to report the same to Congress.

CHAPTER 6.—*Chinese—Certificates of residence—Exclusion from the United States.*

SECTION 101. Chinese in the Hawaiian Islands when this act takes effect may within one year thereafter obtain certificates of residence as required by "An act to prohibit the coming of Chinese persons into the United States," approved May fifth, eighteen hundred and ninety-two, as amended by an act approved November third, eighteen hundred and ninety-three, entitled "An act to amend an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May fifth, eighteen hundred and ninety-two," and until the expiration of said year shall not be deemed to be unlawfully in the United States if found therein without such certificate: *Provided, however*, That no Chinese laborer, whether he shall hold such certificate or not, shall be allowed to enter any State, Territory, or District of the United States from the Hawaiian Islands.

Approved April 30, 1900.

CHAPTER 786.—LEGISLATION FOR THE DISTRICT OF ALASKA.

TITLE 1.—*Recording, etc., of mining claims, etc.*

SECTION 15. The respective recorders shall, upon the payment of the fees for the same prescribed by the Attorney-General, record separately, in large and well-bound separate books, in fair hand:

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- Ninth. Affidavits of annual work done on mining claims;
Tenth. Notices of mining location and declaratory statements;
Eleventh. Such other writings as are required or permitted by law to be recorded, including the liens of mechanics, laborers, and others: *Provided*, Notices of location of mining claims shall be filed for record within ninety days from the date of the

discovery of the claim described in the notice, and all instruments shall be recorded in the recording district in which the property or subject-matter affected by the instrument is situated, and where the property or subject-matter is not situated in any established recording district the instrument affecting the same shall be recorded in the office of the clerk of the division of the court having supervision over the recording division in which such property or subject-matter is situated.

SEC. 16. * * * Miners in any organized mining district may make rules and regulations governing the recording of notices of location of mining claims, water rights, flumes and ditches, mill sites and affidavits of labor, not in conflict with this act or the general laws of the United States; and nothing in this act shall be construed so as to prevent the miners in any regularly organized mining district not within any recording district established by the court from electing their own mining recorder to act as such until a recorder therefor is appointed by the court: * * *

SEC. 26. The laws of the United States relating to mining claims, mineral locations, and rights incident thereto are hereby extended to the District of Alaska: *Provided*, That subject only to such general limitations as may be necessary to exempt navigation from artificial obstructions all land and shoal water between low and mean high tide on the shores, bays, and inlets of Bering Sea, within the jurisdiction of the United States, shall be subject to exploration and mining for gold and other precious metals by citizens of the United States, or persons who have legally declared their intentions to become such, under such reasonable rules and regulations as the miners in organized mining districts may have heretofore made or may hereafter make governing the temporary possession thereof for exploration and mining purposes until otherwise provided by law: *Provided further*, That the rules and regulations established by the miners shall not be in conflict with the mining laws of the United States; and no exclusive permit shall be granted by the Secretary of War authorizing any person or persons, corporation or company to excavate or mine under any of said waters below low tide, and if such exclusive permit has been granted it is hereby revoked and declared null and void; but citizens of the United States or persons who have legally declared their intention to become such shall have the right to dredge and mine for gold or other precious metal in said waters, below low tide, subject to such general rules and regulations as the Secretary of War may prescribe for the preservation of order and the protection of the interests of commerce; such rules and regulations shall not, however, deprive miners on the beach of the right hereby given to dump tailings into or pump from the sea opposite their claims, except where such dumping would actually obstruct navigation, and the reservation of a roadway sixty feet wide, under the tenth section of the act of May fourteenth, eighteen hundred and ninety-eight, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes," shall not apply to mineral lands or town sites.

TITLE 2.—*Earnings of married women.*

SECTION 28. A wife may receive the wages of her personal labor, and maintain an action therefor in her own name and hold the same in her own right, and she may prosecute and defend all actions for the preservation and protection of her rights and property as if unmarried.

TITLE 2.—*Exemption from execution, etc.*

SECTION 272. The homestead of any family, or the proceeds thereof, shall be exempt from judicial sale for the satisfaction of any liability hereafter contracted or for the satisfaction of any judgment hereafter obtained on such debt. Such homestead must be the actual abode of and owned by such family or some members thereof. It shall not exceed two thousand five hundred dollars in value, nor exceed one hundred and sixty acres in extent if not located in a town or city laid off into blocks or lots, or if located in any such town or city, then it shall not exceed one-fourth of one acre. * * * The homestead aforesaid shall be exempt from sale or any legal process after the death of the person entitled thereto for the collection of any debts for which the same could not have been sold during his lifetime.

SEC. 273. All other property, including franchises or rights or interests therein, of the judgment debtor shall be liable to an execution, except as in this section provided. The following property shall be exempt from execution if selected and reserved by the judgment debtor or his agent at the time of the levy, or as soon thereafter before sale thereof as the same shall be known to him, and not otherwise:

First. The earnings of the judgment debtor, for his personal services rendered at any time within sixty days next preceding the levy of execution or attachment, when

it appears by the debtor's affidavit or otherwise that such earnings are necessary for the use of his family supported in whole or in part by his labor;

Second. Books, pictures, and musical instruments owned by any person, to the value of seventy-five dollars;

Third. Necessary wearing apparel owned by any person for the use of himself or his family: *Provided*, Watches or jewelry exceeding in value the sum of one hundred dollars shall not be exempt by virtue of this subdivision;

Fourth. The tools, implements, apparatus, team, vehicle, harness, or library necessary to enable any person to carry on the trade, occupation, or profession by which such person habitually earns his living to the value of five hundred dollars; also sufficient quantity of food to support such team, if any, for six months; the word "team" in this subdivision shall not be construed to include more than one yoke of oxen, or a span of horses or mules, or two reindeers, or six dogs, as the case may be;

Fifth. The following property, if owned by the head of a family and in actual use or kept for use by and for his family, or when being removed from one habitation to another on a change of residence: Ten sheep with one year's fleece or the yarn or cloth manufactured therefrom; two cows and five swine; household goods, furniture, and utensils to the value of three hundred dollars; also food sufficient to support such animals, if any, for six months, and provisions actually provided for family use and necessary for the support of such person and family for six months;

Sixth. The seat or pew occupied by the head of a family or his family in a place of public worship.

Seventh. All property of any public or municipal corporation.

Eighth. No article of property, or if the same has been sold or exchanged, then neither the proceeds of such sale nor the articles received in exchange therefor, shall be exempt from execution issued on a judgment recovered for its price.

TITLE 2.—*Wages preferred—In administration.*

SECTION 872. The charges and claims against the estate * * * shall be paid in the following order * * * : First, funeral charges; second, taxes of whatever nature due the United States; third, expenses of last sickness; fourth, all other taxes of whatever nature; fifth, debts preferred by the laws of the United States; sixth, debts which at the death of the deceased were a lien upon his property or any right or interest therein according to the priority of their several liens; seventh, debts due employee [employees] of decedent for wages earned within the ninety days immediately preceding the death of the decedent; eighth, all other claims against the estate.

TITLE 3.—*Earnings of married women.*

SECTION 64. All property, either real or personal, acquired by any married woman during coverture by her own labor shall not be liable for the debts, contracts, or liabilities of her husband, but shall in all respects be subject to the same exemptions and liabilities as property owned at the time of her marriage or afterwards acquired by gift, devise, or inheritance.

TITLE 3.—*Exemption from execution, etc.*

SECTION 238. Burial lots sold by such [cemetery] association shall be for the sole purpose of interment and shall be exempt from taxation, execution, attachment, or any other claim, lien, or process whatsoever if used, as intended, exclusively for burial purposes and in no wise with a view to profit.

TITLE 3.—*Liens of mechanics, laborers, etc.*

SECTION 262. Every mechanic, artisan, machinist, builder, contractor, lumber merchant, laborer, teamster, drayman, and other persons performing labor upon or furnishing material, of any kind to be used in the construction, development, alteration, or repair, either in whole or in part, of any building, wharf, bridge, flume, mine, tunnel, fence, machinery, or aqueduct, or any structure or superstructure, shall have a lien upon the same for the work or labor done or material furnished at the instance of the owner of the building or other improvement or his agent; and every contractor, subcontractor, architect, builder, or other person having charge of the construction, alteration, or repair, in whole or in part, of any building or other improvement as aforesaid shall be held to be the agent of the owner for the purposes of this code.

SEC. 263. The land upon which any building or other improvement as aforesaid shall be constructed, together with a convenient space about the same, or so much as

may be required for the convenient use and occupation thereof (to be determined by the judgment of the court at the time of the foreclosure of such lien), and the mine on which the labor was performed or for which the material was furnished shall also be subject to the liens created by this code if, at the time the work was commenced or the materials for the same had been commenced to be furnished, the land belonged to the person who caused the building or other improvement to be constructed, altered, or repaired; but if such person owned less than a fee-simple estate in such land, then only his interest therein shall be subject to such lien; and in case such interest shall be a leasehold interest, and the holder thereof shall have forfeited his rights thereto, the purchaser of such building or improvement and leasehold term, or so much thereof as remains unexpired at any sale under the provisions of this code, shall be held to be the assignee of such leasehold term, and as such shall be entitled to pay the lessor all arrears of rent or other money and costs due under the lease, unless the lessor shall have regained possession of the land and property, or obtained judgment for the possession thereof, prior to the commencement of the construction, alteration, or repair of the building or other improvement thereof; in which event the purchaser shall have the right only to remove the building or other improvement within thirty days after he shall have purchased the same; and the owner of the land shall receive the rent due him, payable out of the proceeds of the sale, according to the terms of the lease, down to the time of such removal.

SEC. 264. A lien created by this code upon any parcel of land shall be preferred to any lien, mortgage, or other incumbrance which may have attached to the land subsequent to the time when the building or other improvement was commenced, or the materials were commenced to be furnished and placed upon or adjacent to the land; also to any lien, mortgage, or other incumbrance which was unrecorded at the time when the building, structure, or other improvement was commenced, or other materials for the same were commenced to be furnished and placed upon or adjacent to the land; and all liens created by this code upon any building or other improvements shall be preferred to all prior liens, mortgages, or other incumbrances upon the land upon which the building or other improvement shall have been constructed or situated when altered or repaired; and in enforcing such lien, such building or other improvement may be sold separately from the land, and when so sold the purchaser may remove the same, within a reasonable time thereafter, not to exceed thirty days, upon the payment to the owner of the land of a reasonable rent for its use from the date of its purchase to the time of removal: *Provided*, If such removal be prevented by legal proceedings, the thirty days shall not begin to run until the final determination of such proceedings in the court of first resort or the appellate court if appeal be taken.

SEC. 265. Every building, or other improvement mentioned in section two hundred and sixty-two, constructed upon any lands with the knowledge of the owner or the person having or claiming any interest therein, shall be held to have been constructed at the instance of such owner or person having or claiming any interest therein; and the interest owned or claimed shall be subject to any lien filed in accordance with the provisions of this code, unless such owner or person having or claiming an interest therein shall, within three days after he shall have obtained knowledge of the construction, alteration, or repair, give notice that he will not be responsible for the same, by posting a notice in writing to that effect in some conspicuous place upon the land, or upon the building or other improvement situated thereon.

SEC. 266. It shall be the duty of every original contractor, within sixty days after the completion of his contract, and of every mechanic, artisan, machinist, builder, lumber merchant, laborer, or other person, save the original contractor, claiming the benefit of this code, within thirty days after the completion of the alteration or repair thereof, or after he has ceased to labor thereon from any cause, or after he has ceased to furnish materials therefor, to file with the recorder of the precinct in which such building or other improvement, or some part thereof, shall be situated, a claim containing a true statement of his demand, after deducting all just credits and offsets, with the name of the owner or reputed owner, if known, and also the name of the person by whom he was employed or to whom he furnished the materials, and also a description of the property to be charged with the lien sufficient for identification, which claim shall be verified by the oath of himself or of some other person having knowledge of the facts.

SEC. 267. The recorder shall record the claim in a book kept for that purpose, which records shall be indexed as deeds and other conveyances are required by law to be indexed, and for which he shall receive the same fees as are allowed by law for recording deeds and other instruments.

SEC. 268. No lien provided for in this code shall bind any building, structure, or other improvement for a longer period than six months after the same shall have

been filed, unless suit be brought before the proper court within that time to enforce the same, or, if a credit be given, then six months after the expiration of such credit; but no lien shall be continued in force for a longer time than one year from the time the work is completed by any agreement to give credit.

SEC. 269. Any person who shall, at the request of the owner of any lot in the district, grade, fill in, or otherwise improve the same or the street in front of or adjoining the same, shall have a lien upon such lot for his work done and materials furnished in the grading, filling in, or otherwise improving the same; and all the provisions of this code respecting the securing and enforcing the mechanic's lien shall apply thereto.

SEC. 270. Actions to enforce liens created by this code shall be brought before the district court, and the pleadings, process, practice, and other proceedings shall be the same as in other cases. In case the proceeds of any sale under this code shall be insufficient to pay all lien holders under it, the liens of all persons other than the original contractor (and subcontractors) shall first be paid in full, or pro rata if the proceeds be insufficient to pay them in full; and out of the remainder, if any, the subcontractors shall be paid in full, or pro rata, if the remainder be insufficient to pay them in full, and the remainder, if any, shall be paid to the original contractor; and each claimant shall be entitled to execution for any balance due him after such distribution, such execution to be issued by the clerk of the district court, upon demand, after the return of the marshal or other officer making the sale showing such balance due.

In all actions under this chapter [sections 262 to 275, inclusive] the district court shall, upon entering judgment for the plaintiff, allow as a part of the costs all moneys paid for the filing and recording of the lien, and also a reasonable amount as attorney's fees. All actions to enforce any lien created by this code shall have preference upon the calendar of civil actions brought before the district court and shall be tried without unnecessary delay.

In all actions to enforce any lien created by this chapter [sections 262 to 275, inclusive] all persons personally liable and all lien holders whose claims have been filed for record under the provisions of section two hundred and sixty-six shall, and all other persons interested in the matter in controversy or in the property sought to be charged with the lien may, be made parties; but such as are not made parties shall not be bound by such proceedings. The proceedings upon the foreclosure of the liens created by this code shall be, as nearly as possible, made to conform to the proceedings of a foreclosure of a mortgage lien upon real property.

SEC. 271. No payment by the owner of the building or structure to any original contractor or subcontractor, made before thirty days from the completion of the building, shall be valid for the purpose of defeating or discharging any lien created by this chapter [sections 262 to 275, inclusive] in favor of any workman, laborer, lumber merchant, or material man, unless such payment so made by the owner of the building or structure to such original contractor or subcontractor has been distributed among such workmen, laborers, lumber merchants, or material men, or, if distributed in part only, then the same shall be valid only to the extent the same has been so distributed.

SEC. 272. Any contractor shall be entitled to recover upon a lien filed by him only such amount as may be due to him according to the terms of his contract, after deducting all claims of other parties for work done and materials furnished as aforesaid; and in all cases where a lien shall be filed under this chapter [sections 262 to 275, inclusive] for work done or materials furnished to any contractor he shall defend any action brought thereupon at his own expense, and during the pendency of such action the owner may withhold from the contractor the amount of money for which such lien is filed; and in case of judgment against the owner or his property upon the liens the owner shall be entitled to deduct from any amount due or about to become due by him to the contractor the amount of such judgment and costs; and if the amount of such judgment and costs shall exceed the amount due by him to the contractor, or if the owner shall have settled with the contractor in full, he shall be entitled to recover back from the contractor any amount so paid by him, the owner, in excess of the contract price, and for which the contractor was originally the party liable.

SEC. 273. Whenever any mechanic, artisan, machinist, builder, lumber merchant, contractor, laborer, or other person shall have furnished or procured any materials for use in the construction, alteration, or repair of any building or other improvement, such materials shall not be subject to attachment, execution, or other legal process to enforce any debt due by the purchaser of such materials except a debt due for the purchase money thereof, so long as in good faith the same have been or are about to be applied to the construction, alteration, or repair of such building, structure, or other improvement.

SEC. 274. The words "building or other improvement," wherever the same are used in this chapter [sections 262 to 275, inclusive], shall be held to include and apply to any wharf, bridge, ditch, flume, tunnel, fence, machinery, aqueduct to create hydraulic power, or for mining or other purposes, and all other structures and superstructures, whenever the same can be made applicable thereto; and the words "construction, alteration, or repair," wherever the same are used herein, shall be held to include partial construction, and all repairs done in and upon any building or other improvement.

SEC. 275. Nothing contained in this chapter [sections 262 to 275, inclusive] shall affect any lien heretofore acquired, but the same may be enforced by the provisions of this chapter; and where actions are now pending the proceedings, after this chapter goes into effect, may be conducted according to this chapter.

SEC. 276. Any person who shall make, alter, repair, or bestow labor on any article of personal property at the request of the owner or lawful possessor thereof shall have a lien upon such property so made, altered, or repaired, or upon which labor has been bestowed, for his just and reasonable charges for the labor he has performed and the material he has furnished, and such person may hold and retain possession of the same until such just and reasonable charges shall be paid.

SEC. 277. Any person who is a common carrier, or who shall, at the request of the owner or lawful possessor of any personal property, carry, convey, or transport the same from one place to another, and any person who shall safely keep or store any grain, wares, merchandise, and personal property at the request of the owner or lawful possessor thereof, and any person who shall pasture or feed any horses, cattle, hogs, sheep, or other live stock, or bestow any labor, care, or attention upon the same at the request of the owner or lawful possessor thereof, shall have a lien upon such property for his just and reasonable charges for the labor, care, and attention he has bestowed and the food he has furnished, and he may retain possession of such property until such charges be paid.

SEC. 278. If such just and reasonable charges be not paid within three months after the care, attention, and labor shall have been performed or bestowed, or the materials or food shall have been furnished, the person having such lien may proceed to sell at public auction the property mentioned in the last two sections, or a part thereof sufficient to pay such just and reasonable charges. Before selling, he shall give notice of such sale by advertisement for three weeks in a newspaper published in the precinct, if there be such publication, or by posting up notice of such sale in three public places in the precinct, one of which shall be the post-office, or adjacent thereto, for three weeks before the time of such sale, and the proceeds of such sale shall be applied, first, to the discharge of such lien, and the costs of keeping and selling such property, and the remainder, if any, shall be paid over to the owner thereof: *Provided*, Nothing herein contained shall be construed as to authorize any warehouseman to sell more of any wool, wheat, oats, or other grain than sufficient to pay charges due the warehouseman on such wool, wheat, oats, or other grain: *And provided further*, If any such warehouseman shall sell, loan, or dispose of in any manner, contrary to the provisions of this chapter [sections 276 to 295, inclusive], without the consent of the owner thereof, any such wool, wheat, oats, or other grain, he shall, for each and every offense, forfeit and pay to the owner of such wool, wheat, oats, or other grain a sum equal to the market value thereof, and fifty per centum of the market value in addition as a penalty, the market value to be the price such article or articles bore at the time the owner thereof made demand on the warehouseman for the same.

SEC. 279. The provisions of the last three sections shall not interfere with any special agreement of the parties.

SEC. 280. Every person performing labor upon, or who shall assist in obtaining or securing, saw logs, spars, piles, or other timber shall have a lien upon the same for the work or labor done upon or in obtaining or securing the same, whether such work or labor was done at the instance of the owner of the same or his agent. The cook in a logging camp and any and all others who may assist in or about a logging camp shall be regarded as a person who assists in obtaining or securing the saw logs, spars, piles, or other timber mentioned herein.

SEC. 281. Every person performing labor upon or who shall assist in manufacturing saw logs or other timber into lumber has a lien upon such lumber while the same remains at the yard wherein manufactured, whether such work or labor was done at the instance of the owner of such lumber or his agent.

SEC. 282. Any person who shall permit another to go upon his timber land and cut thereon saw logs, spars, piles, or other timber has a lien upon such logs, spars, piles, and timber for the price agreed to be paid for such privilege, or for the price such privilege or the stumpage thereon would be reasonably worth, in case there was no express agreement fixing the price.

SEC. 283. The liens provided for in this chapter [sections 276 to 295, inclusive] are preferred liens and are prior to any and all other liens, and no sale, transfer, mortgage, or assignment of any saw logs, spars, piles, or other timber or manufactured lumber shall defeat the lien thereon as herein provided.

SEC. 284. The person rendering the service or doing the work or labor named in sections two hundred and seventy-six and two hundred and seventy-seven of this chapter is only entitled to the liens as provided herein for services, work, or labor for the period of six months, or any part thereof next preceding the filing of the claims as provided in section two hundred and eighty-six of this title.

SEC. 285. The person granting the privilege mentioned in section two hundred and eighty-two of this title is only entitled to the lien as provided therein for saw logs, spars, piles, and other timber cut during the six months next preceding the filing of the claim as provided in section two hundred and eighty-six.

SEC. 286. Every person, within thirty days after the rendition of the services, or after performing the work or labor mentioned in sections two hundred and seventy-six and two hundred and seventy-seven of this title, who shall claim the benefit hereof must file for record with the recorder of the precinct in which such saw logs, spars, piles, and other timber was cut, or in which such lumber was manufactured, a claim containing a statement of his demand, and the amount thereof, after deducting, as near as possible, all just credits and offsets, with the name of the person by whom he was employed, with a statement of the terms and conditions of his contract, if any; and in case there is no express contract, the claim shall state what such service, work, or labor is reasonably worth, and shall also contain a description of the property to be charged with the lien sufficient for identification with reasonable certainty, which claim must be verified by the oath of himself or some other person for him to the effect that the affiant believes the same to be true, which claim shall be substantially in the following form:

_____, claimant, vs. _____, defendant.

Notice is hereby given that _____ claims a lien upon (describing property), being about _____ more or less, which were (cut or manufactured) in _____ precinct, District of Alaska, are marked thus _____, and are now lying in _____, for labor performed upon and assistance rendered in (cutting or manufacturing logs or lumber).

That the name of the owner, or reputed owner, is _____; that _____ employed said _____ to perform such labor and render such assistance upon the following terms and conditions (state contract, if any, or reasonable value); that said contract has been faithfully performed and fully complied with on the part of said _____, who performed labor and assisted in (cutting or manufacturing) for the period of _____; that said labor and assistance were so performed and rendered upon said property between the _____ day of _____ and the _____ day of _____, and the rendition of said service was closed on the _____ day of _____, and thirty days have not elapsed since that time; that the amount of claimant's demand for said services is _____; that no part thereof has been paid (except _____), and there is now due and remaining unpaid thereon, after deducting all just credits and offsets, the sum of _____, in which amount he claims a lien upon said property.

DISTRICT OF ALASKA, }
Precinct of _____, } ss:

I, _____, being first duly sworn, on oath say that I am the _____ named in the foregoing claim; that I have heard the same read, know the contents thereof, and believe the same to be true.

Subscribed and sworn to before me this _____ day of _____.

SEC. 287. Every person mentioned in section two hundred and eighty claiming the benefit thereof must file for record with the recorder of the precinct in which such saw logs, spars, piles, and other timber were cut a claim, in substance the same as provided in section two hundred and eighty-six, and verified as therein provided.

SEC. 288. The recorder must record every claim filed under the provisions of this title in books kept by him for that purpose, which records must be indexed as deeds and other conveyances are required by law to be indexed, and for which he may receive the same fees as are allowed by law for recording deeds or other instruments.

SEC. 289. No lien provided for in this chapter [sections 276 to 295, inclusive] shall bind any saw logs, spars, piles, lumber, or other timber for a longer period than six months after the claim, as herein provided for, has been filed, unless an action be commenced within that time to enforce the same; and no lien of any kind or character shall be had upon any lumber or logs after the same shall have been placed in

any building or upon any spars or piles after the same shall have been put in use for the purpose for which they were intended.

SEC. 290. The liens provided for in this chapter [sections 276 to 295, inclusive] shall be enforced by an action and shall be governed by the laws regulating the proceeding relating to the mode and manner of trial and the proceedings and laws to secure property so as to hold it for the satisfaction of any lien that may be against it.

SEC. 291. Any person who shall bring an action to enforce a lien herein provided for, or any person having a lien as herein provided for, who shall be made a party to any such action, has a right to demand that such lien be enforced against the whole or any part of the saw logs, spars, piles, or other timber or manufactured lumber upon which he has performed labor, or which he has assisted in obtaining or securing, or which has been cut on his timber land during the six months mentioned in sections two hundred and eighty-four and two hundred and eighty-five, for all his labor upon or for all his assistance in obtaining or securing the logs, spars, piles, or other timber, or in manufacturing said lumber during the whole or any part of the six months mentioned in section two hundred and eighty-four, or for timber cut during the whole or any part of the six months mentioned in section two hundred and eighty-five.

SEC. 292. Any number of persons claiming liens under this title may join in the same action, and when separate actions are commenced the court may consolidate them. The court may also allow, as part of the costs, the moneys paid for filing and recording the claim, and a reasonable attorney's fee for each person claiming a lien.

SEC. 293. In such action judgment must be rendered in favor of each person having a lien for the amount due him, and the court shall order any property subject to the lien herein provided for to be sold by the marshal in the same manner that personal property is sold on execution, and the court shall apportion the proceeds of such sale to the payment of each judgment pro rata, according to the amount of such judgment.

SEC. 294. The judge of the court may, in vacation, upon motion, supported by affidavit, showing that the property is liable to loss or destruction, order any property subject to a lien as in this title provided to be sold by the marshal as personal property is sold on execution before the judgment is rendered, as provided in section two hundred and ninety-three, and the proceeds of such sale must be retained by the marshal until judgment, to be applied as in the section directed.

SEC. 295. Any person, firm, or corporation who shall injure, impair, or destroy, or who shall render difficult, uncertain, or impossible of identification any saw logs, spars, piles, or other timber knowing the same to be subject to a lien, as herein provided, without the express consent of the person entitled to such lien, shall be liable to the lien holder for damages to the amount secured by his lien, which sum may be recovered by an action against such person, firm, or corporation, without bringing the suit as provided for in section 302 of this code: *Provided*, In all such actions the principal debtor shall be made a codefendant.

Approved June 6, 1900.

JOINT RESOLUTION No. 37.—*Suspending the alien contract-labor law in connection with the Ohio Centennial and Northwest Territory Exposition.*

The act of Congress approved February twenty-sixth, eighteen hundred and eighty-five, prohibiting the importation of foreigners under contract to perform labor, and the acts amendatory of these acts, shall not be construed, nor shall anything therein operate to prevent, hinder, or in any wise restrict any foreign exhibitor, representative, or citizen of a foreign nation, or the holder of any concession or privilege from the Ohio Centennial Company, of Toledo, from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of foreign countries, as they or any of them may deem necessary, subject to the approval in each case of the Secretary of the Treasury, for the purpose of making preparations for installing or conducting their exhibits, or of preparing or installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been granted by the Ohio Centennial Company in connection with the Ohio Centennial and Northwest Territory Exposition: *Provided, however*, That any alien who, by virtue of this act, enters the United States under contract to perform labor, may not remain in the United States for more than three months after the close of the exposition, and he shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract-labor law aforesaid: *And provided further*, That this resolution shall not be construed as applying to the acts of Congress prohibiting the coming of Chinese persons into the United States.

Approved June 6, 1900.

JOINT RESOLUTION No. 38.—*Suspending the alien contract-labor law in connection with the Pan-American Exposition.*

The act of Congress approved February twenty-sixth, eighteen hundred and eighty-five, prohibiting the importation of foreigners under contract to perform labor, and the acts amendatory of these acts, shall not be construed, nor shall anything therein operate to prevent, hinder, or in any wise restrict any foreign exhibitor, representative, or citizen of a foreign nation, or the holder of any concession or privilege from the Pan-American Exposition Company, of Buffalo, New York, from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of foreign countries, as they or any of them may deem necessary, subject to approval in each case of the Secretary of the Treasury, for the purpose of making preparations for installing or conducting their exhibits, or of preparing or installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been granted by the Pan-American Exposition Company, of Buffalo, New York, in connection with such exposition: *Provided, however,* That any alien who, by virtue of this act, enters the United States under contract to perform labor, may not remain in the United States for more than three months after the close of the exposition, and he shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract-labor law aforesaid: *And provided further,* That this resolution shall not be construed as applying to the acts of Congress prohibiting the coming of Chinese persons into the United States.

Approved June 6, 1900.