U. S. DEPARTMENT OF LABOR
CHILDREN'S BUREAU
JULIA C. LATHROP, Chief

ILLEGITIMACY AS A CHILD-WELFARE PROBLEM

PART 1

A BRIEF TREATMENT OF THE PREVALENCE AND SIGNIFICANCE OF BIRTH OUT OF WEDLOCK, THE CHILD'S STATUS, AND THE STATE'S RESPONSIBILITY FOR CARE AND PROTECTION

BIBLIOGRAPHICAL MATERIAL

By

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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, December 15, 1919.

SIR: I transmit herewith the first of two studies on illegitimacy as a child-welfare problem. This report, intended in part as an introduction to the report which will follow, is a brief survey of the available statistics relating to births out of wedlock, the present rights and disabilities of the children, and the protection and guardianship by means of which public and private agencies have attempted to mitigate the handicap of illegitimate birth. The source material upon which the report is based, together with certain general references, is included.

Although the evidence available indicates that the number of children born out of wedlock in the United States is less, in proportion to population and to total births, than in European countries, the figures are sufficiently large to command attention and to arouse concern for the welfare of the children. Inadequacy of birth registration makes it impossible to secure accurate statistics, but a careful study of the data makes it fairly certain that at least 32,000 white children are born out of wedlock in the United States each year. The information presented in this report indicates that probably not more than 70 per cent of these children survive the first year of life.

This report was prepared in the Social Service Division of the Bureau. It was written by Emma O. Lundberg and Katharine F. Lenroot, and the bibliographical material for it was prepared by Ruth H. Olmsted under Miss Lundberg's supervision.

Respectfully submitted.

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Hon. W. B. WILSON,
Secretary of Labor.

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ILLEGITIMACY AS A CHILD-WELFARE PROBLEM.

PART 1.

INTRODUCTORY.

Only within comparatively recent times has illegitimacy come to be recognized as a definite social problem. Yet, few topics relating to social welfare have as many ramifications or provoke as many divergent opinions. In its bearings upon social standards, especially those concerning family relationships, illegitimacy opens up a large field for discussion. It is a matter of prime importance in a consideration of social and moral prophylaxis, while in its relation to infant mortality, infant care, child abandonment and neglect, and the care of dependent children it demands the attention and concern of all who are engaged in constructive social effort. Although the problem manifests fairly regular phenomena, these vary according to the composition, customs, and social conditions of the community, and furthermore are subject to modification by social action.

The social significance of illegitimacy may be studied along two distinct lines of investigation, the first concerned with causative factors and centering in the mother and father, the second centering in the child and attempting to measure the handicaps to the child born out of wedlock and to secure the care and protection that should be afforded him. The two lines of investigation necessarily converge at many points. To a considerable extent the causative factors have an essential bearing upon the child's history and the burden of dependency imposed upon the State. Many theories have been advanced in regard to the natural endowment of the child born out of wedlock as compared with that of the child of legitimate birth, but very little authoritative information is available. Neither has there been any adequate consideration of the environmental and home influences surrounding children who are born out of wedlock, nor of the burden that is placed upon the public for the support of these children.

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A consideration of illegitimacy as a problem of child welfare is in reality a study of the relation of the child born out of wedlock to his family and to the community. The detriment of illegitimate birth is neutralized in the degree to which the child is provided with normal family conditions and an equitable social attitude realized. Of equal importance with the securing of justice for children handicapped by the circumstances of their birth is the raising of moral standards and the improvement of the social conditions that are at bottom largely responsible for illegitimacy.

The close connection between birth out of wedlock and lack of proper care may be clearly shown in the case of infants. The most immediate and demonstrable effect of the disadvantages attendant upon illegitimate birth is the very high mortality rate. Little is known of the histories of the children who survive infancy, but though the influence of their birth upon their development as they grow older is less tangible and more obscured by other factors than during infancy the problem of their care is no less important. The frequent concomitants of illegitimate birth are absence of a normal home, deprivation of a mother's care, and lack of adequate support. These handicaps often result in impairment of health and vitality, dependence upon the public for support, and abnormal character development, producing in many cases waywardness and delinquency. The increasing tendency to exert every effort to conserve child life results from the recognition of the obligation of society to insure for all children a childhood as nearly normal as possible and to develop them into useful and valuable members of the community.

European countries have furnished extensive studies of various phases of the problem of illegitimacy. In Germany, where conditions have lent themselves particularly to detailed research, which has been made possible by the completeness of birth registration and the system of records for military purposes, numerous treatises have been written on the moral aspects of illegitimacy, illegitimate births as social phenomena, and the care of children born out of wedlock. In France the published studies have dealt mainly with the question of the child's right to the establishment of paternity, as a part of a campaign for recognition of this principle in law. Publications in regard to the problem in other European countries are less available, but fragmentary information indicates a special interest in the problem, usually from the point of approach of the child's birthright or his care. In Norway, especially, inquiries have been concerned with the need for the adequate support and care of children born out of wedlock. Governmental investigations and parliamentary debates culminated in the passage of the Norwegian law of 1915, which establishes inheritance rights and sets a high standard of maintenance and pro-

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tection. In England and Scotland, and in Australia and New Zealand, activity in behalf of these children has mainly taken the form of efforts to lower the infant mortality rate and to provide the necessary care for the mother and child. Recently, there has been organized in England a national council [1] the aim of which is to bring about reform in the legal and social position of the unmarried mother and her child.

In the United States, with its diversity of conditions and varied State legislation, interest has been mainly local. Studies have been concerned chiefly with the numerical extent of illegitimate births in a community, the moral aspects, and the possibility of lessening the problem. Within the past few years, however, there has come an awakening of interest in illegitimacy as it affects the child. Not only has this resulted in the formation of conferences [2] for the study of the problem in a large number of cities, but also the subject has been given special attention in the proceedings of various national organizations dealing with social problems. There is a growing interest in its broader aspects as being of nation-wide concern from the point of view of child welfare, and a movement is developing for uniformity in legislation relating to the status and support of children born out of wedlock.

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[1] The National Council for the Unmarried Mother and Her Child (and for the Widowed or Deserted Mother in Need), organized in 1918. Evelyn House, 62 Oxford St., W. I., London.

[2] For example, the Boston Conference on Illegitimacy; the Committee on Illegitimacy of the Philadelphia Conference on Parenthood; the Cleveland Conference on Illegitimacy; the Milwaukee Conference on Illegitimacy; various committees engaged in studying the problem in other cities; and the Inter-City Conference on Illegitimacy composed of representatives of these and other organizations concerned with the subject.

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EXTENT OF PROBLEM.

In considering statistics of illegitimate births in various communities, differences in laws and customs and in methods of securing and compiling vital statistics must be kept in mind. In some European countries, for example, the government requires civil marriage while a part of the population holds a religious ceremony to be sufficient, with the result that the children born of the latter marriages are considered by the state to be of illegitimate birth and recorded as such. In Germany, as in some other countries, the collecting of vital statistics is an important function of the state; in Russia the records of the church supply the data on births and deaths, no doubt inadequately; in the United States the registration laws differ, and in only a small number of the States is there adequate birth registration. It is therefore necessary to consider existing data on the extent of illegitimacy in the various countries merely as approximate indications of its comparative prevalence.

Two methods of computing illegitimacy rates are used in this report. The first gives the proportion of illegitimate births to total births in a given period, and is obtained by dividing the number of illegitimate births by the total births. The second method compares the number of illegitimate births with the number of single, widowed, and divorced women of childbearing age in the community, and is obtained by dividing the number of illegitimate births by the number of such women in the population. The first method emphasizes the extent of the child-care problems involved; the second gives data relating more definitely to causative factors and to the moral and preventive sides of the problem.

PREVALENCE IN FOREIGN COUNTRIES.

European countries.

In most European countries birth registration, because of its importance in connection with military service and other governmental requirements, has been very nearly complete. Statistics of illegitimate births have been the subject of exhaustive research by students of social problems and by statistical bodies and are therefore readily available for comparative study. The data presented in the tables

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on the numbers of births in European countries were compiled in large part from material contained in a report of an international statistical association.

Table I gives, for specified countries of Europe, comparative data on the rates of legitimate and illegitimate births based, respectively, on the total number of married women of childbearing age and the total number of single, widowed, and divorced women of the same age.

TABLE I.—*Average annual legitimate birth rate per 1,000 married women 15 to 49 years of age, and illegitimate birth rate per 1,000 single, widowed, and divorced women 15 to 49 years of age, in specified countries of Europe.*[a]

Country and period.	Legitimate live births per 1,000 married women 15 to 49 years of age.	Illegitimate live births per 1,000 single, widowed, and divorced women 15 to 49 years of age.
Austria-Hungary:		
Austria, 1908–1913	219	30
Hungary, 1906–1915	198	38
Belgium, 1908–1913	161	12
Denmark, 1906–1915	191	24
Finland, 1906–1915	239	17
France, 1910–1911	114	16
German Empire, 1907–1914	196	23
Bavaria, 1907–1914	214	31
Prussia, 1907–1914	204	21
Saxony, 1907–1914	153	36
Wurtemburg, 1907–1914	211	21
Great Britain and Ireland:		
England and Wales, 1906–1915	171	7
Ireland, 1909–1912	250	4
Scotland, 1906–1915	202	13
Italy, 1907–1914	226	14
Norway, 1907–1914	224	13
Spain, 1906–1915	218	14
Sweden, 1908–1913	196	26
Switzerland, 1906–1915	184	8
The Netherlands, 1905–1914	233	5

[a] Compiled from Annuaire International de Statistique. II. Mouvement de la Population (Europe). L'Office Permanent de l'Institut International de Statistique, La Haye, 1917. pp. 54–56.

In considering the data presented, it is important to take into account differences in methods of registration in the various countries and in legal definitions of illegitimacy, which make the figures only approximately comparable. The rates are seen to vary widely in different countries, even in those with apparently homogeneous populations and in political divisions of the same country. The number of illegitimate births per 1,000 single, widowed, and divorced women 15 to 49 years of age ranged from 4 to 38. The figures presented suggest the importance of correlating the various factors, such as racial differences, economic and social conditions, marriage customs and laws, constructive social influences, and various legal provisions in regard to the status of the child born out of wedlock. Such analysis of social causes in connection with the evidence furnished by

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statistics is requisite to an understanding of the real significance of the numbers of illegitimate births.

Over a period of 30 to 40 years (from about 1875 to 1915) there has been a decrease in the yearly number of illegitimate births per 1,000 single, widowed, and divorced women in Austria, Belgium, Denmark, England and Wales, Finland, the German Empire, Hungary, Italy, Norway, Scotland, Spain, Switzerland, and The Netherlands. In Ireland the illegitimate birth rate remained stationary, and in France and Sweden it fluctuated or increased.[1]

Table II gives for the specified countries of Europe, over a period of years, the proportion of illegitimate births to total births, stated in terms of per cents. This table also gives the number of illegitimate live births in each country during one year.

The percentages of illegitimate births furnish an indication of the proportion of children born out of wedlock, and the consequent problem that confronts the State in providing for their care and protection. It must be remembered that a decline in the total birth rate is likely to result in a rise in the percentage of illegitimate births, though in fact the actual number of such births may not have increased. This is illustrated by recent English vital statistics. The percentage of illegitimate births in England and Wales for 1917 was 5.6, as compared with 4.2, 4.4, and 4.8, the percentages for the three preceding years. This increase is accounted for by the large decrease in legitimate births because of war conditions. The decrease in the number of legitimate births from the number in 1914 amounted to 7.5 per cent in 1915, 11.2 per cent in 1916, and 25 per cent in 1917.[2] The number of illegitimate births, on the other hand, remained practically stationary for several years preceding the war and for the first three years of the war.[3] However, figures for 1918[4] show a considerable increase in the number of illegitimate births. In 1917 the number of illegitimate births was somewhat less than in 1916, but in 1918 there was an increase of 11.2 per cent over the preceding year. The number of legitimate births continued to decrease.

European cities.

In large centers of population social problems are massed and intensified. Because of their institutions and agencies giving maternity

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[1] Lundberg, Emma O.: "The illegitimate child and war conditions." American Journal of Physical Anthropology, Vol. I (July-September, 1918). Table I on pp. 342–343.

[2] Percentages based on statistics given in Eightieth Annual Report of the Registrar-General of Births, Deaths, and Marriages in England and Wales (1917). London, 1919. p. 4.

[3] Eightieth Annual Report of the Registrar-General of Births, Deaths, and Marriages in England and Wales (1917). London, 1919. p. 4.

[4] Quarterly Return [and Annual Summary] of Marriages, Births, and Deaths Registered in England and Wales and in the Registration Counties, etc. No. 280—year 1918, p. 38. London, 1919.

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TABLE II.—*Number and per cent of illegitimate births in specified countries of Europe.*[a]

Country.	Illegitimate live births, 1914.		Per cent of live births illegitimate.				
	Number.	Per cent of total live births.	Annual average, 1906–1909.	Annual average, 1910–1914.	1915	1916	1917
Austria Hungary:							
Austria	[b] 102,845	11.9	12.3	[b] 11.9	.....	.....	.....
Hungary	63,301	8.5	9.4	9.0	9.5	.....	.....
Belgium	[b] 10,975	6.4	6.3	[b] 6.3	.....	.....	.....
Denmark	8,395	11.5	11.0	11.3	[c] 11.7	[c] 11.7	.....
Finland	6,846	7.8	6.9	7.7	8.0	.....	.....
France [d]	[b] 66,000	8.8	8.9	[b] 8.7	.....	.....	.....
German Empire	176,270	9.7	8.7	9.4	.....	.....	.....
Bavaria	25,180	12.6	12.2	12.4	.....	.....	.....
Prussia	99,172	8.5	7.4	8.1	.....	.....	.....
Saxony	18,803	16.0	14.1	15.5	.....	.....	.....
Wurtemburg	5,737	8.6	8.3	8.6	.....	.....	.....
Great Britain and Ireland:							
England and Wales [e]	37,329	4.2	4.0	4.2	4.4	4.8	5.6
Ireland [f]	2,943	3.0	2.6	2.8	3.1	3.0	3.1
Scotland [g]	8,879	7.2	7.0	7.3	6.9	7.1	7.5
Italy	52,813	4.7	5.1	4.8	[h] 4.3	.....	.....
Norway	4,406	7.1	6.8	6.9	[i] 7.3	[i] 7.0	7.1
Portugal	[j] 20,601	11.0	11.3	(*k*)	.....	.....	.....
Roumania	[l] 25,367	8.1	9.2	(*k*)	.....	.....	.....
Russia in Europe [m]	118,159	2.3	2.3	(*k*)	.....	.....	.....
Spain	28,858	4.7	4.6	4.8	5.0	[n] 5.3	.....
Sweden	[o] 20,481	[o] 15.8	13.3	[o] 15.1	.....	.....	.....
Switzerland	4,341	5.0	4.4	4.7	4.6	[p] 4.4	.....
The Netherlands	3,728	2.1	2.1	2.1	2.2	[q] 2.2	.....

[a] Except where otherwise noted, figures are based on statistics of live births reported in Annuaire International de Statistique. II. Mouvement de la Population (Europe). L'Office Permanent de l'Institut International de Statistique, La Haye, 1917. pp. 40–53.

[b] Number given for 1913; average based on four-year period 1910–1913.

[c] Statistisk Aarbog [Danmark], 1917. Statistiske Departement. København, 1917. p. 18.

[d] Figures for 1910–1913 are based on statistics in Annuaire Statistique, 1916, 1917, 1918. Résumé Rétrospectif.—Divers Pays., pp. 11*–12*. Ministère du Travail et de la Prévoyance Sociale. Statistique Général de la France, Paris, 1919. (Numbers given only in thousands.)

[e] Seventy-seventh (1914), Seventy-eighth (1915), Seventy-ninth (1916), and Eightieth (1917) Annual Reports of the Registrar-General of Births, Deaths, and Marriages in England and Wales. London, 1915–1919.

[f] Fifty-first (1914), Fifty-second (1915), Fifty-third (1916), and Fifty-fourth (1917) Annual Reports of the Registrar-General for Ireland. Dublin, 1915–1918. Annual average for 1906–1909 derived from Supplement to the Forty-seventh Report of the Registrar-General for Ireland, containing summaries for the years 1901–1910, p. xiv.

[g] Fifty-ninth (1913), Sixtieth (1914), Sixty-first (1915), Sixty-second (1916), and Sixty-third (1917) Annual Reports of the Registrar-General for Scotland. Edinburgh, 1916–1919.

[h] Annuario Statistico Italiano, Seconda Serie, Vol. VI. Anno 1916. Roma, 1918. p. 31.

[i] Statistisk Aarbok or Kongeriket Norge, 38te Årgang, 1918. Statistiske Centralbyrå. Kristiania, 1919. pp. 8–9.

[j] Number given for 1910—the only figure available during the period 1910–1914.

[k] No average given as figures are not available for a period of four years.

[l] Number given for 1912.

[m] Excluding Finland and Poland. Number given for 1909; no later figures available.

[n] Anuario Estadístico de España. Año IV–1917. Ministerio de Instrucción Pública y Bellas Artes. Dirección General del Instituto Geográfico y Estadístico. Madrid, 1918. p. 41.

[o] Statistisk Årsbok för Sverige. Femte Årgången, 1918. Kungl. Statistiska Centralbyrån. Stockholm, 1918. p. 46.

[p] Annuaire Statistique de la Suisse. 1917—26e année. Bureau Fédéral de Statistique. Berne, juillet 1918. pp. 17, 19.

[q] Annuaire Statistique de la Ville d'Amsterdam. Publié par le Bureau Municipal de Statistique. 14ième Année, 1917. Amsterdam, 1919. p. 54.

care and providing for children who must depend upon the public for support, these cases gravitate to the cities. Unquestionably the city, by reason of economic and social conditions inherent in congested areas, also produces an undue proportion of births out of wedlock and of child dependency. A comparison of the percentages of illegitimate births in large cities with those in the entire population

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of a country[1] gives striking evidence of the abnormal situation in large population centers. In Table III are given the proportions of illegitimate to total births over a quinquennial period for 38 of the large cities of Europe.

TABLE III.—*Average annual per cent of illegitimate births in European cities, 1905 to 1909.*[a]

City.[b]	Population, 1909.	Per cent of live births illegitimate, 1905–1909.	City.[b]	Population, 1909.	Per cent of live births illegitimate, 1905–1909.
Amsterdam	567,000	4.4	Lyon	472,000	22.2
Barcelona	547,000	6.6	Manchester	655,000	3.8
Belfast	387,000	3.4	Marseilles	517,000	[c]17.2
Berlin	2,107,000	18.1	Milan	594,000	9.5
Birmingham	564,000	2.6	Moscow	1,452,000	24.0
Breslau	503,000	18.8	Munich	571,000	27.8
Bristol	378,000	3.2	Naples	612,000	9.7
Budapest	823,000	26.3	Odessa	467,000	[d]14.0
Christiania	233,000	[c]13.6	Paris	2,760,000	25.5
Cologne	472,000	11.9	Petrograd	1,596,000	20.2
Copenhagen	450,000	25.5	Prague	467,000	[c]28.7
Dresden	546,000	19.4	Riga	356,000	[c]6.3
Dublin	398,000	3.1	Rome	534,000	16.5
Edinburgh	355,000	8.5	Rotterdam	415,000	4.0
Frankfort on the Main	367,000	13.8	Sheffield	463,000	[c]4.3
Glasgow	872,000	7.0	Stockholm	340,000	33.5
Hamburg	888,000	13.6	Turin	392,000	11.4
Leipzig	538,000	19.2	Vienna	2,064,000	30.1
London	4,834,000	3.5	Warsaw	746,000	9.1

[a] Based on statistics published in Statistique Démographique des Grandes Villes du Monde pendant les années 1880–1909. Première partie—Europe. Publiée à l'occasion de la XIII[e] Session de l'Institut International de Statistique à la Haye, Septembre 1911. Communications Statistiques, publiées par le Bureau municipal de Statistique d'Amsterdam, N[os] 33, 1911. pp. 1–137.

[b] With the exception of Stockholm and Christiania, all the cities are of 350,000 population or over.

[c] Average per cent for five-year period 1904–1908.

[d] Average per cent for five-year period 1904–1908. As illegitimate births are included all births whose status as to legitimacy is unknown.

The differences in the percentages of illegitimate births in large cities and in entire countries[2] may be illustrated by comparing the percentage for the German Empire with the cities within its borders. For the period 1906–1909, the annual average for the German Empire was 8.7 illegitimate in every 100 live births. During the period 1905–1909, the percentages for the eight cities within the Empire having a population of 350,000 or over ranged from 11.9 to 27.8. Similarly, in France during the selected periods the average annual percentage for the whole country was 8.9, while the percentages for the three largest cities were 17.2, 22.2, and 25.5, respectively. During the time periods specified, the percentage for Sweden was 13.3 with apparently an enormous concentration of the problem in Stockholm, the metropolis, producing a percentage of 33.5; for Denmark the general percentage was 11, as compared with 25.5 in Copenhagen; for Norway 6.8, as compared with 13.6 in Christiania; for

[1] See Table II, p. 13.

[2] See Tables II and III.

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Austria 12.3 and for Hungary 9.4, the three large cities within the Empire having percentages ranging from 26.3 to 30.1. The general percentage for Italy was 5.1, and the percentages for its four large cities from 9.5 to 16.5. For Russia a general percentage of only 2.3 was reported, while the percentages in the five large cities were from 6.3 to 24. How much reliance may be placed on the Russian figures is problematic.

In the other countries for which comparative data were secured, the percentages of illegitimate births, both for cities and entire countries, were much lower than in the cases above cited; but a similar difference occurred between city and entire country, except in England and Wales, where the city rates were lower. During the specified periods, in England and Wales the average annual percentage was 4, while in London it was only 3.5, and in the three largest manufacturing cities and the port of Bristol the percentages ranged from 2.6 to 4.3. Ireland had an average of only 2.6, while Dublin and Belfast had percentages of 3.1 and 3.4. Scotland, with an average of 7, had percentages of 7 and 8.5 in Glasgow and Edinburgh. In Spain the general average was 4.6, with a percentage of 6.6 in Barcelona. The Netherlands had the lowest average of any European country, 2.1, but in Rotterdam and Amsterdam the percentages were 4 and 4.4, respectively.

Comparative percentages of illegitimate births for any considerable number of European cities were not available for a later period than 1905–1909. As showing the variation in rates from year to year, and particularly the situation during the years when war conditions prevailed, the figures for Berlin, Paris, and London are of interest. In Berlin the percentages of illegitimate births were as follows:[1] 1913, 23.3; 1914, 22.6; 1915, 22.2; first five months of 1916, 23.8. These rates are considerably higher than the average rate, 18.1, shown in Table III for the period 1905–1909. In Paris[2] the percentages of illegitimate births were: 1912, 23.8; 1913, 26.5; 1914, 23.9; 1915, 26.8; 1916, 30.8; 38 weeks of 1917, 31.7. The average rate in Paris for the period 1905–1909 was 25.5. The percentages of illegitimate births in London were: 1914, 4.5; 1915, 4.8; 1916, 5.4; 1917, 6.8; 1918, 8.[3] For 1905 to 1909 the average rate in London was 3.5.

[1] Percentages derived from data given in Guradze, Dr. Hans: "Säuglingssterblichkeit, Geburtenhäufigkeit, Eheschliessungen und Gesamtsterblichkeit in Berlin während des Krieges." Jahrbücher für Nationalökonomie und Statistik. Oktober 1916. Jena. p. 550.

[2] Pinard, M. A.: "De la Protection de l'enfance pendant la troisième année de guerre dans le camp retranché de Paris." Bulletin de l'Académie de Médecine. 3e Série—Tome lxxviii. No. 49. Séance du 18 Décembre 1917. p. 776.

Percentage for 1913 derived from Annuaire Statistique de la Ville de Paris, XXXIVe Année—1913. Paris, 1917. p. 112.

[3] Derived from Quarterly Return and Annual Summary of Marriages, Births, and Deaths Registered in England and Wales and in the Registration Counties, etc. Published by Authority of the Registrar-General. Nos. 264, 268, 272, 276, and 280—years 1914–1918. London.

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Other countries.

The situation in Australia and New Zealand is of especial interest, since conditions in these countries are somewhat similar to those existing in the United States. Table IV gives, for the Commonwealth of Australia and its component States and for the Dominion of New Zealand, the number of illegitimate births in one year, and the percentages of illegitimate births for a series of years.

TABLE IV.—*Number and per cent of illegitimate births in Australia and New Zealand.*

Country and State.	Illegitimate live births, 1914.		Per cent of live births illegitimate.				
	Number.	Per cent of total live births.	Annual average, 1905–1909.	Annual average, 1910–1914.	1915	1916	1917
Australia [a]	7,263	5.3	6.2	5.6	5.1	4.8	4.9
New South Wales	2,836	5.3	6.9	5.7	5.0	4.7	4.7
Victoria	2,015	5.6	5.7	5.8	5.7	5.2	5.5
Queensland	1,148	5.8	7.4	6.2	5.4	5.1	5.0
South Australia	500	3.9	4.2	4.3	4.0	3.8	4.0
Western Australia	388	4.2	4.3	4.3	4.2	3.8	4.2
Tasmania	355	5.9	5.5	5.3	5.3	5.1	5.3
Northern and Federal Territories	[b] 21						
New Zealand [c]	1,302	4.6	4.5	4.3	4.1	4.0	4.1

[a] Except for 1905–1909, averages based on statistics in Population and Vital Statistics, Bulletin No. 35. Commonwealth Demography, 1917 and Previous Years. Commonwealth Bureau of Census and Statistics, Melbourne, 1918. pp. 30, 31.
Averages for 1905–1909 based on statistics in Official Year-Book of the Commonwealth of Australia Containing Authoritative Statistics for the Period 1901–1916, etc. No. 10—1917. Melbourne. pp. 159, 162.
[b] Numbers too small upon which to base a per cent.
[c] Statistics of the Dominion of New Zealand. Population and Vital Statistics, in Volume I for each year from 1905 to 1917. Wellington, 1906–1918.

It will be seen that the percentages of illegitimate births for Australia and New Zealand almost uniformly indicate a slight but persistent decline. The percentages in 1916 were approximately the same as in England and Wales for the same year.

Comparing the number of births out of wedlock with the number of single, widowed, and divorced women in the population, the rate in England and Wales is lower than in the Australian States and in New Zealand, all of them being low as compared with most European countries. For the year 1911 the following rates represent the illegitimate births per 1,000 single, widowed, and divorced women 15 to 45 years of age:[1]

Australia:
- Queensland ---- 15.5
- New South Wales ---- 14.5
- Western Australia ---- 14.0
- Tasmania ---- 11.9
- Victoria ---- 10.5
- South Australia ---- 8.5

New Zealand ---- 9.2

[1] Victorian Year Book, 1916–1917. Melbourne, 1918. p. 331.

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The rate for England and Wales during the same year for women of this age group was 8.[1]

Australian statistics show a larger percentage of illegitimate births in cities than in country districts. In New South Wales, in 1916, the percentage of illegitimate births in Sydney was 6.4, as compared with 3.7 in the remainder of the State.[2] The proportion of illegitimate births in the city of Melbourne and suburbs in 1916 was greater than in the other urban and rural districts of Victoria, the lowest percentages prevailing in the country districts.[3] In South Australia the percentages of illegitimate births in 1916 were 6.2 for the metropolitan area and 3.9 for the State as a whole.[4] In Western Australia the percentage of illegitimate births in Perth and its suburbs, in 1916, was 4.5, as compared with 3.7 for the State as a whole.[5] The percentages in the two cities of Tasmania—Hobart and Launceston—in 1914, were 9.7 and 11, respectively, as compared with 3.3 in country districts.[6]

Without a comprehensive understanding of the customs and laws, the conditions surrounding child life, and the completeness of birth registration, it is impossible to evaluate the statistics on illegitimate births in oriental countries. The illegitimacy rate in Japan, according to official statistics,[7] is practically the same as that found in France, Germany, and Hungary. In 1915, 8.7 per cent of all births in Japan were reported as illegitimate. The average for 1905 to 1909 was 9.2, and for 1910 to 1914, 9.1. Information is not available as to the effect illegitimate birth may have upon the lives of the 150,000 children born out of wedlock in Japan each year.

The effect of racial differences and variations in social customs upon the illegitimacy rate is indicated by the statistics for the Union of South Africa excluding the Orange Free State.[8] In 1914, 2.2 per cent of the births among the white population were illegitimate, while the percentage of illegitimate births among the Bantus was 11.2 and among the mixed and other colored races 30.8. No information is available as to the completeness of birth registration, nor in regard to social customs and standards.

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[1] Seventy-fourth Annual Report of the Registrar-General of Births, Deaths, and Marriages in England and Wales, 1911. London, 1913. p. xxvi.

[2] Official Year Book of New South Wales, 1917. Sydney, 1918. p. 82.

[3] Victorian Year Book, 1916–17. Melbourne, 1918. p. 331.

[4] South Australia, Statistical Register, 1916–17. Part I—Population. Adelaide, 1917. p. 9.

[5] Percentages derived from Statistical Register of Western Australia for 1916 and Previous Years. Part I.—Population and Vital Statistics. Perth, 1918.

[6] Statistics of the State of Tasmania for the year 1914–15. Part III. Vital and Meteorological. Tasmania, 1915. p. 151.

[7] Mouvement de la Population de l'Empire du Japon. Cabinet Impérial, Bureau de la Statistique Générale. Reports for 1905 to 1915. Tokio.

[8] Figures derived from Statistical Year-Book of the Union of South Africa, No. 3—1914–15. Pretoria, 1916. pp. 16–27.

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Statistics were available for three Central American and three South American countries. In Costa Rica,[1] Guatemala,[2] and San Salvador,[3] the percentages of illegitimate births ranged from 23.4 to 54.5. In Uruguay[4] 21.9 per cent of all births in 1916 were illegitimate, and in Chile[5] the percentage in the same year was 38.1. In Venezuela[6] the average percentage for 1910 to 1912, the years for which statistics were available, was considerably higher. These figures for Central and South America should be studied in relation to the composition of the populations of the various countries, the marriage laws and customs that prevail, and the bearing that illegitimacy has upon child welfare.

Separate figures for the Latin population and the Indians were available for Guatemala in 1912 and for San Salvador in 1914. In the former country the percentage of illegitimate births among the Latin population was 6.6 per cent higher than the percentage among the Indians, and in the latter country 8 per cent higher.

PREVALENCE IN THE UNITED STATES.

Registration of illegitimate births.

The purposes of birth registration in this country include mainly the collection of vital statistics, the safeguarding of the health of infants, the establishment of parentage for support and inheritance, the proof of age for the proper enforcement of education and child labor laws, and, more recently, the determination of age in connection with military service. Registration as an aid in the prevention of infant mortality and as an infant welfare measure is of even greater importance for children born out of wedlock than for others. Often, too, the legal rights of a child of illegitimate birth may depend on registration as much as do the rights of a child of legitimate birth, and there is as great need for accurate proof of age for purposes of protection against premature work and for assuring the child's education. There appears to be little difference of opinion as to the necessity for registering the births of children born out of wedlock.

[1] Percentage derived from statistics in República de Costa Rica, América Central, Anuario Estadístico, Año 1917—Tomo Vigesimoprimero. Dirección General de Estadística, San Jose, 1918. p. xxi.

[2] Percentage derived from statistics in Boletín de la Dirección General de Estadística. Año 1. Núm. 1 (Noviembre de 1913), Guatemala, C. A. p. 143.

[3] Percentage derived from statistics in Anuario Estadístico de la República de el Salvador, 1914. Correspondiente A. Dirección General de Estadística, San Salvador, 1915. p. 25.

[4] Percentage derived from statistics in Anuario Estadístico de la República Oriental del Uruguay, Año 1916—Libro XXVI. Director General de Estadística, Montevideo, 1918. p. 36.

[5] Percentage derived from statistics in Statistical Abstract of the Republic of Chile. Central Statistics Bureau, Santiago de Chile, 1917. p. 10.

[6] See Anuario Estadístico de Venezuela, 1910 to 1912. Dirección General de Estadística, Caracas, 1913–1915.

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But there is much controversy as to the method by which these births shall be so recorded as best to safeguard the child's legal status and property rights and at the same time protect him against any stigma.

The birth registration law recommended by the United States Bureau of the Census requires that the birth certificate shall state "whether legitimate or illegitimate," "full name of father," and "maiden name of mother." The registration laws or regulations of 20 States contain these provisions—Alabama, Arizona, Colorado, Florida, Idaho, Iowa, Kentucky, Louisiana, Michigan, Montana, Nebraska, North Dakota, Oklahoma, Pennsylvania, Texas, Utah, Vermont, Washington, Wisconsin, and Wyoming.

In 6 States—Delaware, Missouri, Nevada, Ohio, Tennessee, and Virginia—the law prohibits entry of the name of the father of a child of illegitimate birth, and in Oregon the provision requiring that the "full name of father" be recorded, contained in the law of 1915, has been omitted in the amendatory law of 1917. In Georgia, Massachusetts, Minnesota, and New York the father's name may be entered only by his consent; however, in Minnesota the name must be entered after paternity is established. The Illinois law prohibits the recording of the names or other identifying data in regard to the father or the mother without their consent. In the District of Columbia "it shall in no case be necessary for any physician, midwife, or other person to report any fact or facts whereby the identity of the father or of the mother or of the child born shall be disclosed"; the provision in North Carolina is similar, except that such entry is forbidden. In all the above States except Massachusetts there is required a statement as to legitimacy; in Illinois the law provides for the items included in the standard certificate of birth, but the certificate form used for recording births does not include this entry; a special law governs birth registration in New York City, and this law does not require information as to legitimacy of birth. In the remaining 15 States there is no specific provision in the law regarding entry of legitimacy or illegitimacy of birth; but in most cases the birth-certificate form provides for the checking of this fact.

The question of registration is closely connected with the legal determination of paternity. There are some who hold that no record should be made either of the mother's or of the father's name. As indicated, only two States and the District of Columbia have incorporated this idea in legislation. It may be assumed that the data in regard to the mother are considered of importance in measures for the protection of the child. Certainly, without this information efforts looking to the prevention of infant mortality and for protection of children are greatly handicapped. It becomes an issue as to whether the greater emphasis should be placed on safeguarding the mother's name or on protecting the child's life.

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The identity of the mother is beyond question, whereas the identity of the father is not. As it now exists in the United States, the birth registration machinery is entirely inadequate as a means of determining paternity. In the absence of judicial determination of paternity, there is some question as to the value of the registration. The point may well be made, however, that the law should recognize no distinction in the responsibility of the parents of the child born out of wedlock. In order to safeguard the property rights of the child and for the purpose of holding the father liable for support, it is necessary that paternity should be determined legally and in as large a proportion of cases as possible.

Together with efforts to secure complete and accurate birth registration must go concern that no record shall be so used that the child's future happiness may be in any way endangered. In some communities, either by law or by regulations of the health department or the bureau of vital statistics, it is provided that only persons who can show a legitimate interest in the information may be permitted access to birth records. Experience in cities where this rule is not in force would indicate the necessity for preventing the use for malicious purposes of records relating to births out of wedlock. It is often of vital importance to the individual child that transcripts of birth records used for school, employment, and other purposes should contain no information which will indicate birth status. New York City has set an example by omitting on transcripts for school and employment purposes information in regard to parentage.

Statistics for States.

The inadequacy of birth registration data in this country is evidenced by the fact that for only 16 States and 20 of the 62 cities having in 1915 populations of 100,000 or over could figures on illegitimate births be secured from reports of State or city departments. In 19 States[1] from which no statistics could be secured the law or regulations relating to birth registration require the reporting of the fact of legitimacy or illegitimacy on the birth certificate.

Because the failure to register probably affects the accuracy of figures on illegitimate births to an even greater extent than those on legitimate births, and the entry of incorrect information on the birth certificate further invalidates these statistics, only a minimum statement is possible of the percentage of births that occur out of legal wedlock. Some indication of the inadequacy of the figures cited

[1] Arizona, Colorado (figures later than 1910 could not be secured), Delaware, Florida, Georgia, Idaho, Illinois, Kentucky, Nebraska, New York, North Carolina, North Dakota, Ohio, Oregon, Tennessee, Texas, Virginia, Washington, and Wyoming.

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is given by the fact that only 8 of the States and 11 of the cities from which statistics on illegitimate births were secured were included by the Bureau of the Census in the birth registration area in 1915 as having birth registration 90 per cent or more complete. A further difficulty is occasioned by the lack of uniformity in the inclusion or exclusion of stillbirths and the failure, in many instances, to indicate whether or not the figures include stillbirths. This is particularly true of figures relating to illegitimate births.

TABLE V.—*Legitimate birth rate per 1,000 married women 15 to 44 years of age, and illegitimate birth rate per 1,000 single, widowed, and divorced women 15 to 44 years of age, in 16 States of the United States, 1915.*

State.	Estimated number of married women 15 to 44 years of age.[a]	Live births reported as legitimate.[b]		Estimated number of single, widowed, and divorced women 15 to 44 years of age.[a]	Live births reported as illegitimate.[b]	
		Number.	Per 1,000 married women 15 to 44 years of age.		Number.	Per 1,000 single, widowed, and divorced women 15 to 44 years of age.
Alabama:						
White[c]	183,400	31,122	169.7	108,700	302	2.8
Negro	139,000	14,892	107.1	98,500	2,448	24.9
Connecticut[d]	159,200	31,554	198.2	137,600	356	2.6
Indiana	399,200	60,969	152.7	256,000	881	3.4
Maryland:						
White[e]	146,200	25,504	174.4	124,200	622	5.0
Negro	33,200	4,946	149.0	27,900	1,295	46.4
Massachusetts[e]	464,500	91,286	196.5	468,100	2,108	4.5
Michigan	415,300	79,737	192.0	278,500	1,363	4.9
Minnesota	261,800	54,116	206.7	245,100	1,117	4.6
Missouri	483,400	70,039	144.9	332,500	1,504	4.5
Nevada	13,800	1,278	92.6	6,300	12	1.9
New Hampshire	56,400	9,919	175.9	44,600	84	1.9
Pennsylvania	1,134,100	214,613	189.2	854,100	4,448	5.2
Rhode Island	78,400	13,772	175.7	75,300	215	2.9
South Dakota	88,400	13,543	153.2	58,800	107	1.8
Utah	55,600	12,874	231.5	36,200	109	3.0
Vermont	47,400	7,726	163.0	31,900	149	4.7
Wisconsin	302,200	57,174	189.2	259,300	840	3.2
Eight States in birth registration area[f]	2,617,100	502,723	192.1	2,135,200	9,840	4.6
Total (exclusive of the Negroes in 2 States)[g]	4,289,300	775,226	180.7	3,317,200	14,217	4.3

[a] Number of women estimated as for July 1, 1915, from U. S. Census figures for 1910 and U. S. Census estimated population as of July 1, 1915. For Connecticut and Massachusetts the estimates are for July 1, 1914, since the numbers of illegitimate births were secured for 1914. It was assumed that the number of married women and of single, widowed, and divorced women 15 to 44 years of age would represent the same percentages of the total population in 1915 as they represented in 1910. Estimates are expressed in even hundreds.

See Thirteenth Census of the United States, 1910, Vols. II and III, Population Reports by States. Washington, 1913. *Also*, U. S. Bureau of the Census Bulletin 138. Estimates of the Population of the United States, 1910–1917, including results of the State enumerations made in 1915. Washington, 1918.

[b] Except for the State of Massachusetts, information was furnished by State departments of health and bureaus of vital statistics. In some States it was impossible to tell with absolute certainty whether or not stillbirths were included in the number of births, and this was especially true in the case of illegitimate births.

[c] Includes a small number belonging to other races than white and Negro.

[d] Figures for 1914; figures for 1915 not available.

[e] Figures for 1914; compiled by the U. S. Children's Bureau from original records.

[f] In 1915: Connecticut, Massachusetts, Michigan, Minnesota, New Hampshire, Pennsylvania, Rhode Island, Vermont. *See* U. S. Bureau of the Census: Birth Statistics for the Registration Area of the United States, 1915. First Annual Report. Washington, 1917. p. 9.

[g] The Negro populations and births of Alabama and Maryland were excluded, since they comprised more than 10 per cent of the total population of each of these States.

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The incompleteness of birth registration in the United States renders impracticable any attempt at comparison with foreign figures, though the evidence would seem to indicate that there is a smaller proportion of births out of wedlock among the white population in this country than in most of the European countries.

In order to secure fairly comparable figures for the United States, it is necessary to treat separately the figures for the white and for the Negro population of the States in which Negroes formed more than 10 per cent of the total population. Illegitimacy among Negroes is a phenomenon which must be studied by itself in its relation to the social and economic conditions surrounding the race at the present time and in their past history. Unfavorable economic conditions and lack of educational opportunities have resulted in laxness of marriage relations among the Negroes of many localities, and consequently in a high illegitimacy rate. However, illegitimacy as it prevails among the Negroes in these localities is not comparable with the same condition among the white population. Regardless of the status of colored children, they are usually provided for by the mother or her relatives, and a child born out of wedlock has very much the same advantages and disadvantages as a child born in lawful marriage. Therefore, in the discussion of comparative data presented in Tables V, VI, and VII there have been excluded the Negro population and the Negro births in the two States included in which Negroes comprise one-tenth or more of the entire population. Sufficient data were not available for an adequate discussion of illegitimate births among Negroes.

The average legitimate birth rate per 1,000 married women of childbearing age in the 16 States represented, excluding the Negroes in Alabama and Maryland, was 180.7. The average illegitimate birth rate per 1,000 single, widowed, and divorced women of the same age was 4.3. For the 8 States which were in the birth registration area in 1915 the legitimate birth rate was 192.1 and the illegitimate, 4.6.

There seems to be no close relation between legitimate and illegitimate birth rates. Seven States had legitimate birth rates above the average. The illegitimate birth rate in 4 of these States was above the average and in 3 below. Of the 9 States having legitimate birth rates below the average, 3 had illegitimate rates above the average, and 6 below.

Neither does there appear to be a definite relation between the illegitimacy rate and the percentage of unmarried women among all women of childbearing age. In the 16 States for which the analysis was made the average percentage of women 15 to 44 years of age who were single, widowed, or divorced was 43.6 (exclusive of the Negro population in 2 Southern States). Of 7 States where

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the percentage was above the average, 3 had illegitimate birth rates above and 4 had rates below the general illegitimate birth rate. In Vermont, where the illegitimate birth rate was relatively high, only 40.2 per cent of the women of childbearing age were unmarried. On the other hand, in Connecticut, where the illegitimacy rate was low, 46.4 per cent of the women 15 to 44 years of age were unmarried.

The percentages of illegitimate births in the States from which figures were obtained are given in Table VI.

TABLE VI.—*Number and per cent of illegitimate births in 16 States of the United States.*

State.	Live births in 1915.[a]			Per cent of live births reported as illegitimate.[a]			
	Total.	Reported as illegitimate.		Annual average, 1910–1914.	1916	1917	1918
		Number.	Per cent.				
Alabama:							
White	31,424	302	1.0	.....	0.9	0.9	.....
Negro	17,340	2,448	14.1	.....	13.7	12.8	.....
Connecticut	[b] 31,910	[b] 356	[b] 1.1	1.0	.....	.....	.....
Indiana	61,850	881	1.4	1.6	1.5	1.4	.....
Maryland:							
White	26,126	622	2.4	[c] 2.3	.....	.....	.....
Negro	6,241	1,295	20.7	[c] 15.2	.....	.....	.....
Massachusetts	[d] 93,394	[d] 2,108	[d] 2.3	.....	.....	.....	.....
Michigan	81,100	1,363	1.7	[e] 1.6	.....	.....	.....
Minnesota	55,233	1,117	2.0	[f] 2.0	1.9	1.8	.....
Missouri	71,543	1,504	2.1	[g] 2.4	2.2	2.4	2.3
Nevada	1,290	12	.9	[h] .8	1.9	1.0	.3
New Hampshire	10,003	84	.8	[h] 1.0	.....	.....	.....
Pennsylvania	219,061	4,448	2.0	.....	.....	.....	.....
Rhode Island	13,987	215	1.5	1.5	1.3	1.2	.....
South Dakota	13,650	107	.8	.8	.9	.9	.....
Utah	12,983	109	.8	[g] .7	.7	.7	.....
Vermont	7,875	149	1.9	1.7	1.4	1.8	.....
Wisconsin	58,014	840	1.4	1.5	1.6	1.5	.....

[a] Except for the State of Massachusetts, information was furnished by State departments of health and bureaus of vital statistics. In some States it was impossible to tell with absolute certainty whether or not stillbirths were included in the number of births; this was especially true in the case of illegitimate births.
[b] Figures for 1914; figures for 1915 not available.
[c] Average based on 3-year period 1912–1914; statistics not given for white and colored separately prior to 1912.
[d] Figures for 1914; compiled by the U. S. Children's Bureau from original records.
[e] Average based on 2-year period 1913–1914. Reports previous to 1913 included stillbirths in illegitimate births, and it was impossible to obtain the number of illegitimate live births.
[f] Average based on 2-year period 1913–1914.
[g] Average based on 4-year period 1911–1914.
[h] Average based on 3-year period 1912–1914.

The population of the 16 States included in Table VI, exclusive of the Negro population in Alabama and Maryland, represented, in 1915, more than one-third of the total population of the country, exclusive of the Negro population of the 14 States and the District of Columbia, in which Negroes formed as much as 10 per cent of the population.[1] The percentage of illegitimate among the total births in these 16

[1] Population estimated as for July 1, 1915, except that for Connecticut and Massachusetts the estimates are for July 1, 1914.

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States in 1915 was 1.8.[1] Eight of the States—Connecticut, Massachusetts, Michigan, Minnesota, New Hampshire, Pennsylvania, Rhode Island, and Vermont—were included in the birth registration area in 1915; in that year the percentage of illegitimate births in these States was 1.9. Grouping the States geographically, the percentage was lowest in the sparsely settled Western States, the average for Nevada, South Dakota, and Utah, in 1915, being 0.8. In the 5 Middle Western States the rate was 1.7, in the 1 Middle Atlantic State 2, and in the 5 New England States 1.9. The rate in the 2 Southern States, excluding births to Negroes, was 1.6. It may be questioned, however, whether these rates would have been relatively the same if birth registration had been equally complete in all sections and if data had been available for the whole country. In this connection it is significant that the 5 New England States and the Middle Atlantic State were all in the birth registration area, and that the rates for these sections were comparatively high.

Statistics for cities.

In the 20 cities for which statistics were secured, the percentages of births out of wedlock in 1915 varied from 1.2 to 6.1, excluding the births to Negroes in 2 cities. The percentages of illegitimate births among the Negroes in Baltimore, Washington, and Philadelphia were, in 1915, 24.5, 19.5, and 16.4,[2] respectively. No figures were obtainable for cities farther south. Although possible differences in the accuracy of registration may affect these comparative percentages, the low percentage in Philadelphia, where in 1910 one-eighteenth of the population was Negro, as compared with Baltimore, having one-sixth Negro, and Washington, almost one-third Negro, suggests a better condition among the colored population in cities and States where the race is more dispersed, and where Negroes live under more favorable economic and social conditions.

The difference in the extent of the problem in cities and in less congested areas is brought out by comparison of the percentages of illegitimate births in States as a whole and in their large centers of population. As has been pointed out in the discussion of the European statistics, the preponderance in the number of illegitimate births in large cities is due largely to the position of the city as a refuge and as a center for hospital and other types of care. It is probable, however, that conditions of life in a city are a considerable

[1] Total births, exclusive of Negro births in Alabama and Maryland, 789,443; reported as illegitimate, 14,217. For 2 States, figures were for 1914.

[2] See footnote *i*, p. 25.

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TABLE VII.—*Number and per cent of illegitimate births in 20 cities of the United States having more than 100,000 population.*[a]

City.	Live births in 1915.			Per cent of live births reported as illegitimate.			
	Total.	Reported as illegitimate.		Annual average, 1910–1914.	1916	1917	1918
		Number.	Per cent.				
Baltimore:							
White	11,460	359	3.1	3.8	2.6	2.1	.....
Negro	2,174	533	24.5	23.3	22.7	21.6	.....
Boston	19,725	800	4.6	4.1	.....	.....	.....
Buffalo	12,683	263	2.1	[b] 2.0	2.2	2.5	1.8
Cincinnati [c]	7,804	299	3.8	3.7	.....	.....	.....
Cleveland	16,623	386	2.3	2.3	.....	.....	1.2
Denver	3,703	105	2.8	[d] 3.0	2.9	3.6	.....
Detroit	21,088	547	2.6	[e] 2.7	.....	.....	.....
Grand Rapids	3,157	117	3.7	[e] 2.7	.....	.....	.....
Kansas City [c]	5,418	329	6.1	[f] 6.1	6.2	7.9	8.2
Milwaukee [g]	11,278	292	2.6	2.6	2.8	2.6	.....
Minneapolis	8,529	365	4.3	[b] 4.4	4.0	4.0	3.8
Newark	10,955	152	1.4	1.5	1.3	1.1	.....
New York [h]	141,256	1,703	1.2	1.4	1.1	1.0	.....
Philadelphia [i]	40,849	1,122	2.7	[j] 2.5	2.4	2.3	.....
Pittsburgh	16,139	490	3.0	[k] 3.6	.....	.....	.....
Providence	5,835	123	2.1	2.2	1.7	2.1	.....
St. Louis [c]	14,143	529	3.7	[f] 4.3	3.9	3.6	3.6
St. Paul	5,291	272	5.1	4.5	4.5	5.0	.....
Toledo	4,495	118	2.6	[b] 2.5	1.7	1.8	.....
Washington:							
White	4,872	110	2.3	2.1	1.6	2.3	.....
Negro	2,195	427	19.5	20.9	18.2	18.8	.....

[a] Statistics furnished by State or city departments of health or bureaus of vital statistics, except for Boston, where the statistics for the period 1910–1914 were compiled by the U. S. Children's Bureau from original records.

[b] Average based on two-year period 1913–1914; no previous statistics of illegitimate births.

[c] Separate statistics for white and Negro births not available. In 1910, the population of Cincinnati was 5.4 per cent Negro, of Kansas City 9.5 per cent, of St. Louis 6.4 per cent.

[d] Average for the period 1912–1914.

[e] Average based on two-year period 1913–1914. Reports previous to 1913 included stillbirths in illegitimate births, and it was impossible to obtain the number of illegitimate live births.

[f] Average based on four-year period 1911–1914.

[g] Includes stillbirths. The percentages would have been slightly lower had stillbirths been excluded.

[h] New York City is a center of maternity care for surrounding territory, and the percentage of illegitimate births would be expected to be high. Workers in touch with the local situation suggest that the low rates shown by these figures may be due to the fact that large numbers of unmarried mothers when entering a hospital claim to be married. One reason for this may be the provision of the New York law which makes the inquiry into paternity compulsory in cases in which the child is chargeable to a county, city, or town, and which in such cases requires the mother, under penalty, to disclose the name of the father. (Bender's Penal Law and Code of Civil Procedure, 1918, secs. 840, 856.)

[i] In 1910, 5.5 per cent of the population was Negro. The percentages of illegitimate births, including stillbirths, among the Negroes were: 1915, 16.4; 1916, 13.4; 1917, 13.6. The percentages among the whites were: 1915, 2.1; 1916, 1.8; 1917, 1.6.

[j] Rate for 1914; no previous statistics of illegitimate births.

[k] Average based on reports for four years—1910, 1911, 1913, and 1914.

factor in producing the high rate. The 1915 rates for the States and cities for which comparable statistics were secured were as follows:

Maryland:	
White	2.4
Colored	20.7
Baltimore—	
White	3.1
Colored	24.5
Massachusetts [1]	2.3
Boston [1]	3.9

[1] For 1914.

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Minnesota	2.0
Minneapolis	4.2
St. Paul	3.7
Missouri	2.1
Kansas City	6.1
St. Louis	3.7
Pennsylvania	2.0
Philadelphia	2.7
Rhode Island	1.5
Providence	2.1

Estimated number of illegitimate births.

Although the available statistics are meager, an attempt was made to approximate roughly the total number of illegitimate births in the United States each year. It was impracticable to arrive at such an estimate by the method based on the total number of live births in the United States, since incomplete birth registration makes it impossible to obtain, for the country as a whole, statistics having any degree of accuracy. Hence, the estimate was based on the number of single, widowed, and divorced women of child-bearing age. In the United States in 1915 the estimated number of single, widowed, and divorced white women 15 to 44 years of age was 8,769,000.[1] In the 16 States for which figures of illegitimate births were obtained the rate per 1,000 single, widowed, and divorced white women of child-bearing age may be estimated as at least 3.7.[2] Applying this ratio to the estimated population given above gives 32,400 as an estimated number of illegitimate white births in the United States each year. It must, of course, be remembered that this figure is an estimate based on only a part of the country; it is improbable, however, that the true figure is below it. Indeed it may safely be considered as a minimum estimate because of incompleteness of birth registration and erroneous registration of illegitimate as legitimate births.

Because of the recognized inadequacy of birth registration in a considerable part of the United States, another estimate was made based on data from States included in the birth-registration area in 1915. By the method described above the rate for white unmarried

[1] The number of single, widowed, and divorced white women 15 to 44 years of age on July 1, 1915, was estimated by projecting the annual increase in this group between 1900 and 1910, using the arithmetical method. Strictly speaking, the figures for "white women" refer to women of all races other than Negro. The figure 8,769,000 includes approximately 0.2 per cent of Indians, Chinese, and Japanese.

[2] The rate per 1,000 white and Negro women in the group specified, exclusive of the Negro women in two States, was found to be 4.3. (See Table V, p. 21.) The rate per 1,000 white women in this group can be found by assuming, in the absence, for most of the States, of illegitimate births classified by color, that the ratio between the white and Negro illegitimate birth rates was the same as that in the area of good birth registration, Maryland and Philadelphia combined, where illegitimate births are classified by color. (Maryland was not in the birth registration area in 1915 but was admitted in 1916.) Applying this ratio to the respective white and Negro populations in the group specified results in the figure of 3.7 for the white unmarried female population of child-bearing age.

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women of childbearing age in these States may be estimated as 4.[1] This rate, applied to the number of single, widowed, and divorced white women of childbearing age in the United States, gives a total of 35,100 illegitimate white births. It must be borne in mind that States in the birth registration area have a disproportionate urban population among which the illegitimate birth rate is high. Nevertheless, this figure may be regarded as an understatement because of errors and omissions of registration of illegitimate births even in States included in the birth-registration area.[2]

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[1] The rate per 1,000 white and Negro women in the group specified was 4.6; the correction has been made on the same basis as described in note 2, p. 26.

[2] A careful study of records of social agencies in Boston added one-eighth to the number of illegitimate births registered as such in the city. Similar estimates for Negroes would be subject to a much greater percentage of error than are estimates for whites, first, because of inadequate registration in areas where the Negro population is largest, and secondly, because of special conditions affecting Negroes. Such an estimate, if made, should of course be accompanied by a full discussion of the history of the problem and of the difficulties involved in setting up new standards of family morality in place of those existing under slavery conditions.

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INFANT MORTALITY.

Infant mortality statistics are an index not merely of the number of infants who fail to survive their first year, but of the conditions surrounding infancy and early childhood. The significance of the infant mortality rate is not alone in the sacrifice of infant life, but perhaps of even greater social import are the impaired physical development, hardship, and social handicap likely to be the lot of many who survive. The unfavorable conditions surrounding children born out of wedlock are clearly shown by the fact that the infant mortality among them is invariably found to be far in excess of the mortality among infants born in wedlock. Most European countries recognize the significance of the relation between illegitimate birth and infant mortality and furnish comparative statistics on the deaths of infants of illegitimate and of legitimate birth. Table VIII gives for 13 European countries the infant mortality rates among children of illegitimate and of legitimate birth, and the relative differences between the mortality rates among infants born in wedlock and those born out of wedlock.

TABLE VIII.—*Average infant mortality rates for legitimate and illegitimate births in specified countries of Europe, 1910 to 1914.*

Country.	Annual average number of deaths under one year per 1,000 live births.		
	Illegitimate.[a]	Legitimate.[a]	Relative difference.[b]
Austria	247	188	1.3
Belgium	213	136	1.6
Denmark	167	90	1.9
England and Wales	208	104	2.0
Finland	175	106	1.7
France	221	111	2.0
German Empire	256	154	1.7
Bavaria	250	187	1.3
Prussia	271	151	1.8
Saxony	233	167	1.4
Wurtemburg	215	150	1.4
Italy	223	134	1.7
Norway	122	62	2.0
Scotland[c]	223	120	1.9
Sweden	109	66	1.7
Switzerland	169	99	1.7
The Netherlands	233	102	2.3

a Derived from statistics in Annuaire International de Statistique. II. Mouvement de la Population (Europe). L'Office Permanent de l'Institut International de Statistique, La Haye, 1917, pp. 158–160. Annual average for the quinquennial period 1910–1914 in all countries with the following exceptions: Austria, France, Scotland, and Sweden, 1909–1913; Belgium, 1908–1912.

b Rate in column 1 divided by rate in column 2.

c Mackenzie, W. Leslie, M. D.: Scottish Mothers and Children, being Vol. III of Report on the Physical Welfare of Mothers and Children. The Carnegie United Kingdom Trust, East Port, Dunfermline, 1917. p. 133. Annual average 1909–1913.

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The infant mortality rate among infants born out of wedlock is without exception higher than among other infants, ranging from 1.3 to 2.3 times that found among infants of legitimate birth. The four countries having the lowest infant mortality among children of legitimate birth—Norway, Sweden, Denmark, and Switzerland—also had the lowest mortality among infants born out of wedlock. Nevertheless, in these countries the illegitimate infant mortality rates were from 1.7 to 2 times as high as the rates among infants of legitimate birth. The countries showing the lowest relative difference between illegitimate and legitimate infant mortality rates—Austria, Belgium, and three States of the German Empire—had extremely high infant mortality among infants of both legitimate and illegitimate birth.

In Norway the infant mortality rate among infants born in wedlock during the quinquennial period 1910–1914 was only 62, whereas the corresponding rate for infants born out of wedlock was 122. As an argument for the passage of the Norwegian law relating to "children whose parents have not married each other," the Government made an exhaustive study of the infant mortality among these children. The conditions imposed by the law passed in 1915 are expected to effect radical changes in this respect, through insuring for the children born out of wedlock maternal care and adequate support either by the parents or by the State. In an article on this measure the author of the Norwegian law says:[1]

> This demand for the increasing of a father's duties to his illegitimate child was considerably strengthened by the result of the official investigation into the economic and social position of unmarried mothers and their children. Those investigations * * * presented a dark picture of the existing conditions, especially in regard to stillbirths and infant mortality. It was stated that the stillbirths in the years 1891–1900 amongst the illegitimate children were 164 to 165 compared with 100 stillbirths among the legitimate children. The district doctors stated the reasons for this to be—besides venereal disease in several towns—unsatisfactory obstetrical help, concealment of birth, and the mother's needy position during pregnancy. * * * A still graver impression is produced by the investigation of the mortality of children born out of wedlock. It is stated that the mortality of illegitimate children in proportion to that of the legitimate ones is in the first month of life 195 to 100; in the second month of life 239 to 100; in the third month of life 274 to 100—nearly three times as great.

The annual report of the registrar-general of England and Wales shows for the year 1915[2] a mortality rate among infants born in wedlock of 105 per 1,000 births, and a mortality rate of 203 per 1,000

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[1] Castberg, J.: "The children's rights laws and maternity insurance in Norway." Journal of the Society of Comparative Legislation. (New Series.) Vol. XVI, Pt. 2 (1916). pp. 290–291. London.

[2] Seventy-eighth (1915), Seventy-ninth (1916), and Eightieth (1917) Annual Reports of the Registrar-General of Births, Deaths, and Marriages in England and Wales. London, 1917–1919. p. 41.

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births for infants of illegitimate birth. During the year 1916 the infant mortality among babies of legitimate birth was reduced to 87, while the rate among babies of illegitimate birth was 183. In 1917 the rates showed an increase to 90 for children of legitimate birth and to 201 for those born out of wedlock. The registrar-general has persistently called attention to the meaning of these comparative infant mortality rates, and there is evidence that public opinion in England has been aroused to a realization of the necessity for correcting the existing conditions by providing through legislative action and constructive social measures better protection, support, and care for these infants.

In the Report on the Physical Welfare of Mothers and Children in Scotland Dr. W. Leslie Mackenzie, after discussing the difficulties surrounding unmarried mothers, says in regard to their children:[1]

> In many respects it is less difficult to make provision for the mothers than for the annual crop of 8,600 children. The mothers, however they are provided for, can at least fight for their lives and often attain to a passable living. The newborn infant can do nothing for himself. He hangs on the service of others. Within hours of his birth he may be taken from his mother's breast and put among those whose skill is often no substitute even for an unskilled mother's care. He may pass from hand to hand and from place to place. Besides the risks he has encountered in coming to birth, he encounters a thousand others that fall only to the children of the unmarried. If, starting from the same line, he loses in the race with his legitimate fellows, it is from no fault of his own. He has not sinned, but he comes short of the glory. That is the tragedy of the unmarried mother's child.

In New South Wales[2] the infant mortality rate among children born out of wedlock in 1916 was 145.9, as against 63.9 for children of legitimate birth. For the years 1906–1915 the rate for the former was 170.4, and for the latter 68.1. In his report for 1917,[3] the president of the State Children Relief Board discusses the desirability of providing special homes for babies with mothers, both for the sake of the mother's training in infant care and of her moral development and for the safeguarding of the life of the child during the first critical period of infancy. In the State of Victoria the discrepancy between the mortality rate of infants born out of wedlock and of those of legitimate birth is even greater than in New South Wales. The report of the Government statistician sums up the situation thus:[4]

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[1] Mackenzie, W. Leslie, M. D.: Scottish Mothers and Children, being Vol. III of Report on the Physical Welfare of Mothers and Children. The Carnegie United Kingdom Trust, East Port, Dunfermline, 1917. p. 131.

[2] State Children Relief Board: Report of the President, Alfred William Green, for the Year Ended 5 April, 1917. Sydney, 1918. p. 26.

[3] State Children Relief Board: Report of the President, Alfred William Green, for the Year Ended 5 April, 1917. Sydney, 1918. p. 24.

[4] Victorian Year Book, 1916–17. Melbourne, 1918. pp. 349, 350.

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On the average of the past eight years, 185 in every 1,000 illegitimate infants died within a year, as against 66 in every 1,000 legitimate children. It is thus seen that the chance of an illegitimate child dying before the age of 1 year is nearly three times that of the legitimate infant. * * * The rates for 1916 show that of every 1,000 children born out of wedlock 61.2 died from diarrheal diseases within a year as compared with 16.6 deaths per 1,000 legitimate infants from the same cause. Owing to a larger proportion of the former children being deprived of breast food, a higher mortality from these diseases might be expected among them than among legitimate infants, but the striking differences in the death rates from this cause and from the chief respiratory diseases would indicate considerable neglect in the rearing of illegitimate infants.

With the exception of full statistics for German cities, there is little information available in regard to the comparative mortality rates of children of illegitimate and of legitimate birth in cities. The figures for several German cities may be of especial interest in view of the efforts that are reported to have been made to reduce the mortality of children born out of wedlock.

TABLE IX.—*Infant mortality rates for legitimate and illegitimate births in five German cities of over 300,000 population, for specified periods.*

City.	Annual average number of deaths under 1 year per 1,000 live births.				Deaths under 1 year per 1,000 live births.			
	1904–1908 [a]		1909–1913		1904		1913	
	Illegitimate.	Legitimate.	Illegitimate.	Legitimate.	Illegitimate.	Legitimate.	Illegitimate.	Legitimate.
Berlin [b]	255.1	167.1	211.0	138.7	[c] 285.6	[c] 189.8	197.5	120.4
Dresden [d]	210.8	169.0	158.7	126.0	233.7	182.6	144.5	107.9
Frankfort on the Main [e]	304.8	123.8	[f] 218.2	[f] 109.7	335.0	133.0	[g] 192.8	[g] 85.9
Leipzig [h]	289.3	184.0	232.8	150.0	334.3	222.5	194.1	127.3
Munich [i]	222.5	205.3	169.7	158.4	230.8	228.4	146.9	134.9

[a] Keller, Prof. Dr. Arthur, und Klumker, Chr. J.: Säuglingsfürsorge und Kinderschutz in den europäischen Staaten. I. Band. Erste Hälfte. "Deutschland," von Arthur Keller. Berlin, 1912. p. 105.

[b] Figures for 1909–1913 and for the year 1913 derived from Statistisches Jahrbuch der Stadt Berlin. 32. Jahrgang—enthaltend die Statistik der Jahre 1908 bis 1911, sowie Teile von 1912. Statistisches Amt der Stadt Berlin, 1913. Gross Berlin, Statistische Monatsberichte. Statistisches Amt der Stadt Berlin, 1910, 1911, 1912, 1913. (Summary of deaths for 1910, 1911, 1912, in III. Jahrgang. 1912. Heft XII. p. 2.) Figures for 1905 derived from Statistisches Jahrbuch deutscher Städte. Vierzehnter Jahrgang. Statistisches Amt der Stadt Breslau. 1917. pp. 60–61.

[c] Rates for 1905.

[d] Figures for 1909–1913, and for the years 1904 and 1913, derived from Statistisches Jahrbuch der Stadt Dresden, 1909, p. 45; 1910, p. 11; 1911, p. 10; 1912, p. 10; Statistisches Amt der Stadt Dresden, 1910–1913. Monatsberichte des Statistischen Amtes der Stadt Dresden, 1904; 1913, p. 209.

[e] Figures for the years 1904 and 1912 and for the period 1909–1912 derived from Statistiches Handbuch der Stadt Frankfurt am Main; Erste Ausgabe, enthaltend die Statistik bis zum Jahre 1905/06; Statistisches Amt; Frankfurt am Main, 1907; pp. 49, 55. Statistische Jahresübersichten der Stadt Frankfurt am Main; 4–7 Ergänzungshefts zum "Statistischen Handbuch der Stadt Frankfurt am Main. Erste Ausgabe." 1909/1910 and 1910/1911, pp. 13, 14; 1911/1912, pp. 27, 28; 1912/1913, pp. 13, 14. Statistisches Amt. Frankfurt am Main, 1910–1913.

[f] Averages for 1909–1912.

[g] Rates for 1912.

[h] Figures for 1909–1913 and for the years 1904 and 1913 derived from Statistisches Jahrbuch der Stadt Leipzig. 2. Jahrgang. 1912. Statistisches Amt. Leipzig, 1914. pp. 43, 56. Statistisches Monatsberichte der Stadt Leipzig. V. Jahrgang. Jahresübersichten, 1913, p. 2. Statistisches Amt. Leipzig.

[i] Figures for the years 1904 and 1911, and for the period 1909–1911 derived from: Münchener Jahresübersichten für 1908. I. Teil, p. 6*; für 1911, p. 7. Statistisches Amt der Stadt München, 1909, 1913. Figures for 1912 and 1913 derived from Mataré, Franz: "Die Geburten und die Säuglingssterblichkeit in München während der Kriegsjahre, 1915, 1916 und 1917." Zeitschrift für Bevölkerungspolitik und Säuglingsfürsorge. Band 11 (Juni 1919), p. 10.

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The figures in Table IX show a marked reduction in infant mortality both among children born in wedlock and among those of illegitimate birth. During the period 1904–1908 legitimate infant mortality rates in the five cities specified ranged from 123.8 to 205.3, while the rates for children of illegitimate birth ranged from 210.8 to 304.8. For the later period, 1909 to 1913, the mortality rates for infants born in wedlock ranged from 100.7 to 174.4, while for infants of illegitimate birth the rates ranged from 158.7 to 232.8. Figures for the first and last years of the ten-year period 1904–1913 indicate still more markedly the reduction that has taken place in infant mortality. In Frankfort on the Main the mortality rate for infants of legitimate birth was 133 in 1904; in 1912[1] the rate was 85.9. The mortality rate for infants of illegitimate birth in Frankfort on the Main was 335 in 1904 and 192.8 in 1912. In Leipzig the mortality rate for infants born in wedlock was 222.5 in 1904 and 127.3 in 1913; the rate for infants of illegitimate birth was 334.3 in 1904 and 194.1 in 1913.

The decline in mortality among infants of legitimate and of illegitimate birth was in approximately the same ratio, so that the relative differences between the mortality rates remained practically unchanged except in Frankfort on the Main where the relative difference between the mortality rates among infants of illegitimate and of legitimate birth was 2.5 in the period 1904–1908 and 2.2 in the subsequent period. The city of Munich showed the lowest relative difference between the rates for the two classes of infants—1.1 for both periods.

More recent figures for Leipzig show mortality rates for infants of illegitimate birth of 202 in 1914 and 174 in 1915, as compared with rates of 101 and 125, respectively, for infants born in wedlock.[2] In Munich the comparative rates for infants of illegitimate and of legitimate birth, respectively, for the period of 1914–1917 were as follows: 1914, 149.2 and 145.9; 1915, 156.2 and 145.9; 1916, 140.2 and 129.9; 1917, 166.1 and 132.1.[3]

The data would seem to refute the claims that have been made, for example, in regard to Leipzig,[4] to the effect that infant mortality among infants born out of wedlock had been reduced below the rate among other infants. That the mortality of infants of illegitimate birth has been reduced in the cities specified in approximately the same proportion as the mortality among infants of more fortunate

[1] Figures for 1913 not available.

[2] Hanauer, Dr. W.: "Die Fürsorge für uneheliche Kinder und der Krieg." Zeitschrift für Bevölkerungspolitik und Säuglingsfürsorge. Band 10 (August, 1918), p. 205.

[3] Mataré, Franz: "Die Geburten und die Säuglingssterblichkeit in München während der Kriegsjahre 1915, 1916 und 1917." Zeitschrift für Bevölkerungspolitik und Säuglingsfürsorge. Band 11 (Juni 1919), p. 10.

[4] Gorst, Sir John E.: The Children of the Nation. London, 1906. p. 24.

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circumstances, and that the reduction has been so considerable, does, however, show forcibly the effect of the special measures that have been undertaken under the guardianship system for the protection, through health supervision and otherwise, of all children born out of wedlock.

Also significant of the efforts to lower infant mortality in the cities included in Table IX is the fact that the infant mortality rates among children of illegitimate birth were lower in these cities than in the country as a whole. The infant mortality rate among children born out of wedlock was 256 for the German Empire during the period 1910–1914,[1] while the rates in the five cities ranged from 159 to 233 for the period 1909–1913. Among infants of legitimate birth, also, the infant mortality in the cities, with the exception of Munich, was lower than the rate for the country as a whole.

In England and Wales the infant mortality, both for children born in wedlock and for those of illegitimate birth, was considerably higher in urban than in rural districts. Table X shows the rates for the two periods, 1912–1914 and 1915–1917.

TABLE X.—*Average infant mortality rates for legitimate and illegitimate births in urban and rural districts of England and Wales, 1912 to 1917.*

Administrative area.	Annual average number of deaths under 1 year per 1,000 live births.					
	1912–1914 *a*			1915–1917 *b*		
	Illegitimate.	Legitimate.	Relative difference.*c*	Illegitimate.	Legitimate.	Relative difference.*c*
England and Wales	200.4	98.3	2.0	195.8	94.1	2.1
All urban districts	214.5	102.3	2.1	208.6	97.8	2.1
London	235.9	95.0	2.5	256.0	94.4	2.7
County boroughs	231.0	112.6	2.1	218.2	106.2	2.1
Other urban districts	190.6	94.9	2.0	182.0	90.4	2.0
Rural districts	149.6	81.5	1.8	148.2	78.9	1.9

a Averages derived from yearly rates given in Seventy-fifth (1912), Seventy-sixth (1913), and Seventy-seventh (1914) Annual Reports of the Registrar-General of Births, Deaths, and Marriages in England and Wales. London, 1914–1916. pp. 75, 77.

b Averages derived from yearly rates given in Seventy-eighth (1915), Seventy-ninth (1916), and Eightieth (1917) Annual Reports of the Registrar-General of Births, Deaths, and Marriages in England and Wales. London, 1917–1919. pp. 41, 43.

c Rate in column 1 divided by rate in column 2.

During both periods the highest rates among infants born out of wedlock were in London, the mortality being lower in smaller towns than in large cities, and lowest of all in rural districts. Among infants born in wedlock the mortality rates followed the same general tendency, except that in London they were lower than in the county boroughs. The relative difference between the infant mortality

[1] See Table VIII, p. 28.

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among infants born out of wedlock and among infants of legitimate birth was greatest in London, the rate among the former being 2.5 times that among the latter in the first period, and 2.7 times as great in the second period. The relative difference was less for rural than for urban districts, in the former being 1.8 and 1.9, respectively, in the two periods, as compared with 2.1 for all urban districts in both periods.

Figures from Norway give the following comparative infant mortality rates for children of illegitimate and of legitimate birth during the period 1901–1905:[1]

	Illegitimate.	Legitimate.
Cities	208.4	92.6
Rural	110.1	67.7

Here again we find a startling difference between the rates in city and in rural districts, with the mortality rate among infants born out of wedlock 2.3 times as high as the rate among infants born in wedlock in cities, and 1.6 times as high in rural districts. It will be noted that these rates are considerably higher than the rates shown for the country as a whole for a later period, 1910 to 1914.[2]

For Denmark the situation appears to be reversed, the ratio of infant mortality among children of illegitimate birth to that among those born in wedlock being highest in rural districts and lowest in the city of Copenhagen. The average yearly infant mortality rates in Denmark were as follows:[3]

		Illegitimate.	Legitimate.
Copenhagen	Boys,	242	146
	Girls,	213	112
Province cities	Boys,	263	140
	Girls,	217	109
Country districts	Boys,	220	107
	Girls,	191	85

In Sweden, on the other hand, the mortality rate among infants born out of wedlock in 1909 was 144 in the city of Stockholm, as compared with 106 in the entire country.[4] The infant mortality rate among children of legitimate birth during that year was 75 in Stockholm and 67 in the entire country. The infant mortality rate for children born out of wedlock was, therefore, both numerically

[1] Keller, Prof. Dr. Arthur, und Klumker, Chr. J.: Säuglingsfürsorge und Kinderschutz in den europäischen Staaten. I. Band. Erste Hälfte. "Norwegen," von Axel Johannessen. Berlin, 1912. pp. 569, 570.

[2] Table VIII, p. 28.

[3] Keller, Prof. Dr. Arthur, und Klumker, Chr. J.: Säuglingsfürsorge und Kinderschutz in den europäischen Staten. I. Band. Erste Hälfte. "Dänemark," von Pool Heiberg. Berlin, 1912. p. 61.

[4] Ibid., "Schweden," von J. E. Johansson. Berlin, 1912. p. 752.

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and proportionally, lower outside Stockholm. The high infant mortality among children born out of wedlock in Stockholm, as well as in other large cities that are centers for care of the helpless, may be attributed largely to the high infant mortality in institutions.

Figures on comparative mortality rates among infants born out of wedlock are not obtainable for the United States as a whole or for any of the States. It is clear, however, that each year a considerable proportion of these infants die because of the especially hazardous conditions under which they come into the world. Neither State nor city departments of health nor bureaus of vital statistics have as yet recognized in their reports the importance of illegitimate birth as a factor in infant mortality. So far as could be discovered, the only published sources of information on mortality among infants born out of wedlock are the figures in the report of the Health Department of the City of Boston for the year 1915; similar data in earlier reports of the Newark, N. J., Health Department, and an analysis of mortality among infants of illegitimate birth in the 1913 report of the Health Officer of the District of Columbia, the figures covering the year 1912.

The alarming conditions that may be disclosed by analysis of infant mortality statistics in this country are indicated in the figures secured in a study of illegitimate births in Boston,[1] and the situation discovered in the study of infant mortality in Baltimore.[2] In Boston, it was found that in 1914 the infant mortality rate among children of legitimate birth was 95, while infants born out of wedlock died at the rate of 281 per 1,000; hence, the mortality rate among infants of illegitimate birth was 3 times as great as among infants born in wedlock. In Baltimore, white children of legitimate birth died at a rate of 95.9, while the infant mortality rate for white children of illegitimate birth was 315.5, or 3.3 times as great.

The 1913 report of the Health Officer of the District of Columbia showed infant mortality rates for the calendar year 1912 of 79.7 for white infants of legitimate birth and 302.7 for white infants born out of wedlock. The report calls attention to the difficulty involved in drawing trustworthy inferences from the records because of the incompleteness of registration of illegitimate births.[3]

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[1] U. S. Children's Bureau: Illegitimacy as a Child-Welfare Problem, Part 2: A study of original records in Boston and the State of Massachusetts, by Emma O. Lundberg and Katharine F. Lenroot. Dependent, Defective, and Delinquent Classes Series No. —, Bureau Publication No. —. (In press.)

[2] Study by the U. S. Children's Bureau of infant mortality in Baltimore. (*In preparation.*)

[3] Report of the Health Officer of the District of Columbia, 1913. Washington, 1914. pp. 12–13.

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THE CHILD'S STATUS AND RIGHT TO SUPPORT.

The natural consequence of the legal recognition of the married state as a necessary ordinance for the future of the race and the upbringing of children was that children were placed in a different status according as they were born within or outside the legal relationship. The institution of private property and inheritance rights accounted in part for the prestige of the child born in wedlock, since descent on the father's side could be traced only for such children. When the religious element entered in as a means of building up and safeguarding the family relationship the mother of a child born outside marriage, and also the child, suffered not only economic disadvantages but were stigmatized by society. In an effort to stamp out infanticide by unmarried mothers, which was alarmingly prevalent because of the hardships they had to face, church and state sought to prevent illegitimacy by drastic means. Mothers of children of illegitimate birth were severely punished, and the children were treated with disdain and deprived of civil and ecclesiastical rights.

Extra-marital unions throughout civilized time have been held to be inimical to the interest of society and of the child born as a result of such relationships, and various penalties have been provided by modern law; but the social and legal theory has gradually developed that the children are innocent of wrongdoing, and that they are entitled to the benefits enjoyed by children of more fortunate birth. It is recognized that children born without the possibility of a normal home are likely to suffer special hardships, and that they must be protected with especial care from injurious influences.

Society early imposed upon the mother, as the child's natural caretaker, the duty of providing for its maintenance. The provision of the Napoleonic Code forbidding inquiry into paternity was until recent years the law in France and other Latin countries. Recognition of the father's responsibility is still partial and incomplete, but there is increasing agitation for placing all children in an equal status in relation to both parents. Where the parents can not or will not fulfill their duties, the interests of society demand that the State must render to the child the care and protection necessary to its proper development.

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Legal provisions concerning the child born out of wedlock deal with the legal status of the child, the determination of paternity, and the method of securing support from the father. In addition there have been special measures enacted for the safeguarding by the State of children of illegitimate birth, by virtue of their status, and children born out of wedlock are very considerably affected by State laws for the protection of children who become dependent. These protective measures are included in the later discussion of care and guardianship.

American legislation[1] dealing with children of illegitimate birth was enacted at an early period and was based largely upon the English law. In England the child born out of wedlock is still, so far as property rights are concerned, filius nullius—the child of nobody. Under the poor law, however, the mother has been held responsible for the child's support, and under other legislation the father may be compelled to contribute.

In the United States the child of illegitimate birth has been practically legitimized with respect to the mother—the relation of the mother and child born out of wedlock approximating the relation of mother and lawful child. The most important change involved in accomplishing this has been with respect to inheritance. Under the laws of some of the States and, in the absence of a statute, under judicial decisions the mother is charged with the maintenance of her child of illegitimate birth, and under the desertion and nonsupport laws she may be prosecuted for neglect to support the child.

The full legal relation of parent and child is not commonly recognized as existing between the father and his child born out of wedlock, though there has recently been some advanced legislation dealing with this subject. The responsibility of the father is usually recognized by the laws relating to compulsory support, but most of the States recognize only a partial obligation of the father to support his child born out of wedlock. In 12 States[2] the desertion and nonsupport laws are made applicable to the child of illegitimate birth, to the end that the father may also be prosecuted for neglect

[1] For a detailed analysis of the legal status of the child of illegitimate birth, *see* U. S. Children's Bureau: Illegitimacy Laws of the United States and Certain Foreign Countries, by Ernst Freund. Legal Series No. 2, Bureau Publication No. 42. Washington, 1919.

[2] California: Penal Code 1915, sec. 270 as amended by Laws 1917 ch. 168; sec. 270b, 270d, 271, 271a, 273h. Colorado: Laws 1911 ch. 179 secs. 1–10. Delaware: Revised Code 1915 secs. 3034–3046, 3088. Massachusetts: Laws 1911 ch. 456, secs. 1–4; 5, 6 as amended by Laws 1918 ch. 257 secs. 453, 454; 7; 8 as amended by Laws 1912 ch. 310 (made applicable by Laws 1913 ch. 563 sec. 7). Minnesota: Laws 1917 ch. 213 (made applicable by Laws 1917 ch. 210). Nebraska: Revised Statutes 1913 secs. 8614–8616. Nevada: Revised Laws 1912 sec. 766. New Hampshire: Laws 1913 ch. 57 sec. 1. Ohio: General Code 1910, secs. 13008–13017; 13018 as amended by laws 1913 p. 913; 13019 as amended by Laws 1911 p. 115; 13020, 13021. Pennsylvania: Laws 1917, No. 145 secs. 1–3; No. 290 secs. 1–6. West Virginia: Laws 1917 ch. 51 secs. 1–9. Wisconsin: Statutes 1917 secs 4587c.1–4587c.6, 4587d.

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to support it, presumably after paternity is established. The Minnesota law of 1917 makes the person adjudged father liable to all the obligations imposed by law upon the father of a child of legitimate birth, and the Massachusetts law of 1913 makes the father who neglects or refuses to contribute reasonably to the support of the child liable to all the penalties and orders provided in the case of legitimate parents. The law passed in North Dakota in 1917 [1] goes further than any other in this country, declaring that every child is the "legitimate child" of its natural parents, and as such is entitled to support and education to the same extent as if he had been born in lawful wedlock. The child inherits from both parents and from their kindred. However, action to establish paternity must be brought by the mother within a year of the child's birth. In a few States a right of inheritance from the father follows upon adjudication of paternity. In other States inheritance from the father comes only upon acknowledgment or legitimation, while in almost half the States there is no provision for inheritance from the father. [2]

Recent social legislation in the United States has, specifically or by implication, included children of illegitimate birth within the scope of its provisions. One State, Nevada,[3] includes children of illegitimate birth among those entitled to benefit under the workmen's compensation act. Eight States [4] extend the act to acknowledged children of illegitimate birth; three,[5] to children legitimized prior to the injury; and one [6] includes children of illegitimate birth if they were a part of the decedent's household at the time of his death. In some other States the courts have held that children of illegitimate birth were entitled to benefit under the compensation act if they were being actually supported by the father as a member of his family at the time of his death.[7]

The tendency of the courts to hold that children born out of wedlock should not be made to suffer from the wrongdoing of their

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[1] Laws 1917 ch. 70 secs. 1–4.

[2] For text of illegitimacy laws, *see* U. S. Children's Bureau: Illegitimacy Laws of the United States and Certain Foreign Countries, by Ernst Freund. Legal Series No. 2, Bureau Publication No. 42. Washington, 1919.

[3] Laws of 1913 ch. 3, sec. 26 as amended by Laws 1917 ch. 233.

[4] Idaho: Laws 1917 ch. 81 sec. 14; Indiana: Laws 1915 ch. 106 sec. 38; Kentucky: Laws 1916 ch. 33 sec. 14; Louisiana: Laws 1918 No. 38; New Mexico: Laws 1917 ch. 83 sec. 12 (j and k); New York: Birdseye Consolidated Laws (2d ed.) 1917 ch. 67 sec. 3; Virginia: Laws 1918 ch. 400 sec. 40; Vermont: General Laws 1917 sec. 5759.

[5] Montana: Laws 1915 ch. 96 sec. 6p; Oregon: Laws 1913 ch. 112 sec. 14 as amended by Laws 1917 ch. 288; Washington: Laws 1917 ch. 120 sec. 1.

[6] New Jersey: Laws 1911 ch. 95 sec. 12 as amended by Laws 1914 ch. 244.

[7] Connecticut: Piccinim v. Connecticut Light and Power Co. (Apr. 16, 1919) 106 Atlantic 330.
Maine: Scott's Case (Nov. 12, 1918) 104 Atlantic 794.
Michigan: Roberts et al v. Whaley et al (June 2, 1916) 158 Northwestern 209.

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parents is illustrated in the Connecticut decision. The court held as follows:

> The children's position in that household was a very different one [from that of their mother]. They were not only innocent of their parents' wrongdoing, but their father, in caring for them, was acting in obedience to the mandate of the law. It was alike his moral and legal duty to maintain them. * * *
>
> There is nothing in their own conduct that calls for punishment, and we are unable to discover how the cause of morality is to be advanced by the treatment of innocent children, although born of illicit relations, as so far outcasts from the social and legal pale that they are to be denied the benefit of those beneficial provisions which our law has adopted for the care, welfare, and maintenance of those who, helpless of themselves, are dependent * * * upon the labor of others engaged in industrial pursuits.

By the end of 1919, 39 States had adopted mothers' pension laws. Two of these States—Michigan and Nebraska—specifically make provision for aid to "unmarried mothers," while one State—Wisconsin—provides for a "mother without a husband." In Indiana, Maine, Massachusetts, New Hampshire, North Dakota, and Washington, where the law applies to any mother with dependent child or children, and in Colorado, where it is made applicable to "any parent or parents," it would seem possible to extend the benefits of such laws to the mother of a child of illegitimate birth; yet these States impose such restrictions as to character as may be interpreted to preclude such mothers.[1] In 29 States the benefits of the law extend only to mothers of children born in wedlock.

The Federal act providing for allotments, allowances, and compensation to dependents of soldiers and sailors includes children born out of wedlock among the beneficiaries, if support has been ordered by court or if the child has been acknowledged by the father.[2]

The determination of the paternity of children born out of wedlock is usually provided for only in connection with securing support from the father. This is due to the fact that the relation of the father to his child is generally limited to the one obligation—that of contributing to the child's maintenance. The importance of the determination of paternity in connection with birth registration has already been pointed out. Where rights of inheritance from and through the father are given children born out of wedlock the

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[1] Colorado: Laws 1913 p. 694; Indiana: Laws 1915 ch. 95; Maine: Laws 1917 ch. 222 as amended by Laws 1919 ch. 17; Massachusetts: Laws 1913 ch. 763 sec. 104; Michigan: Compiled Laws 1915, sec. 2017; Nebraska: Laws 1919 ch. 221 sec. 2; New Hampshire: Laws 1915 ch. 132; North Dakota: Laws 1915 ch. 185; Washington: Laws 1915 ch. 135 as amended by Laws 1919 ch. 103; Wisconsin: Statutes 1917 sec. 573f.5 as amended by Laws 1919 ch. 251.

[2] 40 U. S. Statutes at Large (65th Congress), p. 404, sec. 205; p. 610, sec. 200.

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establishment of paternity has still another value apart from that involved in the immediate need for support.[1]

No one of the United States has made proceedings for establishing paternity compulsory in every case.[2] There is a strong feeling that a mother who does not need assistance from the father and who does not wish to disclose his identity should not be compelled to do so. On the other hand, the movement for complete birth registration including the names of both parents, as a matter of justice to the child and for more adequate protection of children handicapped by the circumstances of their birth, may result in more general requirements for the determination of fatherhood.

Legislation in the United States compelling the father to contribute to the support of his child born out of wedlock[3] originated in the desire to protect the public from the necessity of supporting such children rather than from concern for their welfare. While this principle had been somewhat modified in favor of the mother and the child, few radical changes were made until recent years. Within the last decade there has been a marked change in social emphasis, the child's welfare being made the predominant consideration, accompanied by the recognition of the State's responsibility. Laws in accordance with this trend have already been enacted in some States, and in a number of others bills embodying radical changes have been given serious consideration.

The present law of Oregon[4] is an illustration of a liberal type of provision for the child's maintenance, not yet very common in the United States. The law makes the father chargeable for the expenses incurred by a county or by the mother for the lying-in and attendance of the mother during her sickness and states that "the judgment of the court providing for the maintenance of such child by the father shall be in yearly sum not less than $100 nor more than $350 for the first two years, and not less than $150 nor more than $500 for each succeeding year until the child reaches the age of 14 years."

The laws of the Scandinavian countries relating to children born out of wedlock are recognized as setting standards in advance of those prevailing in most countries. The Norwegian law which became effective January 1, 1916, gives a child born out of wedlock the

[1] For a discussion of the value of an early adjudication of paternity *see* Hart, Hastings H.: The Registration of Illegitimate Births; a preventive of infant mortality. Department of Child-Helping, Russell Sage Foundation, New York City, March, 1916.

[2] The laws of five States—New Jersey, New York, North Carolina, South Carolina, and Tennessee—contain provisions requiring the mother, under penalty, to disclose the name of the father in cases in which the child is likely to become a public charge.

[3] For a detailed discussion of support provisions, *see* U. S. Children's Bureau: Illegitimacy Laws of the United States and Certain Foreign Countries, by Ernst Freund. Legal Series No. 2, Bureau Publication No. 42. Washington, 1919.

[4] Laws 1917 ch. 48 sec. 5.

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same right of inheritance that is given a child of legitimate birth. The responsibility for maintenance is placed upon both parents in accordance with the economic status of the one most favorably situated.[1] The law requires the compulsory reporting of pregnancy by the physician or midwife consulted and of the birth of a child out of wedlock by the physician or midwife or by the mother. Upon receipt of the notice the local police authority reports to the superior magistrate, who issues a citation upon the man named as father. If the alleged father does not admit paternity, he must make application for an action of paternity or else be held liable as the father.

The Swedish law[2] which went into effect January 1, 1918, gives no right of inheritance from the father except in the case of "betrothal children," but places the responsibility for support on both parents. The economic circumstances of both are to be taken into account. The mother is given the custody and legal guardianship of the child, unless otherwise ordained by the court. The parent not having the care of the child is to meet the expenses of his maintenance. A woman with child out of wedlock must report her condition to the "guardian official" of the parish or to the person commissioned by him. Immediately upon receipt of such report or of information that a child has been born out of wedlock, the guardian official must designate a suitable man or woman as guardian of the child. It is made the duty of the guardian to assist the mother with counsel and information, and to see that the child's rights and welfare are properly safeguarded. It is especially incumbent upon him to see that steps are taken immediately for the determination of paternity and status and for insuring the child's support. In the trial the burden of proof is on the complainant, and not on the alleged father, as in Norway, unless formal acknowledgment of paternity has been made previously. The guardian is to assist in fixing the amount of support and in securing payments.

The Minnesota law of 1917 is the most practical and far-reaching yet enacted in the United States, and embodies in large part the features of the best foreign laws, in so far as they were considered applicable to conditions in this country. It includes an emphatic declaration of the State's responsibility for the welfare of children born out of wedlock.[3]

This chapter shall be liberally construed with a view to effecting its purpose, which is primarily to safeguard the interest of illegitimate children and secure for them the nearest possible approximation to the care, support,

[1] U. S. Children's Bureau: Norwegian Laws Concerning Illegitimate Children: Introduction and translation by Leifur Magnusson. Legal Series No. 1, Bureau Publication No. 31. Washington, 1918.

[2] Svensk Författningssamling. 1917. N:r. 376. Lag om barn utom äktenskap: given Stockholms slott den 14 juni 1917.

[3] Laws 1917 ch. 210 amending General Statutes 1913 by adding sec. 3225(d).

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and education that they would be entitled to receive if born of lawful marriage, which purpose is hereby acknowledged and declared to be the duty of the State.

In accordance with the authority given under the law, the State Board of Control of Minnesota on October 19, 1918, adopted the following "Resolution governing the policy of the state board of control in illegitimacy proceedings":

Whereas chapter 194 of the General Laws of 1917 places certain responsibilities upon the State Board of Control for the protection of illegitimate children, and

Whereas chapter 210 of the General Laws of 1917 provides that the father of an illegitimate child shall be subject to the same responsibility as though the child were born to him in lawful wedlock: Now, therefore, be it

Resolved, That the following statement of policy shall be adopted by the State Board of Control in making provision for the care and education of illegitimate children:

1. The State Board of Control will not be a party to any agreement for the mere purpose of releasing an action begun or threatened, by the payment of a small sum of money. There must be an admission of paternity and an agreement to assume full paternal responsibility. If the defendant or the prospective defendant denies his paternity, his remedy lies in a proper defense at the hearing in court, which hearings should always be held in private for the protection of all persons concerned.

2. The State Board of Control does not regard any man as wronged who has had relations with a girl at a time when he could be the father of a child born to her, if he is made to bear the paternal responsibility, even though other men have had relations with the girl at or about the same time. In such cases if the defendant refuses to assume responsibility, the interests of the child demand that a jury shall pass upon the question of paternity. Under such conditions the defendant will have full opportunity to establish his defense.

3. Because of the very large death rate among children born out of wedlock, the State Board of Control has ruled that such children must be nursed by their mothers for a period of at least three months, and as long thereafter as possible. There are properly equipped hospitals in the Twin Cities which will receive women for this full term of maternity care and afford the mother and child full protection as well as aid and assistance at a reasonable cost. The board has licensed a number of such hospitals and will furnish a list on application.

4. In making settlements, full consideration should be given to the circumstances of the defendant; but the standard should be that care which he would be able to give his children born in lawful wedlock. An infant can not be maintained properly on much less than $20 a month, and the cost increases as the infant grows older.

5. If a lump-sum settlement is desired, the entire amount may be deposited with the State Board of Control as trustee, and any unexpended surplus returned, should the child die. A minimunf lump-sum settlement should be in the neighborhood of $3,000.

6. The question of adopting the child out with an approved family must abide the circumstances of the case. Adoption can not be considered until after the nursing period, and then only if it seems necessary under all the circumstances.

7. All matters relating to illegitimacy should be treated confidentially, and all parties should be protected from unnecessary publicity. The child's interest is in all cases paramount.

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PROTECTION AND GUARDIANSHIP.

THE BEGINNINGS OF CARE.

The earliest provisions for the care of children who had been abandoned was occasioned by the prevalence of infanticide. Because of social disorder and hardship, infanticide by exposure was of frequent occurrence in ancient times. Evidence indicates that much of this early abandonment of children may be attributed to the difficulties experienced by unmarried mothers. In an effort to prevent deaths resulting from exposure of infants, the church early took steps for rescuing and caring for children left at the church doors. Foundling hospitals appear to have been established in Italy as early as the sixth century. In the Middle Ages foundling hospitals existed in all the large cities of western Europe. An institution which is considered the origin of the modern foundling asylum was established by St. Vincent de Paul, in 1638, for the foundlings of Paris. The first tour[1] reported was that in the hospital built in Rome at the end of the twelfth century by Pope Innocent the Third, at the entrance of which was placed a cradle where a child could be deposited secretly. The custom has continued to this day in Italy, and also in Spain and in Portugal. The tours were officially introduced into France in 1811, in order to combat the increasing prevalence of infanticide. Their establishment was, strangely enough, coincident with the first decree relating to the establishment of the Assistance Publique. They were abolished in France in 1862, after it became evident that this supposed preventive of infant deaths in reality resulted in the death of an alarming proportion of the abandoned children. In Belgium, as in France, tours were introduced in 1811; they were eliminated in 1860.

Although foundling asylums were early condemned in France, it was not until 1904 that this system was largely displaced through the granting of aid to mothers in order that they might care for their children; and the development of the principle that all children

[1] The tour, or turn-box, was usually a box, one side of which is left open, fixed in a revolving cylinder in the outer wall of the foundling hospital. Anyone wishing to leave a child placed it in the receptacle, ringing a bell and going away unseen, while the hospital attendant, from within, turned the box and received the infant.

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less than 13 years of age under the guardianship of the State, whose physical and mental condition makes it desirable, must be boarded out in country districts. In Germany foundling asylums were early abolished. Abandoned children are cared for directly by the local authorities, being boarded out or placed in institutions. In Italy foundling asylums have continued. In Austria the foundling hospitals are local public institutions. Here the development has been toward providing home care. If the mother comes to the hospital with the child, she may remain four months as a nurse. When a child is two months old he is sent from the foundling hospital to a home that has been certified. An allowance is paid to the foster family, and the care is supervised by a medical officer. The founder of the Foundling Hospital of London, incorporated in 1739, stated that its object was "to prevent the frequent murders of poor miserable children at their birth, and to suppress the inhuman custom of exposing newborn infants to perish in the streets."[1] Public funds were provided for the extension of this care, and local receiving places established, until the evils connected with the system became so flagrant that the House of Commons withdrew its support. Regulations of the methods by which children may be received have greatly reduced the numbers cared for annually. The children must be first children of unmarried mothers. As soon as possible after entering the institution they are sent to homes in the country, there to remain until they are four or five years old. At 14 the boys are usually apprenticed as mechanics for seven years, and at 16 the girls are apprenticed as servants for four years.

In the United States foundling asylums are still common in the larger cities, the majority of the children received being infants. The effort in the best of these institutions is to keep the mother with the child during the first months of life. The mothers who enter the institution with their infants also act as wet nurses to infants who have been abandoned. The children are given for adoption or otherwise placed out from these hospitals, often with very inadequate protection. In many cases the absence of records in regard to the origin and disposition of these children and the indiscriminate receiving and giving out of foundlings are very serious evils. In the present era of child care this condition is an anomaly. Studies of the mortality of infants placed in these institutions have revealed an alarming situation. It is a hopeful sign that the institutions themselves are coming to realize the causes and meaning of the high mortality among the infants placed in their charge.

[1] The Encyclopædia Britannica, 11th ed. "Foundling hospitals," Vol. X, p. 747. Cambridge, 1910.

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MATERNITY CARE AND ASSISTANCE TO MOTHER AND CHILD.

Of more recent origin, and indicating a better appreciation of the principles of child welfare, are the maternity homes and similar institutions providing not only maternity care but also giving the mother necessary attention and assistance for a period preceding the birth of the child, keeping the mother and child during a considerable portion of the nursing period, and giving advice and supervision after discharge from the home in an effort to keep mother and child together. Numerous homes of this character have been established in the larger cities of the United States, either as adjuncts of hospitals or as independent institutions. Homes that are the outgrowth of two nation-wide organizations, the Florence Crittenton Missions and the Salvation Army Maternity Homes, are to be found in a large number of cities. Care is given for a period preceding confinement, and the mothers and their children are kept for a considerable period of time. There are many other institutions established for a similar purpose.

In addition to this type of care, certain agencies give special attention to work with unmarried mothers and their children, assisting the mother to find a home and to care for her child, and securing employment for the mother where she can keep her child with her. An agency that was engaged in this work for mothers and infants for 40 years gives the following among the important factors in successful work with these cases:[1]

> Careful study of the patient, her family, heredity, previous employment, physical condition, her own needs and desires.
>
> The elimination of feeble-minded women or those unfit in any way to care for the child.
>
> Cooperation with other societies in regard to these latter cases.
>
> Following up the case so that we know exactly what becomes of the patient and her infant. To safeguard the child at this period is a necessity, and we are obliged to watch it most constantly and carefully. Without this supervision it would in many cases not survive at all.

In England private effort is at the present time being directed toward the provision of care and training for the mothers before and after confinement, and the founding of hostels where they may board, going daily to work and tending their babies at night. It is recognized that in almost every case of illegitimacy the mother is in need of some assistance, and that each infant needs to be carefully watched. The announced program of the recently organized National Council for the Unmarried Mother and Her Child[2] indicates that the estab-

[1] Clarke, Lilian Freeman: The Story of an Invisible Institution; forty years' work for mothers and infants. [The Society for Helping Destitute Mothers and Infants, Boston.] Part IV, pp. 10–11. Boston, 1918.

[2] Report of National Council for the Unmarried Mother and Her Child. London, 1919.

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lishment of hostels for the care of mothers and infants is one of the important measures advocated for the reduction of the high death rate among infants of illegitimate birth.

The system of home visiting for the purpose of following up registered births and giving assistance to mother and infant where needed is in use in a number of cities of the United States. Because of the difficulties involved it has not always been found practicable to include the illegitimate births in this home visiting, and the high mortality rate among these infants is therefore not affected. In England the inclusion of infants of illegitimate birth is apparently a recognized part of the working of the notification of births (extension) act, which was passed in 1915. The following statement by Dr. Leslie describes the method in a city which he says may be taken as an example of efficient work under this act:[1]

> Huddersfield is a town of 100,000 inhabitants and was one of the first to adopt the Notification of Births Act: 95 per cent of the births are notified to the Medical Officer of Health within forty-eight hours, and women doctors visit the homes with the utmost possible dispatch. Notifications are sent every Monday to the voluntary lady health visitors, who visit the homes and report on the conditions present. If a baby does not thrive, and is not already under medical care, the fact is at once reported to the Medical Officer of Health, who immediately takes action. The result has been an enormous reduction of infant mortality in that city.

In the 1915–16 report of the Local Government Board of England and Wales, Sir Arthur Newsholme, after calling attention to the high mortality rate among infants of illegitimate birth, points out the great need for increased supervision of the welfare of these children:[2]

> The aim should be, whenever practicable, to prevent the separation of the mother from her infant during the first year after birth. This has important moral value as well as value in securing continued parental care. There is large scope for increased voluntary work in this connection. Institutions for the reception of infants, especially of illegitimate infants, generally experience a very heavy death rate. A system of home visiting of the mothers or foster-mothers, adequately supervised, in most instances is preferable to such institutions.

The effect of war conditions in emphasizing the importance of public protection of infancy is seen in France in the order of 1916,[3] by which the Assistance Publique of the Department of the Seine was empowered to grant assistance to mothers until the children

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[1] Leslie, R. Murray, M. D.: "Infant welfare in war time." The Child, Vol. VI (October, 1915), p. 13. London.

[2] Forty-fifth Annual Report of the Local Government Board (England and Wales), 1915–16. Supplement in continuance of the report of the medical officer of the board for 1915–16, containing a report on child mortality at ages 0–5, in England and Wales. London, 1916. pp. 93, 94.

[3] Raimondi, R., M. D.: "Four years of infant welfare work during war time in France." Maternity and Child Welfare, Vol. II (September, 1918), p. 305. London.

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had reached three years of age, instead of two years, as formerly. In the very month the war began, this assistance had been raised from 20 francs to 30 francs a month. Since April, 1918, in the Department of the Seine, mothers who nurse their babies have been granted a premium for breast feeding, amounting to 200 francs a year.[1] The payments are made quarterly by women visitors of the Assistance Publique after a doctor has certified that the mother breast feeds the infant. For mothers who do not breast feed their babies, a bonus is given for regular attendance at the infant consultations and is paid to the mothers when the child is a year old.

The awakening to the importance of the protection of infancy that came as a result of war conditions is reflected in a report made by the committee on public health of the Italian Commission for the Study of Measures Necessary for the Period of Transition from War to Peace.[2] The report urged the need not only "to improve, coordinate, and develop the already existing provisions for the benefit of mothers and children, and to give a permanent character to the temporary measures brought about by the war, but also, upon completion of the urgent government work, to take new and energetic measures for the purpose of making secure the lives of the mothers and children of Italy."

As one of the fundamental concepts to which laws intended for the protection of childhood should conform, the committee specifies that the work of assistance and social provision should apply equally to all mothers and children needing material and moral aid, and that "the old, confusing, and obnoxious classifications of abandoned, mistreated, natural, legitimate, illegitimate, adulterine" children and mothers should be abolished. The enactment of a law on inquiry into paternity is considered essential to the protection contemplated.

The committee recommends that legislative reforms begin with the foundling asylums, and that these asylums require all mothers, whether married or not, to nurse their own children for one year, except those absolutely unable to do so. The mothers are to be given the choice either of a monthly allowance paid by the foundling asylums, or of maintenance with their children in the asylums, which in such cases shall be called "mothers' asylums." The committee further recommends that the "immoral and criminal methods of admission of children to foundling asylums, such as reception rooms, turn-boxes, and direct admission without documents" be abolished.

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[1] Revue Philanthropique, Tome XXXIX (Avril 1918), p. 187. Paris.

[2] Tropeano, Prof. Guiseppe: "Assistenza e Previdenza Sociale per la Maternità e per l'Infanzia" [Social assistance and provision for motherhood and childhood]. Rassegina della Previdenza Sociale, gennaio, 1919, pp. 54–63.

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In outlining the needed reorganization of foundling asylums, it is proposed that the children of unmarried adult women should not be admitted to foundling asylums even after the first year of nursing, but that instead adult mothers under 30 years of age should receive nursing pay and a premium for having recognized the child, and that those over 30 should receive nursing pay or should simply be admitted to institutions giving assistance to mothers. The children of mothers under the age of majority may be admitted under certain conditions. It is recommended that all communes having turn-boxes or reception houses establish instead centers of free assistance to children.

With similar concern for the protection of infancy, a law recently placed on the statute books of the State of Maryland[1] forbids the separation of mother and child within six months after the child's birth, unless authorities specified certify that the physical condition of the mother makes it impossible for her to care for her child. Provision of funds for maintenance that will enable her to do this is left to private effort. It is significant that the mothers' pension law of Maryland passed in 1916 by inference excludes unmarried mothers from the benefits of the act.[2] A North Carolina law enacted in 1917 also prohibits the separation of a child under six months of age from its mother or the surrender of the child by the mother, unless consent has been obtained from the clerk of the superior court and the county health officer.[3] This State, by the end of 1918, had not passed a mothers' pension law.

In Minnesota, joint resolutions by the State board of control and the State board of health[4] similarly forbid the removal of infants from their mothers:

> Whereas the death rate of infants under one year of age is considerably higher among those infants who are artificially fed;
>
> Whereas the health and well-being of infants under one year of age is dependent in large measure upon proper nursing at the breast by the mother: Now, therefore, be it
>
> *Resolved*, By the State Board of Health and by the State Board of Control that no patient shall be received by any person or at any hospital or institution licensed by or under the supervision of either of said boards on any basis other than that the mother shall nurse her own child so long as she shall remain under the care of said person, hospital, or institution.
>
> *Provided*, That where nursing by the mother is impossible for any physical reason, exception to the above rule may be made by the State board of health, or by the State board of control acting upon proper medical advice.

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[1] Laws 1916, ch. 210, amending Annotated Code of the Public General Laws, vol. 3 (1914), art. 27, by adding secs. 484–488. North Dakota in 1919 passed a law (Laws 1919, ch. 77) practically identical with that of Maryland.

[2] Laws 1916, ch. 670.

[3] Laws 1917, ch. 59.

[4] Adopted by the State Board of Control July 19, 1918, and by the State Board of Health July 31, 1918.

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These regulations undoubtedly are designed primarily to counteract the practice of certain institutions of parting mother and child within a short time after birth, with the resulting high mortality attributable to lack of proper food and care. It is evident that no such restriction can be enforced arbitrarily, and each of the regulations cited makes allowance for consideration of individual circumstances. It is also clear that a measure of this kind, in order to bring the benefit intended, must carry with it adequate provision for assistance to mothers who without such aid would be unable to care for their children.

CARE OF CHILDREN IN INSTITUTIONS AND FAMILY HOMES.

For children who have been deprived of normal homes, care and upbringing must be provided by public or private institutions or agencies. Various types of institutions and agencies for the care of orphan and destitute children meet with the problem of the child born out of wedlock. In some cases such children represent only a minority of the total under care, while in others most of the wards are children born out of wedlock.

In the modern development of the foundling hospital, children are kept in the institution only until a home can be found for them. They return to the hospital only when in need of medical treatment or pending placement in a new home. If they are in poor physical condition when received, they are not boarded out until their condition has been remedied. The hospital is the center of supervision for the children boarded out by it.

Orphanges and schools for dependent children vary from poorly equipped congregate institutions to institutions which provide the highest grade of training and also afford an approximation of home life through the plan of caring for the children in small groups. Some of these institutions keep each child for a period of time and then find free homes for as many of their charges as possible. Others keep the children until they are of an age to be self-supporting, having given them a well-rounded education, particularly along vocational lines.

There has been in the United States a rapid development of societies whose function it is to supply family care for children who have been deprived of their homes or who have never had homes of their own. Methods of receiving and placing children differ with the various societies, and not all hold to the recognized standards. Some of these agencies place children only in homes where they are taken free of charge, and into which they are sometimes legally adopted. Other agencies use boarding homes to a large extent, pay-

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ing stipulated amounts for the care of the children. Although there has been considerable controversy as to whether the institution or the family home is the better adapted to the care of dependent children, the present tendency is more and more toward placing normal children in family homes, especially those who must remain permanently under the care of others than their own relatives. The White House Conference on the Care of Dependent Children, comprising representatives of the leading religious bodies and men and women actively engaged in child-caring work, indorsed the use of carefully selected family homes for normal children who must be removed from their own homes, or who have no homes.[1]

PUBLIC SUPERVISION AND CARE.

The history of the child-welfare movement shows that the State has become increasingly active in taking measures to protect children who are not given the necessary care by their parents. Measures providing for the care of infants born out of wedlock are probably responsible for many of the beginnings of general infant-welfare work. State protection or guardianship over children of illegitimate birth has been undertaken, either directly by virtue of their status, or indirectly through supervision over agencies and institutions caring for dependent children and over homes in which such children are placed.

In Norway,[2] the State holds that the mother and child must be protected and sets in motion its machinery to the end that the necessary attention shall be given the mother before and during her confinement, and support secured for the maintenance of the child. If this support can not be secured from the father, the State supplies assistance, making especial provision for maternal care.

In Sweden the guardian appointed for every child born out of wedlock for the protection of the child's rights and welfare, besides seeing that steps are taken for the determination of paternity and the securing of support, assists in the collecting and managing of the support payments, and when necessary may make application for the appointment of a trustee of the child's property. The guardian represents the child in court and may call upon the police authorities to make the preliminary investigations and assist in the enforcement of support payments. The guardianship remains in force until

[1] Proceedings of the Conference on the Care of Dependent Children, held at Washington, D. C., Jan. 25, 26, 1909. Government Printing Office, Washington, 1909.

See also U. S. Children's Bureau: Minimum Standards for Child Welfare Adopted by the Washington and Regional Conference on Child Welfare, 1919. Conference Series No. 2, Bureau Publication No. 62. Washington, 1919.

[2] U. S. Children's Bureau: Norwegian Laws Concerning Illegitimate Children: Introduction and translation by Leifur Magnusson. Legal Series No. 1, Bureau Publication No. 31. Washington, 1918.

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the child is 18 years of age, unless terminated by the guardian official who has supervision over the guardian's activities and may, if occasion arises, relieve him and appoint a new guardian. If the mother changes her residence the transfer of guardianship is provided for. The law authorizes the reimbursement of guardians.[1]

In Germany a movement to secure the appointment of public guardians for dependent children was begun in 1886. A national society, entitled "Deutsche Gesellschaft für Berufsvormundschaft," was organized for the extension of this system. A Federal law of the German Empire was secured, providing for the appointment of public guardians whose duty it was to see that the laws with regard to dependent children were strictly enforced and that they received the benefit from money allotted for their maintenance. The methods differ in various States and cities, but children of illegitimate birth are usually included under the guardianship more generally than other children. In some States and cities only children maintained by public funds are placed under guardianship, other States extending the supervision to all children born out of wedlock, whether or not supported by public funds. Leipzig was the first city to institute a system by which doctors and nurses were appointed and paid to supervise the care of all children born out of wedlock. Similar measures were later taken in other large cities.[2] Statistics of the guardians' court of Leipzig for the years 1911–1913 [3] show that in 1913 there were 10,188 wards of the court who were of illegitimate birth. Of these in 1913, 1,382 were under 1 year; 1,113, 1 year; 3,078, 2 to 5 years; 3,893, 6 to 13 years; 524, 14 to 16 years; and 198, 17 to 20 years. In comparison, only 528 children born in wedlock were under guardianship in 1913.

One of the chief functions of the public guardian is to secure support from the father. This is accomplished in a considerable percentage of cases. As soon as an illegitimate birth is registered it is reported to the public guardian. In many cities supervision and medical and nursing care, at first provided only for particular classes of children, have been extended to cover all children born out of wedlock. Early in the year 1918 it was reported that an important extension had been made in the work of public guardianship in Berlin and over 200 other large cities, through raising the age of guardianship for children of illegitimate birth from 6 years to 14 years, and in a number of cities to 21 years.[4] It was pointed

[1] Svensk Författningssamling. N:r. 376. Lag om barn utom äktenskap; given Stockholms slott den 14 juni 1917. Secs. 13, 15, 16, 17.

[2] Infant Welfare in Germany during the War. Report prepared in the Intelligence Department of the Local Government Board (England and Wales). London, 1918. p. 22.

[3] Schöne, Dr. Walter: "Die Leipziger Mündelstatistik." Zentralblatt für Vormundschaftswesen, Jugendgerichte und Fürsorgeerziehung. VII. Jahrgang (25. Januar. 1916). pp. 229–231.

[4] Vorwärts, 3 Jan. 1918.

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out as an explanation of this measure that guardianship by the city until the age of 6 had resulted in considerable advantages to the children which should be assured after the age of 6—even greater protection being needed after than before that age. The willingness of the father to pay for the child's support often disappears as the child grows older. Also the care of the child's health and the general supervision exercised by the guardian must be continued in order to safeguard him from physical, moral, and mental harm, help being particularly needed when the child faces the choice of a vocation and should have aid in finding apprenticeship or training.

A number of guardianship committees in Austria-Hungary and Switzerland were affiliated with the German society for the extension of public guardianship. Indicative of the emphasis on child welfare that resulted from war conditions, an imperial order was issued in Austria, October 12, 1914,[1] establishing an office called "over-guardian." Regulations of June 24, 1916, provide that[2]—

> In compliance with the recommendation made by a community or other corporate body establishing the office of "over-guardian" the president of the provincial or district court may order, in agreement with the political authorities, that the over-guardian permanently assume the guardianship of all or of certain groups of illegitimate children in the district, who have no legal representative.
>
> * * * The over-guardian may be charged with certain specific rights and duties of a guardian, such as supervision of the child, collection of money paid for the child's support; also investigation of conditions among relatives, and with similar duties of a legal representative.

In February, 1919, the Provisional National Assembly of Austria passed a law bringing under the supervision of the State all children born out of wedlock, whether or not in the care of their natural parents. The law also applies to children of legitimate birth cared for by others than their parents. The supervision is placed in the public guardianship offices or in special offices created for the purpose. Reporting is required within 3 days after the reception of a child or within 11 days after the birth of a child out of wedlock. The children continue under supervision until the age of 14 years.[3]

The law of France providing for the protection of children by the department of public assistance[4] does not specifically include as wards of the department children born out of wedlock except as they

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[1] Reichsgesetzblatt für die im Reichsrate vertretenen Königreiche und Länder. Jahrgang 1914. Nr. 276. pp. 1122 ff. Wien, 1914.

[2] Soziale Rundschau, XVII. Jahrgang (Juli–August 1916), II. Teil. Nr. 9. pp. 93–96. Regulation of June 24, 1916, for the administration of the order of Oct. 12, 1914, establishing the office of over-guardian.

[3] Zampis, Dr. Ernst: "Der Schutz der Ziehkinder und unehelichen Kinder." Zeitschrift für Kinderschutz und Jugendfürsorge. XI. Jahrgang (Juli 1919). pp. 153–159.

[4] Law of June 27, 1904, on assistance to dependent children. Bulletin des Lois, 1904. No. 2575.

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come under the definition of "assisted children." These comprise: 1. Children whose mothers can not maintain or educate them owing to insufficient means, and for whom temporary aid is granted to prevent their becoming neglected. 2. Children in public institutions, admitted temporarily because lacking means of support owing to the presence in a hospital or in a house of detention of the father, mother, or grandparents. 3. Children whose custody has been intrusted to the department of public assistance by the courts. 4. Children placed under the guardianship of the department and called wards of public assistance, comprising foundlings, children who have been neglected, poor orphans, ill-treated children, and deserted or morally neglected children. It is evident that there are included under this guardianship large numbers of children born out of wedlock. Special provision is made for receiving such children as wards of the department, under official secrecy, in depots provided for the purpose. In these cases, however, the person presenting the child is informed that the mother, if she keeps the child, may receive the assistance provided under the law and immediate aid if necessary. This aid is granted in order to allow a poor mother to keep and maintain her child or place him with a nurse. The amount and condition of relief are determined by the general council, and assistance may be suspended if the mother ceases to give, or cause to be given, the care necessary for her child.

In England the reports of the registrar-general and of the local government board, as well as the discussions of voluntary organizations, have continually emphasized the need for increased supervision of infants born out of wedlock, particularly because of its importance in decreasing the disproportionately high mortality among these children. The following recommendations are made in the last annual report of the local government board:[1]

(1) Whenever practicable the mother and the child must be kept together—the mother, if possible, undertaking the care of the child.

(2) If it is not feasible to keep mother and infant together, carefully selected foster mothers should be paid an adequate sum to cover the careful maintenance of the infant, supplementing what the mother can pay for this purpose.

(3) When such foster mothers are employed, it should be a condition of their employment that they register any change of address with the medical officer of health and that they take the infant for inspection periodically to the nearest child-welfare center. In addition, fairly frequent visits by health visitors should be organized.

(4) Unless this is unavoidable, it is not desirable to collect a considerable number of illegitimate or other infants under six months of age in an institution. When this becomes necessary, the most rigid hygienic precautions are needed if excessive mortality is to be avoided.

[1] Forty-seventh Annual Report of the Local Government Board (England and Wales), 1917–18. Supplement containing the report of the Medical Officer for 1917–18, pp. xxxi–xxxii. London, 1918.

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(5) If such an institution is necessary, the mothers should, whenever this is practicable, live with their children, possibly going out to work during the day and returning at night.

Two measures that mark an era in child-welfare legislation were passed by France and Italy while these countries were in the midst of the world war. The French law creating the "wards of the nation"[1] and the Italian "war orphan" law[2] were both enacted in July, 1917. They are drawn along very similar lines. France adopts as wards of the nation children who have been deprived of their natural guardians as a result of the war. Italy, though not declaring the children adopted by the nation, assumes their protection and assistance. Coupled with the assertion of the State's ultimate responsibility for the welfare of these children, is a recognition of the rights of the family and the desirability of conserving family ties wherever possible.

Children who in consequence of the war have lost father, mother, or other person who was their chief support, and those children whose parent or other guardian, as a result of the war, has become incapacitated from earning a livelihood, are taken under the protection of the State. The French law specifies that the incapacity for work on the part of the parent or guardian may be total or partial. The State's responsibility, in both countries, continues during the child's minority. The Italian law covers also persons of any age handicapped by mental incompetence. Children of illegitimate birth are included among those benefiting by the law, in France by implication and in Italy by specific definition.

The administration of the law is placed in both countries in the hands of national, provincial, and local organizations created for the purpose. Existing agencies and institutions for the care and education of children are recognized and utilized, their activities in behalf of children covered by the law being carefully supervised. The responsibility of the State for the material support, education, and moral upbringing of its wards is emphasized over and over again. In both countries material aid is granted in cases where the family income is insufficient, the laws providing that the children shall, as far as possible, be brought up in their own homes. These acts are a recognition of the obligation of the State to secure for every child, regardless of his status, the opportunity for normal development through giving him home care or, if that is impossible, through supervision of institutional care, safeguarding his health and moral development and providing him with educational advantages.

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[1] Law of July 27, 1917, establishing the "wards of the nation." Journal Officiel, 29 juillet 1917. Paris.

[2] Law No. 1143, July 18, 1917, for the protection and assistance of war orphans. Gazzetta Ufficiale, 27 luglio, 1917.

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In the United States, with the exception of Minnesota, the supervision or guardianship of the State over children born out of wedlock occurs as an incidental feature of State control or supervision over agencies or institutions caring for dependent children and over homes in which such children are placed. In many States the law provides that the State board of charities or similar body shall inspect and license maternity boarding homes and lying-in hospitals, usually requiring approval of health conditions by the State or local board of health. Institutions caring for or placing out children are subject to State supervision. In many States all institutions or associations, whether public or private, which receive or care for children must report to the State board, and are investigated periodically. In Minnesota and in New Jersey the State board has general supervision over all children who are placed in family homes. Agencies placing children in foster homes must notify the board, and the homes are visited by agents of the State board, which may order the transfer of a child if the home is unsuitable. In Massachusetts the board must receive notice within two days of the reception of an infant under 2 years of age by any person not related by blood or marriage, also of the reception of such an infant for the purpose of adoption or procuring a home, and of discharge.

Provisions for State supervision relating specifically to children born out of wedlock are less common. The laws of Massachusetts require that any person receiving a child under 3 years of age, if he has reason to believe him to have been born out of wedlock, must notify the State board of charity, which has powers of inspection and removal. The board may receive from the mother, for the purpose of placing for adoption, a child born out of wedlock who is under 2 years of age.

The laws enacted in Minnesota in 1917 place upon the State more definite responsibility for the welfare of children born out of wedlock. The statutes provide that [1]—

> It shall be the duty of the board of control when notified of a woman who is delivered of an illegitimate child, or pregnant with child likely to be illegitimate when born, to take care that the interests of the child are safeguarded, that appropriate steps are taken to establish his paternity, and that there is secured for him the nearest possible approximation to the care, support and education that he would be entitled to if born of lawful marriage. For the better accomplishment of these purposes the board may initiate such legal or other action as is deemed necessary; may make such provision for the care, maintenance and education of the child as the best interests of the child may from time to time require, and may offer its aid and protection in such ways as are found wise and expedient to the unmarried woman approaching motherhood.

[1] Laws 1917, ch. 194, sec. 2.

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Under the Minnesota juvenile court act passed in 1917, a child of illegitimate birth is declared to be "dependent" within the meaning of that act. This gives the juvenile court the power to place him under legal guardianship upon proof of illegitimacy.[1]

In the United States the handicap of the child born out of wedlock is defined almost entirely by the lack of normal home conditions, rather than by any civic or social disabilities. The child of illegitimate birth often suffers great injustice through being deprived of the care that is his due. Society is forced to bear a burden that properly belongs to the child's parents. Sentiment has ruled largely in the treatment of these cases, often with the result that the emphasis has been placed upon saving the mother from the social consequences, especially if her status or that of her family is likely to be affected. Most often there has been little recognition of the importance of the father as a factor and of his liability for the support of the child.

With the growing concern of social agencies to render permanent help and to deal in a larger way with this whole problem, it is now being considered from a new angle with the child as the central factor. Of increasing interest is the question as to whether in being separated from the mother the child is not deprived of something that society can not replace even with the best care it can provide, and whether this most important consideration may not outweigh all others.

The care of children born out of wedlock in this country has been assumed merely as a part of the general policy of social provision for those in need of special care. Social agencies have become more and more conscious of the large proportion of their work that may be attributed to illegitimacy. They have begun to question whether society has not a peculiar responsibility toward these children who from birth are deprived of normal home life.

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[1] Laws 1917, ch. 397, sec. 1.

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[1] Only recent reports containing statistical data on illegitimate births and deaths are listed. Statistics for cities of less than 100,000 population are not included.

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[1] It is not possible to present a complete list of reports of agencies concerned in whole or in part with the care of children born out of wedlock. The reports here listed may serve as an indication of sources of such material.

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