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U. S. DEPARTMENT OF LABOR  
JAMES J. DAVIS, Secretary  
CHILDREN'S BUREAU  
GRACE ABBOTT, Chief

STANDARDS AND PROBLEMS  
CONNECTED WITH THE ISSUANCE  
OF  
EMPLOYMENT CERTIFICATES

PROCEEDINGS OF CONFERENCE HELD UNDER THE AUSPICES  
OF THE UNITED STATES CHILDREN'S BUREAU AND  
THE NATIONAL EDUCATION ASSOCIATION  
AT BOSTON, MASSACHUSETTS  
JULY 5-6, 1922

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REPARTMENT OF THE TREASURY  
BUREAU OF MONETARY AFFAIRS  
STANDARDS AND SYMBOLS  
COMPLETED WITH THE ISSUANCE  
OF THE  
EMPLOYMENT OF CURRENCY  
UNIT

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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
*Washington, January 25, 1923.*

SIR: There is transmitted herewith a report, Standards and Problems Connected with the Issuance of Employment Certificates, Proceedings of Conference, Boston, July 5-6, 1922. This conference, which was attended by State and local officials actually engaged either in issuing or in supervising the issuance of employment certificates, was held under the auspices of the Children's Bureau and the National Education Association.

A committee, appointed by the president of the National Education Association, and composed of the following educators—Mrs. Mary D. Bradford, Susan M. Dorsey, Thomas E. Johnson, Peter Mortenson, Sam Slawson, and S. E. Weber—cooperated with the Children's Bureau in making the arrangements for the conference.

Respectfully submitted.

GRACE ABBOTT, *Chief.*

HON. JAMES J. DAVIS,  
*Secretary of Labor.*



# STANDARDS AND PROBLEMS CONNECTED WITH THE ISSUANCE OF EMPLOYMENT CERTIFICATES.

PROCEEDINGS OF CONFERENCE, BOSTON, JULY 5-6, 1922.

FIRST SESSION—JULY 5.

Chairman: MISS GRACE ABBOTT, *Chief of the United States Children's Bureau.*

## INTRODUCTORY STATEMENT.

MISS ABBOTT. We have called this conference at the request of a good many people who are interested in the improvement of our methods of certifying children for employment and in better cooperation between all agencies in the enforcement of our child labor laws.

Experience everywhere has demonstrated that the age, educational, and physical standards of a child labor law can be evenly and uniformly enforced only if no child is employed without a certificate and if no certificate is issued except upon reliable evidence that the child is legally qualified to work. With a good certifying system, inspection serves as little more than a reenforcement of respect for the certificate by both employer and child. If, however, certificates are issued on inadequate evidence or a careless canvass of the facts, official approval of the employment of children who are below the legal age is sure to be given by the issuing officer. This places a very heavy burden upon the inspection department, as under such circumstances the inspector must determine the ages of all the children employed, whether with or without certificates. Annual or semiannual inspection of factories will discover children illegally employed only after their school life has been interrupted and after they have, in consequence, already suffered much of the damage of premature employment.

In a few States the issuance of employment certificates is under State control, but in most States the authority to issue certificates is given to the local superintendent of schools. The careful at-

tention which this work requires is usually not given it by busy school or other local officers in the smaller centers, unless its value is clearly and frequently indicated by State officers. Supervision has been specifically provided for in the laws of only a few States. Authority to prepare forms or require reports is more frequent, but in many States such provisions in the law have not been utilized. While absolute uniformity in administration is not necessary and perhaps not desirable, it is essential that at least a certain minimum administrative standard should be followed throughout a State.

## PART I.

### THE LOCAL ISSUING OFFICE—ITS PROBLEMS AND FUNCTIONS.

#### THE PROCEDURE AND ORGANIZATION OF AN EMPLOYMENT-CERTIFICATE OFFICE.

ANNE S. DAVIS, *Director, Vocational Guidance Department, Chicago Public Schools.*

The department of vocational guidance of the Chicago Public Schools includes the employment-certificate division, which issues employment certificates to boys and girls between 14 and 16 when they leave school to work; the vocational guidance and placement division, which advises boys and girls in matters concerning further education and assists them in finding suitable positions; and the industrial studies division, which investigates industrial conditions and opportunities and studies the economic problems which young wage earners face.

The employment-certificate division, including the medical and statistical work, is the one which I am going to discuss in this paper.

In 1917, when the present child labor law of Illinois became effective, the issuing of employment certificates was transferred to the department of vocational guidance, where it logically belonged. Through a well-organized employment-certificate bureau it is possible to collect much valuable information which is necessary in giving vocational advice to children in the schools. It is through the employment-certificate office that the school is able to follow up children of employment-certificate age into industry; to supervise them to some extent after they have entered employment; to advise them from time to time regarding their work, their health, and further schooling; and to determine what effect industry has upon children who enter it.

The child labor law of Illinois requires that, in order to obtain a certificate:

1. The minor must be 14 years of age.
2. He must have completed at least the sixth grade in school and be able to read and write legibly simple sentences in English.
3. He must have a promise of employment.
4. He must be physically fit for the kind of work he is going to do.

The employment certificate is mailed to the employer, and returned by him to the issuing office when the child leaves his employ; this makes it necessary for the child to return for a new certificate

and have a physical examination each time he changes his employment.

The process of issuing certificates includes:

1. Interviewing the children and inspecting the credentials (proof of age, school record, employer's statement).
2. The physical examination.
3. The clerical and statistical work in connection with both.

The intervening is done by vocational advisers. Besides the central office, there are four district offices where children applying for employment certificates are interviewed. The district adviser has a distinct advantage over the adviser working at the central office, in that each child desiring to leave school for work is referred to her by the principal before the job has been secured and before the school bonds have been broken. The advisers have been able to keep in school 30 per cent or more of the children who have contemplated leaving. Proximity to home and school and knowledge of the industrial situation enable the adviser to study each individual child; to become familiar with his home conditions, his scholarship, and his conduct in school; and to give vocational or educational guidance. The adviser reports to the principal the results of her investigations and her interviews with the child and his parents and, if it seems advisable for the child to leave school, the principal issues a school record. The principals have been instructed not to issue a school record until the child has secured a job and his proof of age. This prevents children from roaming the streets looking for work for long periods when they should be in school. The children are told by the district adviser the procedure necessary to secure an employment certificate. The child's information or record card and all the papers are sent with him to the central office where he has his physical examination. During the rush period at the end of each semester, when large numbers of children are applying for certificates, physicians and clerks are assigned to the district offices and the entire procedure is carried on in the districts as well as at the central office.

The first interview is most important. Full and specific instructions at the time of the first interview often prevent long and unnecessary trips on the part of the children and effect a saving of time on the part of the interviewers. The credentials—the proof of age, the school record, and the employer's statement—are carefully examined to determine whether the child meets the legal requirements. If the child's papers are incomplete, he is given written instructions as to how he may proceed to secure the necessary papers.

If the child does not bring a birth certificate, which is the evidence he must first try to secure under the law, or a baptismal certificate, or a passport, etc., he is sent away with instructions as to where and

how to apply for a birth certificate. If his birth is not recorded, he must bring back to the interviewer a statement to that effect from the bureau of vital statistics. The interviewer must be convinced that the birth certificate can not be secured, before the next evidence is accepted. If it is necessary for the child to send away for his evidence of age, he is told to return to school until he receives a reply.

The child is questioned regarding his grade and school attendance, in order to make sure that the school record has not been issued in error. Occasionally it is found that the child is in the sixth grade but has not completed it, or that he does not meet with the requirement for 130 days' attendance between his thirteenth and fourteenth birthdays or during the last year. In such cases a letter is sent to the principal and the child is returned to school.

The promise of employment is a written statement made by the employer, giving the name of the child, the nature of the employment, the number of hours per day and days per week he is to be employed, and the signature and address of the employer. The child may procure a "promise of employment" blank from the school or the central office. If the occupation to be assigned to the child is prohibited under the law or the hours he is to work are more than eight a day, he is referred to the industrial studies division. A vocational adviser in this department then calls the employer on the telephone or visits him. If an adjustment can not be made, the child is referred to the placement department to be placed in legal employment.

Frequently a child brings a statement from the employer in which the name given the occupation is ambiguous. Employers use different terminology, and it is possible for a job to include illegal features in one establishment, and not include illegal features in another, though the same term has been used in both instances. When there is any doubt, the interviewer sends a request to the industrial studies division to have the establishment and occupation investigated.

A child came into the office with an employer's statement from a candy company, giving the occupation as "candy helper." Any job of "helper" may be looked upon with suspicion, as it usually involves machine work. The investigation in this case showed that the job consisted of—

Breaking up hard candy after it had been spun,  
Sifting hard candy to get out the small pieces,  
Knocking the candy out of the molds,  
Weighing out the ingredients into copper kettles,  
Lighting the gas under the kettles,  
Watching the thermometer to see that the correct temperature was reached  
and maintained,

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Helping the men pour the candy when done, and spinning the candy on a table.

Two of these processes are hazardous to the child and should be ruled out under section 10 of the Illinois child labor law, namely, the processes that have to do with watching the boiling candy and helping the men to pour it. The employer was told that a certificate would be issued if these duties could be given to a man. The work was adjusted and the certificate was issued.

A record is kept of the first interview, and the missing credentials are indicated on a small card known as the "control" or "index" card. If the child does not return within a week with the necessary papers, or if he is found to be ineligible for an employment certificate, he is reported to the compulsory attendance department. When the applicant's credentials are accepted, the paper showing proof of age is stamped with a board of education impression stamp and, after the nature of the evidence has been noted on a form for that purpose, returned to the child. This prevents another child from using the same document. The "proof of age" form, the school record, and the "control" card are signed by the interviewer and attached to the "information" card containing information concerning the child and the social history of the family. The continuation-school card is made out at this point and clipped to the other papers. The entire record is then sent to the doctor's office and the child is ready for his physical examination.

The medical examiners are employed by the board of education. They aim to make the physical examination as thorough as possible, conforming in general to the standards set by the committee on physical standards for working children appointed by the Children's Bureau of the United States Department of Labor, as well as the standards accepted by industrial physicians. The applicant is first weighed and measured and his eyes are tested. The child is stripped to the waist to allow adequate examination of heart, lungs, and back.

From 20 to 30 per cent of the children examined are found to be physically unfit for work, and their certificates are withheld until such time as an examination shows them to be in good physical condition.

Results of physical examinations of children making first application for certificates between July 1, 1921, and June 30, 1922, were as follows:

Total number of children examined.....	14,800
Total number of certificates issued.....	15,553
Total number of children held..... (21.3 per cent)	4,201
Total number of defects, for 4,201 children.....	6,905

Kind of defect.	Defects.	Defects corrected.
<b>Nose and throat findings:</b>		
Nasal obstruction.....	1,352	692
Hypertrophied and infected tonsils.....		
Hypertrophied and infected adenoids.....		
Acute rhinitis.....		
Acute laryngitis.....		
Acute pharyngitis.....		
Defective speech.....	2	0
Defective teeth.....	1,858	1,235
Disease of the eye.....	1,033	737
Defective vision.....		
Discharging ears.....		
Defective hearing.....		
Thyroid:		
Hypertrophied (simple).....	119	55
With toxic symptoms.....		
<b>Hypertrophied glands:</b>		
General adenopathy.....	22	5
Tubercular adenitis.....		
<b>Pulmonary diseases:</b>		
Acute bronchitis.....	106	49
Chronic bronchitis.....		
Pulmonary tuberculosis.....		
Asthma.....		
Malnutrition.....	1,253	598
Undersize and immaturity.....	194	62
Anemia.....	38	10
Kidney disease.....	5	0
Urinalysis.....	15	8
Wasserman.....	11	3
Genito-urinary disease.....		
<b>Laboratory examinations:</b>		
a. Electrocardiograph.....	10	3
b. General blood count.....		
c. Blood pressure.....		
d. X-ray.....		
<b>Neurological examination:</b>		
Subnormal.....	41	15
Nervous conditions.....		
Mental test.....		
Pulse.....	14	4
Temperature.....	15	5
<b>Orthopedic defects:</b>		
a. Malformation.....	34	14
b. Deformities.....		
c. Spinal curvature.....		
d. Fatigue posture.....		
Hernia.....	13	9
Vaccinations.....	9	8
Hold for report.....	24	8
Unusual findings.....	6	1

The child is examined for the particular occupation specified in the promise of employment. If the physician does not consider him physically fit for this occupation, he is referred to the placement department for lighter work, or his employment certificate is refused altogether. Whether the refusal is temporary or permanent depends upon the child's physical welfare.

The doctors frequently find that in order to make a decision as to whether a child with certain physical defects should have a certificate they must know exactly what the surroundings are in an establishment and exactly what the child will have to do. Such cases are referred to the industrial studies division for investigation.

A small boy who had a heart condition which prevented him from doing any except light work without injury was to be employed as an errand boy for an electrical concern. A visit was made to ascer-



tain how large the packages were that the boy had to carry, how frequently he had to carry them, whether he rode or walked, and what he did between his errands. It was found that in this establishment there was an older and larger boy who would carry the heavier packages, so that only the smaller packages would be carried by the boy who was to be certificated. It was found also that he would have three hours a day to rest. The certificate was issued and a letter written to the employer, asking his special cooperation in executing the promised adjustments of the work.

A small number of children are allowed to work under supervision, reporting to the examining physician or to a dispensary at regular intervals in order that any tendency to lapse from health may be found early. If the child can not afford medical care he is referred to the dispensary nearest his home.

An interesting development in the work of the medical department has been that of cooperation with the clinics and dispensaries. Twenty-five dispensaries and hospitals cooperate with the department in the effort to secure for each child the correction of his physical defects and make him better fitted to endure the strain of industrial life. Evening industrial medical clinics, where suppers are served so that children can go to them direct from work, are conducted by four of the best institutions. Nutrition classes are an adjunct to these clinics, and most of the medical supervision is accomplished through them. These evening classes have been of the greatest service to working children. They have been the means of keeping many children fit for the job and at the same time of making others physically fit to enter industry. Due to the great interest aroused in the care of malnourished children, classes to which children may be sent have been established in nearly every part of the city during the past three years. Cardiac clinics are conducted at four of the largest and best hospitals, where free hospital care is given when required.

Three years ago, through the generosity of Arden Shore Association, an open-air school at Arden Shore Camp was opened to which boys physically unfit for work are referred. The board of education provides two teachers, a cook, and an assistant; the Arden Shore Association pays all other expenses and provides a staff consisting of a resident director, a nurse, and house servants. The employment-certificate department provides a medical examiner who visits the camp once a week and supervises the health of the children. The boys remain at camp from six weeks to three months or until they are in a sufficiently fit condition to take jobs and hold them. During the summer months a group of girls is sent to Arden Shore to follow a similar program.

Many of these children need continued care and health supervision after they start to work. The department has gained the cooperation of a number of employers, who have become interested in seeing these children develop physically and are carrying on the weighing and measuring, providing the mid-morning milk, and giving periods for relaxation.

If the child is found to be physically fit for employment, he signs his certificate in the doctor's office. The certificate form is attached to the record and sent to the clerical division, where the papers are carefully inspected before the certificate is finally made out by the stenographer and mailed to the employer. The "control" card, on which is stamped the date the certificate is issued and the date it is returned, is filed alphabetically in the "control" desk. All other papers concerning the child are inserted in a folder which is stamped with a number and filed numerically.

The law requires the employer to return the certificate to the issuing office when the child leaves his employ. When the child applies for a subsequent certificate he goes to the control desk, where he presents a "promise of employment." If the control card shows that the certificate has not been returned, a new certificate is not issued. The office communicates with the employer immediately to secure the return of the certificate without further delay. Only a very small percentage of employers now fail to return certificates.

If the certificate has been received, the interviewer records on the child's "information" card the wages he received in his last position, his reason for leaving, the name and address of the firm for which he expects to work, and the kind of work he intends to do. The child then goes to the doctor for his physical examination. The physician is then able to determine what effect industry has had upon the child and to take measures for the correction of any defects which may have developed while he has been working. Through this method of certificating there is developed a form of statistical study which is valuable to advisers and teachers in showing the types of employment open to children of certificate age, the seasonal character of this work, the trend of wages, and the relation of school achievement to industrial demand. Upon the clerical staff devolve most of the interdepartmental reports.

It is important that the certificating office work in close cooperation with the school principals, the compulsory education department, the continuation schools, and the factory-inspection department, if the child labor and compulsory attendance laws are to be properly enforced.

The compulsory attendance law in Illinois requires that children remain in school until 16 unless "necessarily and lawfully employed." The return of the certificate to the employment-certificate office indi-

icates the unemployment of the child. If the child fails to apply for a renewal of his certificate within a week, he is reported to the compulsory attendance department for return to school. All children who fail to meet the age, educational, or physical requirements are likewise reported.

The continuation school law provides that all children between the ages of 14 and 16 must attend continuation school eight hours a week. Employment certificates are not mailed to employers until the continuation-school office reports that the children have been assigned to continuation school. As all certificates are mailed the day the application is approved, this procedure causes no delay and insures the child's assignment to continuation school. The notice requiring the child's attendance at continuation school two half days a week is mailed with the certificate to the employer.

The continuation schools are notified of those children whose certificates are returned, signifying that they are out of employment, in order that the schools may secure the daily attendance of such children until they find other jobs. If other employment is not found within a limited period, the child is required to return to full-time day school. A notice is also sent to the continuation school, should the child again secure a certificate.

A weekly report is sent to each regular day school, giving the names of the children to whom, during the week, certificates have been issued for the first time. The principals can then secure the return to school of the children who have failed to get certificates after receiving their school records.

It has been customary to refer to the factory-inspection department all child-labor violations which come to our attention. This year a new development in the work has been the assignment of a deputy factory inspector to the vocational guidance and employment-certificate bureau. Complaints of child-labor violations come to us from every source—from the principals and teachers, from the attendance officers, from the continuation schools, from interested neighbors, and from the children themselves. The complaints have to do with the hours worked in excess of the legal eight hours, work after 7 p. m., and children working without certificates and at illegal jobs such as work in connection with power-driven machinery. The case is looked up in the files to get the latest data on the children and then turned over to the deputy inspector. Besides protecting the children and solving their individual problems through the enforcement of the child labor law, this arrangement with the deputy inspector has made it possible to keep in close touch with conditions in the establishments in which minors are employed.

It is the task of the employment-certificate office to inform the employer, the teachers and principals, the children and parents, and the community, of the requirements of the child labor law, in order to secure enforcement and reduce the child-labor violations to a minimum. The vocational guidance and employment-certificate department has sent posters into the schools, calling the attention of the children to the fact that if they work after school hours they must secure employment certificates. Full instructions regarding the necessary procedure for securing employment certificates have been sent to the principals. An illustrated pamphlet on the child labor and continuation school laws has been prepared in simple form to distribute to the children going to work. The principals have been invited in groups to visit the employment-certificate office; the procedure the child must follow to secure an employment certificate and how the principals may assist in securing better enforcement of the law have been carefully explained to them. Literature setting forth the conditions which children face when they leave school for work at 14 has been sent to the teachers, to be used in presenting arguments to children for staying in school. An illustrated pamphlet has been prepared, showing the opportunities for training available in the high schools, the vocational courses offered, and the occupations to which they lead. Such efforts have helped greatly toward inducing the children to remain in school until they are better equipped to enter industry, and so have aided in decreasing child labor.

It is the aim of the vocational guidance and employment-certificate department of the Chicago public schools to reduce child labor to a minimum; to keep children in school by the aid of scholarships if they can not remain under other conditions; and to see that every child going to work has the benefit of advice, guidance, and employment supervision during the first years of his working life.

#### THE RELATION OF CERTIFICATE ISSUANCE TO THE ENFORCEMENT OF SCHOOL ATTENDANCE LAWS.

ARTHUR P. LEDERLE, *Supervisor of Attendance, Board of Education, Detroit, Mich.*

The relation between certificate issuance and the enforcement of school attendance laws seems so obvious, and the work has been so closely correlated in most communities, that it is impossible to discuss one without discussing the other.

Investigations conducted by the Federal Bureau of Education seem to indicate that that community prospers most which educates its citizens best. We like to believe that this State of Massachusetts



is prosperous and its per capita wealth large because of its splendid educational facilities; and there is a growing belief in this country that money invested in education is the best investment that the taxpayers of any community can make.

Miss Blake, of New York, stated last night in a paper given before the National Education Association<sup>1</sup> that in her city 50 per cent of the children left school before entering high school. I will attempt to show how it has been possible in Detroit to increase the period of the child's school life through the administration of the employment certificate law. In considering this subject we must always remember that all child labor legislation is statute law, and as such has been enacted by the 48 different legislatures. It is thus possible to have 48 different types of employment permit acts. As my experience has been entirely with Michigan laws, I must confine my discussion to the city of Detroit. I am assuming, however, that the child labor and school attendance laws in the other States are sufficiently similar to ours that what I say about Detroit may apply to a greater or less extent to other communities.

At first, child labor legislation and school attendance laws developed in Michigan independently of each other. In recent years, however, there has been a tendency to combine and coordinate these two types of laws. The Michigan child labor law prohibits the employment of children under 16 years of age during school hours without permits. Farm labor and domestic service are exceptions. Children may be granted permits to work if they satisfy the following conditions: (1) They must be 15 years of age; (2) they must have completed the sixth grade; (3) they must have attended school 100 days during the school year previous to their arriving at the age of 15 or during the year previous to applying for a school record; (4) it must be necessary for them to work to support themselves or their parents. The permit is issued by the superintendent of schools.

The compulsory education law requires that children attend school until 16 years of age with the following exceptions: A child who is 14, who has completed the sixth grade, may be excused if his services are essential to the support of himself or his parents, and a child who has completed the eighth grade may be excused if he has an employment permit, or wishes to remain at home or work at some occupation that does not require a permit. You will note, therefore, that it is possible to have a child out of school and employed at 14 years of age.

There are about 25,000 children in Detroit 14 and 15 years of age, and they would nearly all be eligible to leave school except for the economic necessity clause. However, on June 20, 1922, only 263 of

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<sup>1</sup> Proceedings of the National Education Association, Sixteenth Annual Meeting, Boston, July, 1922, p. 215. Washington, 1922.

these children were actually out-of school and employed, and I feel confident that on June 20, 1923, Detroit will be able to make the proud boast that not a child under 16 is permitted to leave school to go to work. We have concluded that the standard set by the Children's Bureau that no child shall leave school until he has reached the full age of 16 years should be the minimum for the city of Detroit. We believe with Miss Blake that there is plenty of money for the children in Detroit if the adults do not burn it up, and we have gone on record as saying that we do not want the children of Detroit to go to work to maintain the city. After all, there is only one reason why a 15-year-old child should go to work, and that is to reduce taxation, and so far as I am concerned as a taxpayer, I do not wish to have any child stop school before he is 16 years old for the purpose of reducing taxes. In the end Detroit is going to profit by the increased length of the school period, as our citizens will be able to earn more money because of their 10 years' schooling than if they were permitted to leave school at the end of 4 or 5 years.

The principal means by which this reduction in child labor has been brought about in Detroit has been a constructive interpretation of the poverty exemption clause. In conclusion to this part of the discussion, I will say that whereas poverty exemptions of all kinds are wrong in theory, and all of us rebel at the thought that a child should be compelled to give up his right to education merely because the parents happen to be poor, in actual practice such exemptions can be rendered unimportant. If the attendance department is alert enough, it will find means for solving economic problems in the home of the school child without taking the child out of school. The value of a provision whereby children of poor parents may be excused from school at an earlier age than other children lies only in the fact that it makes it easier to get legislatures to raise the compulsory school age to what may be in effect a 16-year standard.

The second way in which the permit is important in relation to school attendance is in connection with the system of child accounting. It is my opinion that the most important phase of the whole school-attendance problem is child accounting. For a number of years in Detroit we have maintained a continuous school census, and we have developed it now so that it is functioning in a highly efficient manner. We maintain a card for every child in the city from 5 to 19 years of age, inclusive, with a cross-index, and once each year we make a house-to-house canvass of the entire city. The results of this field canvass are checked against the census cards to complete the school census, and also to see that all of the children of school age are enrolled in some school. During the school year we receive reports from every public, private, and parochial school in the city

for each child who enters or leaves school. We also get reports from the juvenile detention home, the police department, the marriage license office, and many other agencies. At least once each year, we ask each school to submit a complete enrollment. In this way we have an accurate check on every school child.

Our system would be incomplete, however, if children were not required to have permits before entering employment. This is especially true in regard to the part-time school which is now operated in Detroit for those children under 17 years of age who are not in regular day school. The law requires that no child under 17 years of age enter employment without a permit, and in case this requirement is disregarded penalizes the employer. We are authorized to revoke permits of children who are not attending continuation school regularly, and this is usually all that is necessary to keep the child in the part-time school. We try to cooperate with the employers in every way possible. We ask them to see that their lists of minor employees check with our census records. If, however, they fail or refuse to cooperate with us, we do everything possible to make them pay the penalty for their negligence.

By means of the employment permit, we also impress upon the child and his parents the fact that we are interested in the child's welfare up to the time he has reached his seventeenth birthday. We are in this way able to convince many children and their parents that the children should remain in school longer. It brings the children into contact with the school authorities before they permanently sever their connection with the school. This makes it possible for adjustments to be made in some cases so that the child's parents are satisfied, and the child's school life lengthened. This has operated to increase the number of children in the high schools. During the past year, the number of children in the ninth grade has equaled and sometimes exceeded the number of children in the eighth grade in Detroit.

#### THE VALUE OF CERTIFICATE-OFFICE RECORDS TO THE STUDENT OF CHILD-LABOR PROBLEMS.

M. EDITH CAMPBELL, *Director, Vocation Bureau, Cincinnati Public Schools.*

In attempting to substitute for Mrs. Helen Thompson Woolley to-day I have not only a sense of my inadequacy, but one of great regret that you can not have her clear and forceful presentation and her own analysis of her wide experience covering a period of 10 years as administrator of an employment-certificate office.

For an incredibly long time public schools either entirely overlooked or neglected their most important laboratory—the office where employment certificates were issued to children who were



leaving school to go to work. Twelve or fifteen years ago students of child labor began to insist that these certificates provided a fund of information the value of which could not be overestimated.

In 1915, several years after the Board of Education of Cincinnati had placed the issuance of employment certificates under the direction of Doctor Woolley, she wrote a paper on this function from which I quote:

Working permits may have a very direct bearing on school problems or none at all, depending on how they are issued and what use is made of the information obtainable through issuing them. Statistics of working permits are vital statistics of the school. They correspond to the death rate of the community. The usefulness of statistics of the death rate depends on how accurately the records are taken and how carefully they are analyzed. Most communities plan their campaigns of health and sanitation on the basis of their vital statistics. The statistics regarding working permits should have just as direct a bearing on school problems.<sup>1</sup>

Mrs. Woolley then gave a number of facts based upon certificate records:

#### 1. Retardation.

The amount of retardation among children who leave school to go to work is more than twice as great as it is in the school system at large. Types of classes in the schools should be formed to meet this situation, and probably the most efficient type of law will prove to be one which provides a part-time system of education up to 18 years, such that the first steps in industrial life will be taken in close cooperation with the school.

#### 2. Shifters in industry.

Every employer complains of the instability of labor and the expense of hiring and firing each year an endless succession of beginners. \* \* \* Measured in school standards, then, the worst shifters were the inferior children. The first step the employer should take in guarding against this evil is to give a preference to children who have done well for their age in school.

#### 3. The comparison of children who go to work early with those who remain in school.

According to the tests, then, the group of children which drops out of school at 14 is mentally inferior to the group which remains in school. The judgment of the school, expressed in the great retardation of the working group, is confirmed by the tests, and tests form a method of measurement sufficiently different from school work to make their results an important piece of additional evidence.

#### 4. Wage-earning capacity of children who leave school at 14.

There is no correlation either negative or positive between earning capacity and school grade.

These statements of Mrs. Woolley's have been more than confirmed. There is almost no phase of the child-labor problem which

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<sup>1</sup> "The issuing of working permits and its bearing on other school problems," in *School and Society*, May 22, 1915.

is not connected with the employment certificate, and every phase of the educational process could be amazingly illuminated by careful analysis of these working permits.

During the period 1911-1922, there have been two changes in Ohio's child labor law—changes which have greatly increased the power of the State in supervising the working child, and the responsibility of the school in providing this child with adequate guardianship. The law in 1913-14 raised the age requirement for boys from 14 to 15 years with a sixth-grade school requirement, that for girls from 14 to 16 years with a seventh-grade school requirement. Boys were required to have certificates until the age of 16, girls until the age of 18. The present law, which went into effect in August, 1921, was based upon the facts presented by the certificate offices. The age of 16 years was made the minimum for both boys and girls, with a seventh-grade school requirement. The futility of a different age and school requirement for boys and girls had been demonstrated by the steady demand for certificates on the part of girls, by the amount of retardation for girls which shows an increase with the 16-year age limit, and by the difficulties in administration and enforcement of the law. We were also completely convinced that the girl did not need protection more than the boy for the sake of either health, morality, or education. If more facts had been available from the issuance of certificates, the law in 1914 would not have made this difference between boys and girls.

Under the new law the requirement for age proof was made more stringent than ever before, and hence the necessity for birth registration brought more urgently to the attention of the public. No more serious problem than this confronts the student of child labor and of education. The Cincinnati Board of Health has been lamentably cut in funds, to the great detriment of its department of vital statistics; so much so that the chief health officer recently found himself unable to continue to give children copies of their birth records. Through the pressure of the strict issuance of employment certificates the work of this department has been made a more effective function of the board of health. We are also attempting through the cumulative record card to have the child's age established when he enters school. If this could be validly done an enormous amount of time and expense would be saved the public-school system, which now simply postpones this age certification from the fifth to the sixteenth year.

The procedure of the employment-certificate office has had a constant influence upon standards of health for the child. When we first began the issuance of certificates, almost no child was refused a certificate because of inability to come up to the health standard

of the law, and then only when great pressure was brought to bear upon the district physician. Last year the employment-certificate office required physical examinations of 2,681 children, none of whom was accepted until health recommendations were carried out. Acting upon these results, the writers of the present law greatly raised health requirements—so much so that many felt the impossibility of administering this part of the law because of lack of physicians and adequate funds. But the law was passed, and an effort has been made to give each child an examination more thorough than those given in former years. This procedure has brought the physicians of the board of health—our examiners—more directly into contact with industrial medicine, has more sharply confronted them with a specific public-health problem, and has brought to our assistance the cooperation of the Cincinnati Public Health Federation—a most effective organization.

The present law provides for the issuance of full-time vacation certificates, thus sanctioning work for children of 14 years when school is not in session and recognizing the distinction between employment during the school term and employment during vacation. During the period June 20–August 25, 1922, 756 of these certificates were issued, more than 400 of which were returned by September 1 without follow-up work. These children create additional attendance problems, and probably a few more children go into cooperative and part-time work as a result of the issuance of vacation certificates. We realized that many children were working illegally without certificates. We were able, however, to compel the initial physical examination of these 756 children and to make some effort for supervision. Thus the certificate method slowly, step by step, impresses upon industry, the school, and the parent that every entrance of a child into industry must be sanctioned and guarded by the State.

The amazing ignorance and indifference of the public schools as to what happens to the children who go to work has been considerably lessened through the effort of those who realized the value of work-certificate records. These records have shown a significant amount of retardation, never decreasing and in many years increasing, as continuously shown in Mrs. Woolley's annual reports. The effect of these statistics has been to increase the scope of continuation, cooperative, and part-time classes, under the provisions of the new law, and to provide for the issuance of the certificate to retarded children.

Again the opponents of the law and of vocational education claimed these extensive provisions could never be met. In many communities in Ohio they have not been met. But they have forced the schools and industry to face the fact that the child must be more

carefully guarded and supervised on his entrance into working life. The present law requires the school at least to know where the child is until he is 18 years of age, and the working permit has indeed begun the "vital statistics of the school." It has also begun to impress upon the tax-paying public that the child who goes to work at 15 or 16 has just as much right to the advantage of school funds, used for guidance and guardianship, as has the high-school child who often avails himself of these funds until he is 18 years of age. In the high-school group are only 10 per cent of our children; the great majority go out from the sixth and seventh grades with their most crying needs unheeded.

The mere knowledge of where the working child is going (far too often his ignorance of "where" is an indictment of the school), the grade he has completed, the relation (and again the sorry nonrelation) of his grade to his job, the condition of his health, and much else, show the need for complete reorganization of our present grade system. Superintendent Condon, of Cincinnati, has asked a committee to work out this problem for the school system. The committee report was based not only upon facts about the working child, but also upon extremely interesting figures compiled by some of the principals upon retardation and the overwhelming number of failures and withdrawals in high schools.

The Children's Bureau is also bringing to light interesting data by investigating the correlation between grade and job in cases in which working permits have been issued by the Cincinnati office.

The evident lack of correlation between wages, type of position, and school grade, as shown in certificate records, emphasizes increasingly and constantly the need for intensive study of the industry and the occupation into which the child is certificated. The expense and burden of this analysis should be assumed by industry, which is still reluctant to initiate and plan such studies. In consequence, we have on the one hand the schools attempting to train the child for some unknown occupation and on the other hand industry bitterly complaining that the child is untrained for industrial tasks. Until the school and industry frankly, intelligently, and with undoubting confidence in each other discuss processes, wages, hours, educative motives, the deadly effect of monotony, and all else that concerns the real life of the child, no actual progress will be made, as Mrs. Woolley writes, "in bringing about those modifications of educational systems and procedures which will make of education a more effective instrument in helping each child to reach ultimately a wise adjustment to the occupational world."

I have not attempted to emphasize the question of mental differences shown by the employment-certificate records. In the Cincinnati vocation bureau we are depending more and more upon the



psychological test for assistance in handling individual children. I again refer to Mrs. Woolley's paper and to her annual report, the convincing statements and statistics of which prove the undoubted wisdom of a classification and reorganization in the school system based upon the fact that, as Doctor Whipple says, "the existence of fundamental and relatively permanent individual differences in intellectual capacity has been incontrovertibly demonstrated; that the real meaning of democracy is properly safeguarded in the notion of 'equity of opportunity,' and if any nation is destined to perish it is that one which fails to provide the best possible educational training for those of its rising generation that show promise of intellectual leadership."

Provision for this group should include not only facilities for educational training but extensive scholarship funds. The Cincinnati bureau is now administering \$6,000 a year in scholarships for a group of superior children who are 16 years of age and would otherwise be compelled to go to work. The fund is a part of the budget contributed by the community chest to the vocation bureau, which is a joint enterprise of the public schools and the council of social agencies.

Experience in issuing employment certificates has constantly justified the method of placing this responsibility on boards of education. The question whether one group can more ably perform this task than another one, such as boards of health or industrial commissions, depends, of course, upon the personnel—which is always the secret of effective work. The training and ability of the issuing officer is of paramount importance, and every effort should be made to raise the standard for the officers; but the great hope of breaking into the present rigidity of school grades and classes is the teacher's constant and vital contact with the success or failure of the working child after he leaves the schoolroom. This knowledge can be given, and the teacher stimulated to secure this information, only when the school system is held entirely responsible for permitting the child to go to work. Presenting to the child a legitimate choice between work and school is a serious responsibility. Such a responsibility must inevitably compel the schools to exercise this right only when they have exhausted every possible resource for the wise guidance and supervision of the working child.

At the end of a long day this summer when more than 400 children had passed through the office, a small colored boy presented himself to a weary clerk. She had exhausted every apparent clue to a birth record and finally in desperation asked, "John, do you know the name of the doctor who was with your mother when you were born?"—to which the bewildered little boy solemnly replied, "No'm—I don' 'zactly remembah—I wuz right small then." In the years to come many a man and woman who as a child came to the employ-

ment-certificate office, with the right to expect of us knowledge of industry and all that was necessary for wise advice, may say to us somewhat bitterly, "You should have told me what to do; 'I wuz right small then'!"

#### DISCUSSION.

GEORGE CHATFIELD, *Assistant Director, Bureau of Attendance, Department of Education, New York City.* The most important and most striking of all the points brought out here this afternoon is that make what laws you will about these children as to the age when they may leave school, in some way or other those laws will be evaded unless the schools do something for these children's individual needs.

Now, our schools are organized in a certain system. I do not think that any particular individual is responsible for that system in the schools as they are now. We are all responsible for it. But the fact remains that we will not do for these children the things that they want, and a very large percentage leave school because they are mighty glad to get out. That means only one thing—that they have failed. People do not usually quit doing things that they like to do and in which they have been successful, and they have not been successful in this. I hesitate to speak after the scientific reserve that Miss Campbell has exhibited on the matter; but I do not know but what the fact is that the reason there is no correlation between the things that children do and the grade at which they leave school is that the grade in which they are in school and the work they are doing in school does not necessarily measure their ability or capacity.

We have had our standards raised in New York one year after another. At the present time we are compelling all children under 17 who have not completed the elementary grades to attend school. We have a very difficult job to make them stay in school. We have not yet found how to adjust the continuation-school program to the needs of the children. I do not think we have accomplished much for the children except to keep them in school and out of some dangerous employment. We have not given them any better education, and we have certainly increased the school congestion tremendously. I think a different kind of solution from the one suggested is needed, and then we shall not have to have these laws to keep children in school.

To pass from this question to that of children obliged to go to work because of family need, I think that this is not a matter for private charity, but that it is the State's business to step in there just as much as it is in the cases of the widows' pension fund.

If we ever get our school system into such shape that it can handle our children in a rational way, a good many of these other problems will be solved.

MISS CAMPBELL. In Ohio we have State relief for children who are obliged to go to work because of family need. The board of education spends several thousand dollars every year in the relief, but the public are opposed to it.

THE CHAIRMAN. They like the idea of the scholarship, but they do not like the word "relief"?

MISS CAMPBELL. Yes; that is the reason.

MR. LEDERLE. We have State relief in Michigan, but we are not using it in Detroit. It is limited to \$3 a week.

THE CHAIRMAN. Suppose you tell us, Mr. Lederle, how you reduced the number of employed children from 1,700 to 200?

MR. LEDERLE. Our attendance officers are trained social workers with an educational background. They all occupy substantially the same position in the community as high-school teachers. They are selected from people in the schools who are specially fitted for this kind of work. When the child wants to leave school the entire family problem is gone into. We find that by making the family budget and studying the family's problem, getting the older people to work and getting the father into a position that pays him better, we can help the family so that we do not have to give them any money. A large proportion of the children who leave school and go to work come from the lower class mentally. The parents are possibly able to earn enough to support the family, but have not been able to manage the home properly. We have assisted them in managing the home. The time we made our greatest progress was in the time of unemployment, when there were 50,000 or 60,000 men out of work in Detroit. We took the matter up with the mayor and the department of public welfare and they agreed to grant temporary relief to the families where necessary, but we found as a practical matter that it was not necessary.

THE CHAIRMAN. That was not true of the families of the 50,000 who were without income.

MR. LEDERLE. In case an older member of the family was not working, we would not grant a permit to a child, but would get employment for the adult. The public welfare department assisted in this plan.





## PART II.

### THE RELATION OF STATE AGENCIES TO THE LOCAL ISSUING OFFICE.

#### STATE SUPERVISION OF THE ISSUANCE OF EMPLOYMENT CERTIFICATES.

TAYLOR FRYE, *Assistant to the Industrial Commission of Wisconsin.*

During the first 32 years of its existence—from 1867 to 1899—the child labor law of Wisconsin contained no provision for employment certificates (or child-labor permits, as we call them). In 1899 the statutes were amended to provide for the permit, and the requirement has been in force continuously since that time. Previous to September 1, 1917, power to issue permits for child labor was placed by statute in the hands of the labor department and of county, municipal, and juvenile court judges. During the latter part of this period judges were required to file copies of permits issued by them with the labor department. The head of the labor department was authorized to revoke a permit which appeared to have been unlawfully or irregularly issued, but he had no effective means of preventing repetition of the irregularity. On one occasion a judge maintained that if the department revoked a certain permit he would issue another, and that he would continue to issue as long as the department continued to revoke. In the presence of such determination the department was practically helpless.

On September 1, 1917, the permit age was raised to 17. On the same date an amendment to the compensation law became effective which provides that if a minor of permit age is injured while employed without a permit, or if a minor of permit age or over is injured while employed at prohibited work, such minor shall be entitled to treble compensation for the injury, and that the employer shall be primarily liable for the payment of the additional compensation.

Following this legislation, demand for changes in the statutes to render possible a more efficient administration of the provisions of the child labor law became increasingly insistent. The response later in the same legislative session was a statutory provision placing upon the State industrial commission full responsibility for the issuance of child-labor permits, and giving the commission authority to desig-

nate persons to assist with the work. At the same time a statute was enacted giving the commission authority to refuse to issue a labor permit if, in its judgment, the best interests of the child concerned would be served by such refusal. The vital importance of this last-named statute can not be overestimated.

In the appointment of permit officers the commission is not limited to any class or condition. It endeavors, however, to secure the services of people already connected in some capacity with public service. In practice, all appointments terminate on June 30 each year, unless for special reasons it is ordered otherwise. Under no conditions does an appointment hold for more than one year without renewal. During the five years of operation of this system we have designated 484 persons as permit officers. Of these, 209 are acting at the present time. The changes in the personnel have been far fewer than we feared they would be when the system was inaugurated. The 209 active permit officers are classified as follows: School officials, 108; judges, 44; justices of the peace, 16; bank officials, 14; village clerks, 8; miscellaneous (including attorneys, merchants, physicians, clergymen, and others), 19.

Before a new permit officer is designated, the character of the work is explained to him—either by letter or in person—and he is given an opportunity to say frankly and without embarrassment whether he can and will give the time and sympathetic attention to the work which its proper performance requires. Our advances are sometimes, but not often, repelled. Every class to which we have appealed for help has furnished its quota, small though it may have been, of individuals who have refused. When this occurs, our hearts go out in silent thankfulness that our statutes do not confer upon that individual the power and impose upon him the duty to issue permits for the employment of our young.

We try to make every permit officer realize that he is a member of our organization; that we will try to help him in every possible way, and that he will not be subjected to unkind criticism and fault-finding. He is encouraged to submit doubtful cases to the commission for advice before acting.

Close cooperation with the schools is maintained. It is the statutory prerogative of the schools to certify to the educational attainments of the child seeking a work permit. This prerogative is always respected. The commission goes further than the statute. School officials are requested to recommend for or against the issuance of the permit, regardless of the fact that the child qualifies educationally. Sometimes, but not frequently, this request for a recommendation is declined. In no instance has a permit been issued against the recommendation of the school official. On the contrary, in many instances we have been able to prevail upon the parents to keep the

child in school even after a favorable recommendation. School officials are encouraged to use every legitimate means at their command to induce children to remain in school and their parents to keep them there.

Approximately one-half of our permits are issued in the city of Milwaukee under the direct supervision of regular employees of the commission. About 70 per cent of the remainder are issued in cities maintaining day vocational [continuation] schools. We have 38 such cities, exclusive of Milwaukee, including all our important industrial centers. In 16 of these cities the director of the vocational school is the permit officer, but in each such case the appointment is made on the recommendation of the regular superintendent of schools, who is first given an opportunity to do the work. This concentration of the work in the hands of a comparatively small number of permit officers favors close supervision by the commission of the issuing of working papers to the great majority of our working children.

There is but one standard for employment certificates in Wisconsin—that fixed by statute and by the lawful orders of the industrial commission. It is our constant endeavor to maintain that standard throughout the State.

Copies of permits, containing a statement of the evidence on which they are issued, must be sent to the industrial commission. Our aim is to have these copies sent in at least semimonthly. Records are kept of these returns and communications are sent or visits made to permit-issuing officers who do not send in these copies. All copies of permits are checked promptly upon receipt, and if any irregularities appear they are called to the attention of the permit officer for correction. Contrary to preconceived notions, we have comparatively little trouble in getting corrections made—far less, we believe, than would be the case were the permit officer holding under statutory appointment.

Employment of the child is limited to the employer named in the permit. When the employment terminates, the employer must return the permit to the office where it was issued. Before the child can again be lawfully employed, a new permit must be issued or the old one must be reissued. A record of each reissued permit must be sent to the industrial commission. All blanks used in the issuance of permits are supplied by the commission.

Familiarity with the provisions of the child labor law is an essential part of the equipment of all deputies of the commission charged with inspection work. Special measures are taken, however, to educate and train the woman inspectors who are especially intrusted with the enforcement of the laws relating to woman and

child labor, with respect to every detail of the law and its administration. Stress is laid upon the spirit and purpose of the law and regulations and the administrative policy of the commission. No woman inspector is deemed adequately equipped until she is thoroughly acquainted and in full sympathy with all the essentials of the legislative and administrative scheme for the protection of the working child and is a tactful and accomplished advocate of that scheme.

An essential part of the woman inspector's duties is to confer with the permit officer. She checks over his records, advises him of what she has found of interest to him in the local situation, encourages, exhorts, educates, corrects, and inspires him as conditions demand and warrant. This education of the permit officer is a tremendously important part of the work. We have found it to be a painfully common disposition of permit officers to break down standards, particularly in so-called special cases.

After all, it should be remembered that the issuance of the work certificate is not an end in itself. It is a means to an end. Proper protection for the child is the end. Frequently it is essential to his protection that the permit shall not be issued, regardless of the fact that he can qualify for it under the law. For example, he should be protected from hazardous employments and from careless, reckless, indifferent, or exploiting employers. The commission is on constant guard in these respects. Under its statutory power, it withholds permits when in its judgment such action is for any reason in the best interests of the child. Does an employer adopt the policy of discharging permit children as soon as their age and experience entitle them to pass to a higher wage classification and of taking on new recruits at the low wage? His attention is called by the commission's representative to the objections to this policy, and unless the policy is promptly changed he is not permitted to employ permit children. Does an employer fail so to organize his shop that children will be given the necessary supervision to keep their employment within lawful and proper limitations at all times? He is offered opportunity and help to correct the situation. Upon his failure to do so, he is not permitted to employ children.

Do investigations and experience demonstrate that unusual moral hazards exist for the young in any occupation? The commission resolves that permits shall not be issued to children for that occupation, advises the permit officers, and permits are stopped. Are there occupations in which it is impossible for the commission to supervise the employment of children of permit age as the law contemplates it shall do? Permits are not issued for the employment of children in those occupations. Does an employer of children



in street-messenger service, knowing that a child whose place of employment is the street has only a remote chance of recovering damages from his employer in a common-law action for injuries received in the course of his employment, adopt the policy of operating outside the provisions of the compensation law in order to save compensation-insurance premiums, thereby throwing practically all the hazards of the employment upon the child? The reprehensible features of this policy from the viewpoint of the interests of the child and the State are pointed out to him, and he is given an opportunity to come under the act and assume his reasonable responsibilities. Failing, the issuance of permits to children to work for him is stopped.

These are not fanciful illustrations, as will appear from the following typical resolutions<sup>1</sup> adopted and put into effect by the commission:

1. *Resolved*, That permits shall not be granted to minors under 17 years of age to work in bowling alleys.

2. *Resolved*, That permits shall not be granted to girls under 17 years of age to work in any hotel, clubhouse, restaurant, boarding or rooming house, including boarding and rooming places conducted by industrial plants for their own employees.

3. *Resolved*, That permits shall not be issued to children under 16 years of age to work in lumbering and logging operations.

4. *Resolved*, That no permit shall be granted to any child to work in any place of employment in which an active strike or lockout of the employees is in progress.

5. *Resolved*, That no permit shall be granted for the employment of any child in messenger service on the streets by employers who are operating outside of the provisions of the compensation act.

6. *Resolved*, That no labor permit shall be granted for the employment of any child in any capacity in road construction.

By circular and personal letters and personal conferences permit officers are kept informed on the actions and policies of the commission.

We are sometimes asked what we do if a permit officer refuses to conform to the standards. Well, we try to educate him. We try to have him get the vision. If we finally fail, we apply a gentle but effective soporific, and when the patient awakes we have his voluntary resignation—or an equivalent—in our hands. We have been compelled in a few instances to dispense with the services of permit officers on our own motion, but I do not recall an instance in which our action aroused resentment. The commission would not tolerate a defiant attitude on the part of a permit officer any more than it would on the part of any other member of its organization.

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<sup>1</sup> The industrial commission has the right to make rulings which have the force of law relative to the exercise of its powers to enforce laws relating to child labor.

I am frank to say that I do not know how we could handle such cases if the permit officer held under statutory appointment. And in this connection it should be remembered that common sense, wisdom, tact, judgment, moral backbone, and vision can not be conferred upon individuals by statute.

One of the most powerful influences operating to secure compliance with the child labor law in Wisconsin is the treble compensation statute before referred to. Under this statute, the compensation-insurance carrier is secondarily liable and must pay the extra compensation only if the employer is unable to meet the obligation. The extra compensation in a maximum case is a little more than \$26,000. All accidents to minors are investigated with reference to the legality of the employment, and with the help of our—in the main—sympathetic corps of permit officers we are able, with almost deadly certainty, to determine that question. Under this statute, compensation-insurance companies—as well as employers—are financially interested in preventing violations of the law. Educational campaigns are continually being carried on by these companies to educate their policyholders in the necessity of a strict compliance with the permit law. During the last five years hundreds of thousands of pieces of literature prepared by the commission, explanatory of the permit and other provisions of the child labor law and the dangers incident to their violation, have been distributed by the insurance companies.

Child labor statutes, at least those of Wisconsin, are not simple and easily understood. The commission is constantly receiving requests for construction and explanation of the terms of the statutes. Not a few of these requests come from judges and attorneys. There have been recent instances in which our supreme court has reversed our circuit courts on interpretations of the law. Multiplicity of interpretations could not fail to be disastrous. The statute must not mean one thing in Milwaukee, another in Superior, and still another in Madison. Its application is uniform throughout the State when it comes before our supreme court. It is vital that it be so before it reaches that tribunal. In these circumstances it has been most helpful to have a central State body clothed with power to interpret and apply the law, and whose decisions are of State-wide force and effect unless and until overruled by the courts.

Under our statutes a permit, even though issued in contravention of the provisions of the law and of the regulations of the commission, if issued by a duly appointed permit officer, protects the employer so long as he keeps the employment of the child within the terms of the permit. In these circumstances it will readily be seen how a careless or incompetent permit officer may sacrifice the vital



interests of the child. For example, on some flimsy and unreliable proof of age a permit is issued to a child as over 16 years of age when, in fact, he is under 16. This permit opens up to this child the whole field of employment prohibited by statute to children under 16. The child is put at one of these hazardous employments and severely injured. The permit deprives the child of his right to sue for damages at common law, and it protects the employer from the payment of treble compensation. The injured child gets only regular compensation and is compelled alone to bear the terrible burden placed upon his young shoulders by the defaulting permit officer.

Permit officers who are made to realize their great responsibilities and the disastrous consequences which may follow any lapse on their part, are slow to wander from the path of safety marked out for their feet by the statutes and regulations of the commission. And all the time it is a matter of solicitude—yea, of increasing solicitude—on the part of the commission, that the supervision of his work shall be so close that no irregularity in the permit, whether due to intent, inadvertence, oversight, or incompetency on the part of the permit officer, shall go undetected and uncorrected. The success of our efforts may, in a measure, be indicated by the fact that during the five years of operation of the present system the legality of the permit has not once been injected as a vital issue into the disposition of the claim of an injured child.

In closing, I desire to submit that not all our energies in Wisconsin are being used to uphold existing standards. With one hand we are holding tenaciously to what has been gained; with the other we are reaching out for better things for the childhood of our State. Figuratively speaking, our extended hand is being grasped by great and increasing numbers of sympathetic people. As among the people who are joining us in this work, we have perhaps a peculiar feeling of gratitude and admiration for our permit officers. They have responded to the call to unselfish service, oftentimes at the expense of time and energy which they can ill afford. On the whole, their work is good and steadily growing better. The commission appreciates their help and is not backward about letting them know it.

And now, do we claim 100 per cent efficiency? By no means. None can be more conscious of our shortcomings than we ourselves. But we are on guard. A thousand eyes are watching for defects and a thousand minds are ready to offer suggestions and help for their correction. Whatever elements of weakness the centralized system in Wisconsin has developed, we know that its elements of strength so far overshadow them that they can not be considered as of vital consequence and that in this work we can safely say, in the

somewhat paraphrased language of Dickens, that prince among the friends of childhood, "It is a far, far better thing that we now do than we have ever done. It is a far, far better rest that the children of Wisconsin now have from premature and blighting toil than they have ever known."

#### DISCUSSION.

JAMES N. PRINGLE, *Deputy Commissioner, State Board of Education, New Hampshire.* In contrast to the plan in effect in Wisconsin, the administration of all child labor laws in New Hampshire is in the hands of the school authorities. While there is cordial cooperation between the labor and education departments, the inspectors of the department of labor have no direct responsibility for the enforcement of laws relative to the employment of children under 16.

All superintendents of schools, city as well as rural, are employed by the State board of education on the nomination of the local boards. There are 64 "supervisory unions" employing 68 superintendents and assistant superintendents. Child-labor certificates are issued by the local superintendents of schools, in practically all cases. The law permits the school board to appoint a special officer for this purpose. This is done in one city. The local attendance officer or, as he is still called in our State, truant officer, enforces the attendance laws. He is also responsible under the local school board for inspection and the enforcement of child labor laws. The State board of education has authority to remove any truant officer who fails to enforce the child labor laws. All immigrant children coming to New Hampshire are reported to the State board of education and their attendance and employment accounted for.

The inspectors of the State board of education inspect all establishments included under the provisions of the child labor law, once, twice, or three times a year, the number of inspections varying with the size of the town and the number of children employed. One of these inspections is made during the summer vacation.

These inspectors also examine and certify to the correctness of the records of the certifying officers in the districts. If it is found that certificates have been issued upon inadequate evidence, or otherwise improperly, they are revoked. In general the records of the certifying officers are satisfactory.

A careful study of complaints of hardship caused by the child labor law was made during the first years that it was on the statute books. In very few cases was it found that the employment of the children was actually necessary. New Hampshire has a mothers' aid law under which mothers with families dependent upon them for support may receive aid in amounts not exceeding \$10 a month for

the first child and \$5 for each additional child. A majority of the "hardship" cases showed headstrong children or selfish parents.

The weakest point in our child labor law enforcement is our physical examination. No provision is made by the law for meeting the expense of this examination, and in many districts a fee is charged. In a majority of districts, however, the examination is made by the local health officer or a physician appointed by the school board. The scope of the examination is less than that recommended by the Children's Bureau. Our law requires a certificate from a medical officer of the board of health or from a physician designated by the school board certifying that "the child has reached the normal development of a child of his age, and that he is in sufficiently sound health and physically able to perform the work which he intends to do." I believe the adoption of a uniform standard for physical examinations to be of great advantage.

GEORGE R. STURGES, *Director of Attendance and Employment, State Board of Education, Connecticut.* The officers administering the Connecticut child labor law (except for the provisions relating to dangerous occupations and to hours of labor) are officers of the State board of education, and the State director of attendance and employment is also counsel for the State board. The board appoints several deputies or district agents, who do the work of certificate issuing and inspecting. They have offices in different cities located so as to be accessible to the districts under their charge.

A child who wishes to go to work must bring to the agent of the board proof that he has fulfilled the requirements of the law, his application for an employment certificate must be approved by the principal or school superintendent or some person designated by such officer, and he must then pass a physical examination. The examining physicians in the several towns in the State are appointed by the State board of education and are responsible to that board for the examinations they make. The certificates are issued in triplicate; one copy is delivered to the parent and may be accepted by the employer as a temporary permit good for one week, another is made out to the particular employer and sent to him, and the third must be filed immediately in the office of the State board of education at Hartford.

As soon as the child commences work, the employer must file a certificate with the State board of education stating that the child has commenced his term of employment. When the child leaves or is discharged, the employer must immediately notify the board that the child has terminated his services. If those notices do not come in, our follow-up system begins to operate and investigations are

immediately started to find out whether the child is at work, for he must be either at work or in school. In order to do this follow-up work these same officers are charged with factory inspection, as well as the State factory inspectors, and continuous factory inspection is something that the local officer must make in connection with his work, so that he may know where his children are.

The law permits the State director of attendance and employment to prosecute in person or by attorney for any violation of the school or employment laws, and for that purpose he has the same power as every prosecuting officer in the State—grand jurors in the smaller towns and the prosecuting attorneys of the several cities—so that for any violation of the statute in connection with children he may go directly into the town and prosecute in his own name.

The State supervisors and other school officials report violations of the attendance laws to the local truant or school-attendance officers. Under our statute each town may appoint its own attendance officers. Where they are appointed, it is the policy of our department to work in hearty cooperation with them and to hold up their hands in every possible way. In any event the matter is taken up through the follow-up system, so if the local officers have not functioned the State officers will. Where the local machinery fails, the State board of education steps in and carries the work on just as though the local officers had not been appointed, bringing the prosecutions over their heads.

It might be interesting to note that a State survey which we have had in progress for the past three years and which has covered 157 towns indicates that the percentage of school attendance for the entire State is 97 for children between the ages of 4 and 16, eliminating those between 4 and 7 who are not obliged by statute to go to school and those between 14 and 16 who have completed the sixth grade and are legally employed.

ROBERT O. SMALL, *Director, Division of Vocational Education, State Department of Education, Massachusetts.* As the preceding speakers have told of their State systems I have been impressed with the fact that in some ways we in Massachusetts have probably more system and in others less than all of them combined. We have no centralized system, such as has been described, which brings the State into the intimate relation of inspecting the issuing of certificates. For issuing certificates we have in the State 354 systems, all local. On the inspection side, however, the visiting of the factories, we have a centralized system in the department of labor and industries.

I do not know that I have any decided opinion on the value of leaving to local communities entirely the system of issuing. I presume I am rather typical of school men in this State in feeling that



the State can function best and most by helping to enforce school attendance rather than by taking over as a function the absolute control of and inspection of the issuance of certificates. I do not see how in this Commonwealth, with 45,000 youths employed between the ages of 14 and 16, representing something like 160,000 different certificates, we could profitably engage in that enterprise. I do not see how we can advantageously undertake the control and direction of and have knowledge about all of those certificates at the state-house. Personally, I prefer to get a picture of the procedure which should prevail in these different municipalities and then try to get results through cooperation with the 354 different units rather than to try to get results through one State unit. But I am just thinking out loud; I am not taking issue in any way whatsoever with the previous speakers. All in all, my acute interest in the matter is of such relatively recent origin and comes from such a different angle that I confess I know very little about the machinery for accomplishing the ends discussed.

My interest in the matter has come about through responsibility for enforcing the continuation school law, and the machinery which has been devised for this purpose without concern, so far as we are conscious of it at the outset, with the certificating side of child-employment legislation. The machinery which has been devised to apprise the continuation school that John Jones or Mary Smith has left the regular school to go to work is automatic. The continuation school thereby gets immediately in touch with the employed minor. Because of follow-up and informational matter which it thus gets automatically in the conduct of the school my acute interest started. If I have anything that I would like to submit as a possible contribution here to-day, it is my conviction that through the agency of the 47 continuation schools which we have in 47 municipalities in this Commonwealth, and through the cooperation of the principals of these schools with the attendance officers, we can do a tremendously more important piece of work in the certificating of minors than by centralizing all this work in any State office.

I do not disparage in the least the benefits which may come from some larger authority in this work. One benefit is in regard to the problem of differing interpretations of the statute. As I see the problem in this State, the great value of the suggestions already given is found in the State affording a common interpretation of the law rather than in the physical handling and inspection of certification. I have had the pleasure of meeting in the last year practically all the attendance officers in the larger places of this Commonwealth, and I know that there is a feeling among them that if we at the State office can get the authority to help hold up their

hands and give a common interpretation to the law it will be of great benefit.

One other point which should be emphasized is the dignity and the worth and the importance of the permit officer. I was much pleased to hear in Mr. Frye's paper the statement that they felt the success of the law was due to the caliber of the men and women who were in the permit-issuing offices. I feel that in this Commonwealth we must dignify the position of attendance officer. We need a very great amount of interpretation of the functions of the attendance officer's position.

I believe that I, myself, have come only within the last few years to realize that in last analysis all labor legislation enacted for the benefit of children in this Commonwealth seems to have been enacted to assure them of a minimum amount of school privilege and then to see to it that they get it. Of course, there are some other reasons, such as protection of health, but the fundamental reason is the educational one. It has dawned upon me only recently, but as I see it the most important function of all child labor legislation is to assure to the child his proper amount of educational opportunity. The other things come with the proper enforcement of this provision, and I believe that through the part-time schools we are going to secure in every community where they are established the agency which, through cooperation with all others, will be most potent to bring this about.

ETHEL M. JOHNSON, *Assistant Commissioner, Department of Labor and Industries, Boston, Mass.* I should like to add this one word to what Mr. Small has said regarding the problem of employment certificates in Massachusetts. I think the big problem is to secure more cooperation among the various agencies responsible for the work and better understanding of the work and the procedure in issuing certificates. We have, I think, encouraging cooperation here as it is—the school-attendance officers are very friendly in reporting violations that come to their attention—but there is need for more.

As you know, in Massachusetts the department of labor is responsible for enforcing the child labor law and seeing that children are not employed without working certificates, and that employment certificates are correctly made out. When errors are found they are taken up with the school officials responsible and the correct procedure explained. A good deal of educational work of this nature is performed by the department through its inspectors. The department has in preparation a handbook for issuing officers on the procedure in issuing employment and educational certificates and badges for street trades. Some time ago the department published a bulletin on "Conserving Children in the Industries of Massachusetts." Through the cooperation of the department of education

this has been introduced into the continuation-school courses throughout the State.

One of the most promising plans for further cooperation and for better understanding of this subject of certification of children for employment is that proposed by Mr. Small for an advisory committee made up of school superintendents and attendance officers. This committee, working with representatives from the department of education and the department of labor and industries, will try to devise a better system of procedure for the issuance of employment certificates, and a more general understanding of the law.

The CHAIRMAN. There is authority in many of the State laws for more State supervision than is exercised. Either the State commissioner or superintendent of education, or the factory inspection department might do a great deal in encouraging the development of good standards.

The important thing to remember is that almost anyone issuing certificates would like to make a good job of it. It is a detailed administrative job, and some one has to show some interest in it or it will be neglected. There should be in the office of the State superintendent and the State factory inspector a concerted effort to help the local officials to do their job. Wherever the blame rests for present neglect, the penalty falls on the children. It is therefore of great importance that we develop, not any one particular system but a good working system, in every town in the State, so that no child will go to work without a proper working permit or before he has had the educational benefits which the law is supposed to insure him.

You can not accomplish this end without some centralization of interest and leadership. At present we are drifting along with communities which are backward and do not know that they are backward. They can be brought to see that they are doing a very slovenly job, and in such a way that it will be possible to secure their cooperation in improving their own standards.

Mr. A. L. URICK, *Commissioner, State Bureau of Labor Statistics, Iowa*. I would like to ask the representative of Connecticut a question with reference to his statement that the factory inspectors made inspection of their plants, as well as the school officials. Does he mean by this that the inspections made by school officials are relative simply to child labor?

Mr. STURGES. The Connecticut State Board of Education is not concerned with the ordinary duties of the factory inspector except as the inspection may affect the children. For instance, if our local labor-department inspector in inspecting a factory ascertains that said factory is not provided with suitable sanitary equipment, etc., our office will no longer issue certificates to that particular factory. If we ascertain that the factory does not have proper fire escapes

the same would hold true, and the factory inspectors would be notified of that fact; but we would have no right to enforce that law. We might call it to the attention of the proprietor, but that is not a function of our agency.

Mr. URICK. If you found a child employed at a dangerous machine could you take him out?

Mr. STURGES. Yes; and as a further result of that violation, unless we were satisfied that it was purely an oversight, that particular factory would receive no further children from our office. The granting of a certificate is entirely discretionary on the part of the issuing officer. If he doesn't want to issue a certificate he doesn't need to do it.

Mr. URICK. I would like to ask Mr. Frye whether his experience with the judiciary has been satisfactory?

Mr. FRYE. I would say it has been just as satisfactory as with any other class. We have found the judges just about as willing to do the work and just about as satisfactory as the school people. I wouldn't want to say they are any better; they are just as good. Not long ago, in a city of considerable size, we had to dispense with the services of a superintendent of schools. We put a judge in his place. This superintendent lacked vision and he did not learn. On one occasion he insisted on putting a 13-year-old girl to work in a restaurant in violation of both the statutes and the regulations of the commission. We have, perhaps, among the judges, secured the services of the most competent, and as I said in my paper, if they will not learn we dispense with their services. We tell them we understood that they are very busy—too busy to do the permit work—and soon we have others in their places.

I can not see how it is possible for a permit officer to do his work well without information regarding the character, conduct, business, and policies of the people who purpose to employ children. A child 15 years old, for example, completes the eighth grade and applies for a work certificate. He is in perfect health. All right, he goes to work. If you stop there, however, he may be put out or exploited. If his work takes him onto the streets, he may be crushed in the traffic and his employer may not find it necessary—under the law—to gather up his broken body. If you stop with the issuing of the certificate, he may be put to work day and night.

The child labor law means much more than that the child shall have his opportunity to work. It means that he shall have an opportunity to grow to adult life with an unstunted body and a trained mind.

We put into the hands of the employers of the State the plainest kind of statement as to the hours and conditions of employment of children.



It is one of the duties of the factory inspectors especially charged with the enforcement of laws relating to women and children to visit the permit officers and to discuss with them the local situation with reference to child labor. They check over the records of the permit officer and assist him with the work. Permit officers, like the rest of us, tend to follow the line of least resistance. It is easier to comply with a request for a permit than it is to refuse it. Since March 11, 1918, no girl under 17 years of age has been permitted to work in a hotel in the State of Wisconsin on a labor permit, under a ruling of the industrial board. Does a proprietor of a hotel ask for a permit for a girl to work in his establishment? His request is quite likely to be granted, but as soon as the copy of the permit reaches Madison the permit is recalled. We do not try to distinguish between good and bad hotels. We recognize that the proprietors of hotels are just as good as the rest of us; but all hotels are bad in one respect, namely, that they can not control the actions of their patrons, and we find it necessary continually to brace up our permit officers in the refusal of such permits. Sometimes the permit officer advises that "this is a first-class bowling alley" or that "that is a fine restaurant for the employment of this child." We find it necessary to work continually with the permit officers to uphold standards.

Shall we issue permits to children to work for violators of the law? How is a permit officer to know whether he is doing that thing or not if the results of the factory inspection department are not available? For myself, I can not get away from the idea—after more than 10 years of experience in this work—that one of the most important factors in it is to see to it that the child gets a square deal after he gets that permit. Surely it is as important that he get a square deal after as before he gets a permit. We depend upon the schools to help us make sure that he gets a square deal before he gets a permit, so far as his education is concerned. We are working in close cooperation with the schools. We are not sidetracking them. In the performance of our permit work, we reach out with one hand to the schools for all the help and information that they can give us, and with the other to the factory inspection department for all the help and information that it can give us.

Mr. URICK. I wish to ask Mr. Lederle a question. In issuing permits because of financial necessity, what evidence is required that there is financial necessity at home?

Mr. LEDERLE. We work it out in this way: We record the income as received by the family, and in a parallel column the cost of maintaining that family, based on the same budget requirements as the mothers' pension and the public relief fund. This budget is worked out in Detroit by the visiting housekeepers' association. If the income fails to balance the minimum requirements for living in the

city at that particular time, one of two things is done—either some adjustment is made by the attendance officer to increase the family income, or the family is assisted in making plans that will permit them to live within the income received.

Mr. URICK. May I ask who makes the investigation with reference to this budget to see whether it is necessary for the child to go to work?

Mr. LEDERLE. That is done by the attendance officers. We keep a record of the work done by our department with every child in the city. We find that in most of the cases children who apply for permits have had constant contact with the attendance officer for some time previous. He knows the family before the child ever asks for a permit. Our present program contemplates that a child should never come to the central office until the officer decides definitely that the child should have a permit. The Detroit schools are organized on the 6-3-3 plan. We have a full-time attendance officer in every high school and intermediate school. If we keep our children in school until 16, most of them will be through the ninth grade. This means that the children applying for permits will come from high schools or intermediate schools. The attendance officer will have ample opportunity to consider their cases.

SECOND SESSION—JULY 6.

PART III.

**METHODS OF ENFORCING STANDARDS OF EMPLOYMENT-CERTIFICATE ISSUANCE.**

Chairman: MRS. MARY D. BRADFORD, *Chairman, Advisory Committee of School Superintendents appointed by the National Education Association.*

MRS. BRADFORD. The program for this afternoon promises practical helpfulness to all those who deal in any way with the problem of the child in industry. Superintendents of public schools should find it of especial interest. It presents, as you see, four aspects of the general question of methods of enforcing standards of employment-certificate issuance.

Standards, here as elsewhere, are of prime importance. Mathematicians point out to us that advancing civilization has at each stage of its progress been characterized by increasing accuracy in the units of quantitative measurement used, and that therefore we may judge the general level of advancement of a people by the accuracy of these standards. So in its social relations and obligations we may determine the plane of advancement reached by any community by the standards it has set up and by the efforts made to bring these social interests up to the standards adopted.

The greatest of all the social problems is how to conserve child life. Definite progress in the solution of this problem is shown in raising the minimum standard of educational attainment for children, by fixing a standard for determining physical fitness of those entering upon industrial life, and by other defensive measures for the benefit of child-citizens.

The degree of success in enforcing these accepted standards varies widely in different communities. Those who have worked out successful ways of enforcing right standards are called upon to do others the valuable service of telling how it was done. We are here for the interchange of experience.

**THE ENFORCEMENT OF AN AGE STANDARD.**

ESTHER LEE RIDER, *Chief Inspector, Child Labor Division, Alabama Child Welfare Department.*

Alabama is not in the birth-registration area, and the enforcement of an age standard in a State which is not in the birth-registration area has many difficulties. The Alabama child labor law, which is enforced by the State child welfare department, prohibits the employment of any child under 14 years of age in any occupation except agriculture or domestic service when the public schools are in session, restricts the working hours of children under 16 to 8 hours a day and to the hours between 6 a. m. and 7 p. m., and limits their employment to occupations not considered dangerous to the life, limb, or morals of the child. It also requires every child under 16 years of age who goes to work to have an employment certificate issued according to certain requirements.

One of these requirements is, of course, evidence of age. The law definitely outlines the kinds of evidence of age that may be accepted. These are, in the order of their acceptability: (1) A duly attested birth record. (2) A duly attested transcript of certificate of baptism showing date of birth and place of baptism of child. (3) A life-insurance policy in force at least one year. (4) A bona fide contemporary Bible record of birth. (5) A passport or certificate of arrival in the United States showing the age of the child. (6) An affidavit of age sworn to by the parent and accompanied by a certificate of physical age signed by a public-school or public-health physician.

Employment certificates are issued by the superintendents of schools or their authorized agents. In all cities where there are regular school-attendance officers, the superintendents of schools have been requested to authorize these officers to issue certificates. These officials do not always take the time to require the proper evidence, and often accept whatever evidence a child may bring on his first visit; for instance, if the child brings a life-insurance policy the issuing officer may accept it rather than take the time and trouble to have him sent away for his birth certificate. Also, there has been much difficulty in preventing the issuing officers from accepting Bible records of birth which are not contemporary and which show erasures or changes.

We find sometimes that even the parent's affidavit is accepted by the issuing officer in lieu of other evidence which the parent may possess but which he failed to bring when the first application was made for a certificate. To defeat this practice we made the requirement, when we last revised our instructions for issuing certificates, that in case a parent failed to produce documentary evidence of age a



certificate must not be issued on a parent's affidavit until 10 days after the first application. This often brings to light evidence which otherwise would not be produced. If the child is actually under 14 years of age at the time of the application, parents who have brought no documentary evidence in many cases become suspicious when told by the issuing officer that it will take 10 days to investigate the age of the child, and never return to make affidavit. If there is really no acceptable evidence of age in existence, a certificate of physical age signed by a public-health or school physician must accompany the parent's affidavit. The standards of height and weight used are those established by the Children's Bureau for use in connection with the issuance of Federal age certificates under the Federal child labor law. Although we know that these standards of measurements are correct for the majority of normal children, yet we come in contact with many exceptions of children large for their age who are able to meet the requirements for 14 when they are a year or so younger. As a consequence, the State child-labor inspectors accept certificates issued on parents' affidavits and physicians' statements of age with a degree of uncertainty.

Birth registration has been in force in Alabama for 25 years, but was not under State supervision until 1908. Few birth records are available for children now applying for certificates, except in the city of Mobile, where there are very good birth records dating back several years even before State supervision. Very few children in Alabama are baptized in infancy, so that few are able to present evidence of age based on baptismal records. There are practically no children of foreign birth in the State of Alabama, so that few can furnish passports or certificates of arrival.

Last year, of the 1,600 children under 16 years of age to whom certificates were issued, only 6 per cent were able to furnish birth certificates, 1 per cent offered baptismal certificates, 27 per cent furnished Bible records, and 32 per cent brought insurance policies as evidence of age. The remaining 34 per cent of the certificates were issued on parents' affidavits and school records accompanied by certificates of physical age. If it were not for the fact that the State child-labor inspectors make careful and thorough investigations of the ages of all children whom they find employed, this would mean that the legality of the ages of a little more than one-third of all the children who enter employment yearly in Alabama depends to a large extent upon the veracity of the parents. But by this work of the inspectors, the correct ages of many of those children who have not presented acceptable evidence of age on which to issue certificates are established; and if a child is found to be under the legal age, his certificate is revoked regardless of whether or not the evidence found by the inspector would be accept-

able as evidence on which to issue a certificate. Consequently it seldom happens that a child under the legal working age is able to escape detection for longer than a few weeks after he enters employment.

This same method is used in checking up the ages of those children who enter employment claiming to be 16 years of age or over. Formerly children under 16 years of age were frequently found working more than the legal hours or at prohibited occupations. The employers would state that they had employed the children in good faith, only after the parents had assured them that the children were 16 or over, and in many of these cases the employers were honest. To offset this difficulty the department prepared an age certificate for children 16 years of age or over, to be issued according to the same procedure used in issuing a regular employment certificate. The employer must keep this certificate on file for all children claiming to be 16 or over or else assume the responsibility for the correct ages of such children, and be liable to prosecution in cases of children found to be under that age and illegally employed.

It has been the chief goal of the child-labor inspectors in Alabama to supervise the work of issuing certificates so closely as to unify the system and bring the work up to the standards prescribed by the State child labor law and amplified by the officials of the State child welfare department. We have tried to keep this one important fact before the issuing officers, that inaccurate and careless certification not only may defeat the very intent and purpose of the law but also may aid in covering and encouraging violations. The work of the issuing officer is checked frequently by the State child-labor inspectors. All evidence and other papers required in the issuance of certificates are filed numerically in individual jacket envelopes in the office of the issuing officer. The State child-labor inspector visits the issuing office periodically and examines the papers filed for all certificates issued since the last visit was made. If any discrepancies are found in the filing of the necessary papers or in the description of the evidence on which the certificates were issued, these certificates are canceled and the issuing officer requested to reissue them correctly. All records are marked "correct" or "incorrect" by the inspector. In this way many irregularities have been discovered and remedied.

In making routine inspections, the inspectors check all certificates found in the possession of the employers. The inspector makes his round of inspection, questioning each child found employed concerning his correct age and what documentary evidence of age he may have at home. Then a visit is made to the home of the child to examine this

evidence or any other paper which may establish his correct age. If no documentary evidence of age is found at the home, any clue to evidence such as the name of the attending physician, the ages of subsequent children, the place and date of marriage, if the child was the first born, the schools attended, and many other such clues, are followed up by the inspector. Often parents will confess that the child is younger than has been stated on the affidavit when it is found that the inspectors, through investigation, are likely to discover the correct age.

When a better type of evidence is found than that on which the certificate is issued, the certificate is canceled by the inspector and withdrawn from the establishment, and a notice of cancellation left in its place. The canceled certificate is returned to the issuing officer, with instructions to reissue on the new evidence which the inspector has found. If the child is proved to be under age, the certificate is canceled and returned with a statement of the evidence.

Even with the handicap of few or no birth records, which makes much additional work for the inspectors, we have been reasonably successful in enforcing an age standard in Alabama. If persistence is used, it is astonishing how often something can be found which will prove the correct age of a child whose parents insist that there is not one single bit of evidence in existence. Personally, I have found a very small number of children whose ages I was entirely unable to establish. To this end I have visited attending physicians and searched their books for records of obstetrical cases; I have visited probate courts and found marriage licenses which would prove that if Johnnie was born in the year given by his parents he was certainly born out of wedlock, which revelation has usually brought a satisfactory confession of the correct age from the parents; I have searched for photographs of children taken in infancy which had been presented to some friend or relative, with the children's names and ages written on the backs; I have examined baby cups engraved with names and dates of birth of children; and I recall once having traveled 50 miles to visit a cemetery to read the date of death given on the tombstone of a certain deceased husband whose widow stated that he had died six months before the birth of her child. Only a few weeks ago I found a very young-looking boy working in a cotton mill, who held an age certificate issued on a parent's affidavit, and giving his age as 16 years. When I visited the mother she said that she had no evidence of his age. I visited the attending physician, but found that he had no record of the case. When I visited the mother again I asked her how she was able to remember the date of her son's birth, as she had kept no record of it. She said that he was born on Sunday, and that that morning a

cyclone had blown away a barn which belonged to a neighbor, who was at church at that time, and that the church service had been dismissed on account of the storm. I called on the owner of the barn which had been blown away, but he could not remember the exact year of the storm. Next, I visited the clerk of the church and asked to examine the minutes to see if any record had been made concerning the dismissing of services on a certain occasion on account of a storm. I found that such a record had been made in August, 1906. This proved the boy to be under 16, and therefore not entitled to work more than eight hours a day.

Bearing in mind such experiences I have the following as a motto: That where plenty of diligence is used there is usually a way to find out a child's correct age, despite the fact that there are few birth records for the children who are now entering employment in Alabama.

#### DISCUSSION.

MR. EDWARD B. SPERRY, *Chief Attendance Officer, Board of Education, Jersey City, N. J.* In New Jersey the applicant for an age and schooling certificate must produce one of the following proofs of age, in the order named: A birth certificate issued by a registrar of vital statistics; a baptismal certificate; a passport (if of foreign birth); or such other documentary evidence of age as may meet the approval of the supervisor of exemption certificates.

In many places it is difficult to obtain a birth certificate. The records of vital statistics have been kept fairly thoroughly in Jersey City in later years, but previously errors and omissions sometimes occurred.

A child applying to the registrar of vital statistics for a birth certificate, if his birth has not been recorded, is given a letter to that effect, also a blank form to be filled in by the physician or midwife who attended the mother at his birth. When this certificate giving the required data is presented to the registrar, it is recorded and a birth certificate issued to the child.

One of the parents must make an affidavit as to the truth of the statements contained in the birth certificate or other proof of age.

If none of the documentary proofs of age previously mentioned can be obtained, the supervisor of exemption certificates may take the affidavit of the parent as to the date and place of birth of the child. This affidavit, supplemented by a certificate of a medical inspector employed by the board of education that the child has the physical development of a normal child 14 years of age, may be accepted as evidence of age.



The New Jersey law requires that a copy of the age and schooling certificate, together with the documentary evidence of age, be mailed to the commissioner of labor for his approval.

The office of the commissioner of labor is in the statehouse at Trenton, where are also the State records of vital statistics and the records of the immigration department, both easily accessible for comparison should he question any evidence of age submitted for his approval.

I do not believe that any scheme has been devised that the human mind can not circumvent. This belief seems to be held by many parents and children, judging from the amount of falsifying and subterfuge indulged in by those attempting to gain that to which they are not legally entitled. The altering of the year on a birth certificate to make the age appear greater is a common practice, with which you are all familiar. There is a practice among the Italians of giving the Christian name of a deceased child to his successor if of the same sex. The attempt is made, frequently successfully, of submitting the birth certificate of the deceased child as evidence of age for his successor. Our knowledge of the family history, or information furnished by neighbors, acquaintances, and sometimes relatives of the family, has in certain cases enabled us to avert such attempts at imposture. When documentary evidence of age can not be obtained and the affidavit of the parent is taken as to a child's age, many times we are morally certain that perjury is being committed, but it is very difficult of proof.

While many excellent plans for the welfare of children have been put into operation, none will prove satisfactory unless a sufficient number of well-qualified officers are employed to execute them. An ideal attendance officer will be the friend, aid, and counselor of his constituents. When he reaches that standing he will be the recipient of warnings and of information that may prove of great assistance in the performance of his duties.

Miss **ETHEL M. JOHNSON**. We have several problems here in Massachusetts in connection with establishing proof of the age of working children. One of these is that although the Massachusetts law, in common with the laws of most of the other States, requires as the evidence of age upon which an employment certificate may be issued a birth certificate, a baptismal certificate, a passport, or other official or religious record, it permits the acceptance, where these are not available, of the record of the school which the child first attended in the Commonwealth, without corroborative evidence. In other States, when the school record is accepted additional evidence is usually required, such as a physician's certificate. It has been found to be very unsatisfactory to accept the school record alone as evidence of age, as this record is not always correct. In

some cases the date of birth has been set back so that the child appears older than he really is, and in others it has been set forward.

An effort to strengthen this provision of the law has been made by trying to secure an amendment providing that where the school record is the only available evidence it must be accompanied by a signed statement from the school physician who has examined the child to the effect that in his opinion the child is at least 14 years of age. The present law authorizes accepting the certificate from the school physician when all other forms of evidence, including the school record, are not available. The proposal referred to would therefore combine these two existing forms of evidence. This provision was included as part of a measure intended to establish a more satisfactory system of health certification of children entering industry.

Another problem which we have and one that is found, I think, in other States, is establishing proof of age of working children over 16. We require employment certificates and consequently proof of age for all children 14 to 16 years of age who are gainfully employed. We require educational certificates for children 16 to 21 years of age in certain specified occupations. For the children in these occupations, therefore, definite evidence of age is available. Certificates are not required, however, for all the occupations in which minors of this age are employed. They are not required for farm labor or for domestic service. They are not required for all the occupations in which the employment of minors under 18 is restricted.

Under the Massachusetts law the employment of minors under 18 is prohibited in occupations where there is a serious health or safety or moral hazard. Where certificates are not required it is difficult to ascertain the age of minors employed in these occupations in order to determine whether the law is being obeyed. Sometimes a boy who is husky looking and large for his age will claim that he is 18 when he applies for work, although in reality he is only 17. If he is employed at a prohibited process, proof must be established that he is under 18 before action can be taken by the labor department.

If there were some provision for recording the ages of all children who are employed in restricted occupations, it would be of great assistance. I should be interested in hearing from people in other States who have had experience with these problems.

[An inquiry was made by an unidentified speaker with regard to whether effort was being made anywhere to have the child's age established when he first entered school.]

Miss CAMPBELL. In Ohio, Akron is requiring a birth certificate on the child's entrance into school. The cumulative record card in Cincinnati is a similar attempt.

MISS SUSAN GINN, *Director, Boston Placement Bureau*. In Boston they are requiring it. In 1910, the school committee made a ruling to the effect that a child must produce a birth certificate upon entrance to school. In 1911, the city registrar received the indorsement of the school committee in his plan to publish, in book form, a list of all children born in Boston during that year. A copy of this book was sent to each school, and to the certificating office and to the department of vocational guidance. These books have been published continuously to 1918, so that children now entering the kindergarten or elementary schools are listed in these books, and the school authorities accept this listing in place of the birth certificate. This prevents the delay due to the rush at the city registrar's office at either the beginning or the close of the school year. Children born outside of Boston must still produce their birth certificates. A State law requires every physician or hospital medical officer to report the birth of every child in cases of which he has charge. This must be done within 48 hours after such birth. Any physician or such officer violating any provision of the section above referred to shall forfeit not more than \$25.

MISS MINOR. New York has been doing that for seven years now, requiring the birth certificate if one is on file; if not, some other evidence. We are finding it of great value. I would like to emphasize also the advantage of penalizing with large fines the physicians who fail to record births. It was found in New York City some years ago that the percentage of unrecorded births was very, very high, and a campaign was made by the department of health against all men in the profession who failed to register births. The registration is now very high.

SARA S. GARWICK, *Employment Certificate Issuing Officer, Springfield, Ill.* The State of Illinois has not been admitted to the birth-registration area.<sup>1</sup> The doctors in Springfield now are more careful about registering births than formerly. This year we took a school census from birth to 21 years of age and expect to check the births of children under 5 years with the records of the city registrar. In this way we hope to eliminate some of our birth-record problems. The State of Illinois is issuing certificates of registration of birth for children born since January 1, 1922. Our enumerators took a sample certificate, and in homes where babies had been born since January 1 explained to the mother that if the baby's birth had been registered she should have one of these certificates. We have been issuing "letters of age" for children 16 years of age and over, and have been trying to get the business firms and factories to cooperate with us. A number of them will not employ minors unless they have a birth

<sup>1</sup> Illinois has since been admitted to the United States birth-registration area.

certificate or a "letter of age" from this department. One factory which employs a large number of persons last December sent us about 40 proofs of age for minors in its employ. We found about 10 of this number to be incorrect records, and since that time the factory will not employ any minor without a letter from this department.

#### THE ENFORCEMENT OF AN EDUCATIONAL STANDARD.

JEANIE V. MINOR, *Acting Secretary, New York Child Labor Committee.*

Under the New York law there are three educational standards with which the official charged with the issuing of employment certificates has to deal: (1) A child must have completed the work of a prescribed grade, as evidenced by his school-record certificate; (2) he must have attended school a definite number of days during a limited period preceding his application for an employment certificate; and (3) he must satisfy the officer issuing the employment certificate of his ability to read and write correctly simple sentences in the English language.

The minimum standards adopted by the Federal Children's Bureau make the completion of the eighth grade or graduation from grammar school a requirement for release from school and the issuance of an employment certificate. This standard does not seem unreasonably high if one bears in mind that the usual legal minimum working age is 14 and that the average child graduates at approximately 14 years of age. Yet only 11 States—Indiana, Kansas, Minnesota, Montana, Nebraska, New York, Oregon, Utah, Vermont, Washington, and Wisconsin—have as yet adopted this standard; and one of these, New York, requires completion of the eighth grade only for 14-year-old children, permitting children of 15 to obtain certificates at the completion of the sixth grade.<sup>1</sup> Two States—California and Ohio—require the completion of the seventh grade; 9—Connecticut, Illinois, Iowa, Maine, Massachusetts, Michigan, Pennsylvania, Rhode Island, and West Virginia—the completion of the sixth; 5—Arizona, Delaware, Kentucky, Maryland, New Jersey—the completion of the fifth; 2—Alabama and Arkansas—the completion of the fourth; while 16 States are still without any requirement as to the completion of any grade whatever. The three remaining States, Idaho, Mississippi, and Wyoming, have not yet adopted the use of work permits.

When discussions concerning the further limitation of child labor are under way, the question always arises as to the relative desirability of accomplishing the end sought by raising the age limit or by increasing the educational qualifications. Both methods have their advantages and their difficulties, the most insuperable difficulty at present being the inability of the schools to house the chil-

<sup>1</sup> Nebraska, Utah, Washington, and Vermont permit exemptions.



dren who would by either method be held in school. But a physical obstacle of this nature can and will be overcome if public opinion and public purse combine, and the richest and most powerful country in the world can not afford to deny its children the advantages which make for citizenship.

The second educational standard, i. e., that the child must have attended a certain number of days at school during the year preceding his application for an employment certificate, is apparently recognized by only a few States. South Carolina requires regular attendance during the "current year"; Oklahoma, attendance for a "full term"; Arizona and Oregon, for 160 days; the District of Columbia, Illinois, Massachusetts, and New York, attendance for 130 days; North Dakota, attendance for 120 days; Michigan and Utah, 100 days; Georgia, 12 weeks; Florida, 60 days; New Hampshire, 300 half days.

In the 10-month school year the 130-days requirement which has been adopted by the greater number of States certainly can not be considered excessive; and if we consider the purpose of this particular requirement, namely, to insure regular attendance during a period of time when the child, being of working age, would otherwise probably be absent quite frequently in search of work, it can readily be seen that to oblige him to present a record showing regular attendance during a period immediately preceding his application for an employment certificate puts a premium on such attendance and is a distinct deterrent to truancy. New York gives alternative periods during which this 130 days may be included; the child must have attended 130 days either during the year preceding his fourteenth birthday or during the year preceding his application for an employment certificate, or 130 days preceding the date of his graduation. The third alternative period was added last year. This triplicate provision is not recommended, as it affords an opportunity for a child who has gone to school regularly for 130 days during the year preceding his fourteenth birthday to remain away entirely for the following year, and then at 15 years of age to present this record of attendance and obtain an employment certificate therewith. The most effective means of utilizing this requirement as a real preventive measure is to make the 130 days' attendance compulsory during the 12 months immediately preceding the child's application for an employment certificate.

We come now to the third and most controversial point of the educational requirements for employment certificates, namely, that provision which authorizes or requires the issuing officer to give a literacy test to the applicant and, as it is usually phrased, to certify that the child has personally appeared before him and been exam-

ined and is able to read and write correctly simple sentences in the English language. Eight States and one district have intrusted this power to the issuing officer: Delaware, District of Columbia, Indiana, Minnesota, Nebraska, New Hampshire, New York, North Dakota, and Utah.

This attempted check on illiteracy is generally regarded by school principals as totally unnecessary, as they consider the school-record certificate sufficient evidence of the fact that the child has completed the required school grade. This attitude on the part of the principals is not unreasonable, and would be warranted if the school-record certificate which evidences the attainment by John Smith of the sixth, seventh, or eighth grade, as the case may be, were really a guaranty that John had actually completed the work of the preceding grades. But is it? Consider the evil—apparently considered a necessary one—of forced promotions by means of which our friend John, having failed to complete the work of any grade, might yet in his fourteenth or fifteenth year lawfully become possessor of a school-record certificate which would contain a statement that John was at this time in the grade required for the issuance of an employment certificate. Or suppose that John, disorderly in school, frequently an absentee, effective in his relation to the class only by his persistence in lowering its record, desires to leave school to go to work—is the unfortunate teacher who has been burdened with John for at least a term likely to impede his exit, or will she wish him Godspeed and sign a school-record certificate crediting John with the work which, as a member of that class, he might reasonably have been expected to do—but did not do? No method of closing truancy cases is better known to or more widely followed by many attendance officers than the issuance of employment certificates. For these and for many other reasons the special check known as the literacy test seems advisable, and its results fully warrant its application.

In one year (1912), in the offices of the New York City Board of Health, 239 children were refused employment certificates because unable to write correctly the simplest English sentences. The following samples of sentences, actually dictated and misspelled as quoted, will serve to illustrate what may easily happen in any issuing office where this test is applied:

S. S.—There are lots of girls here.

“There are loind girl.”

This box is green.

“This lox is bring.”

J. G.—I have a black and white suit.

“I have a block shout.”

“I have a black and wite shout.”

- L. C.—I have a pair of new shoes.  
“I have a pair of noo shore.”
- H. G.—I have a gold ring.  
“I have a glold reng.”
- J. S.—I would like to go to school.  
“I would like to go to shooh-scoohl.”  
Monday was a very warm day.  
“Monday was a veair Worm day.”
- M. S.—I have a gold ring.  
“i ave a gold reng.”

The children whose misspelled sentences are given above include both native and foreign born. Most of the 239 children came from our public schools—a large minority from the parochial schools. The cases were piling up so rapidly that a conference between the issuing authorities and the city superintendent of schools resulted in weekly reference to the latter official of the names, ages, addresses, schools attended, and grades in school of all children refused during the preceding week for “insufficient education.” On his part the city superintendent at once ordered a special examination given to all children who thereafter applied for school-record certificates. On receipt of the data concerning a child who had failed to pass the literacy test at the board of health, the city superintendent sent immediately to the principal of the school attended by the child, asking the nature of the examination given by the principal before issuing the school-record certificate, and the passing mark of the child. This was frequently accompanied by a request that the principal send in the examination paper. The practice was not extended to parochial schools. By degrees this procedure resulted in cutting down these refusals to an irreducible minimum so far as public-school children were concerned, and in 1914 only 16 children were refused for this cause. The type of examination outlined for this purpose was, moreover, a decided check on the deplorable system of pushing children rapidly through grades by means of special classes, maintained solely for the purpose of enabling groups of children, mostly the backward ones, to qualify more quickly for employment certificates. In these classes attention was focused solely on the absolute requirements for certification; and in some instances class teachers have based the spelling lessons on sentences known to be customarily used for the literacy test by the employment certificating officer.

To conclude: With respect to the grade requirements, the writer ventures to suggest that one method of controlling the evil of forced promotions is to have a record of each child's annual or semiannual examination forwarded to the central office, together with the passing mark of the child and any further information concerning the child's school work which the superintendent may

desire. By keeping these in sequence the superintendent of schools will have a continuous record of the child's grade work and may at his discretion require the child either to repeat grades or to be transferred to a course offering a more diversified curriculum, better suited to the real needs of the child than that in which he has shown marked disability. This record presupposes, of course, that every superintendent is looking forward to the time, or has already reached it, when he may be afforded the means to devise and install a curriculum which shall be flexible in character.

As to the requirement of a specific number of days' attendance immediately preceding the application for an employment certificate, the advantage of thus putting a premium on the regular attendance of a child is so obvious that no recommendation is necessary.

The requirement that the issuing officer be authorized to administer a literacy test which shall be broader in scope than a mere test of ability to read and write English correctly, is strongly recommended. Resulting as it did in New York in the plan of having every child, irrespective of the character of his school work, take a uniform examination if he desired to leave school and go to work, it has held hundreds of these children in school, as the examination brought out clearly the fact that the fundamental educational qualifications were in many cases distinctly lacking and that further training along specific lines was essential. It is, of course, obviously unnecessary to apply this test to graduates of the elementary school; but it should be applied to all others, and changed often enough to prevent the children from becoming thoroughly familiar with it and transmitting the information to other children about to apply for employment certificates. This has been done so often in New York that the warning is not a vain one, but founded on actual experience. One child, for instance, recited fluently 18 of the 20 sentences which had been in use by the issuing officer for a period of two weeks. The test is advocated not as a check on school officials, but as a measure further safeguarding the interests of the child and preventing him from entering industry so handicapped that he will inevitably be swept into the industrial maelstrom and eventually be drawn under.

When Thomas Jefferson said, "If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be," it was gospel truth; and James Buchanan rammed this truth home when he wrote that "Education lies at the very root of all our institutions; it is the foundation upon which alone they can repose in safety. 'Shall the people be educated' is a question not of mere policy, but it is a question of life and death, upon which the existence of our present form of government depends."



## DISCUSSION.

MR. JOHN A. PARKER, *Chief Attendance Officer, School Department, Springfield, Mass.* In Massachusetts there is a clause in the law which allows a superintendent of schools, in issuing an employment certificate, to waive the requirement of the school record whenever he thinks it will be for the best interest of the child to do so. This, of course, nullifies the educational requirement. There is another clause in the law which permits the issuing of a certificate to any child who has attended school for seven years, regardless of his grade, if the superintendent of schools is of the opinion that the child is unable to complete the sixth grade.

To keep children who will never be able to do the work of the sixth grade in a regular day school seems to me to be training them in the habit of failure. A child who never gets in school the incentive given by success is going to be a failure the rest of his life. Vocational schools established under the Smith-Hughes Act do not supply the need for the instruction of children who can not attain the completion of the sixth grade, since they receive only pupils who have completed the sixth grade. Special classes do not answer the need, because they do not have the proper equipment, the training is not sufficiently thorough, and being in the same buildings with the regular day schools the classrooms are dubbed "dunce rooms" by the other pupils, with a consequent feeling of failure and loss of self-respect by the children attending these classes.

Continuation schools, I think, have resulted partly through the work of attendance officers in forcing back into the regular day schools children who had been employed but who were out of work. These children did not fit into the system and were a nuisance. If all children were obliged to continue school attendance until they were 16 years of age, the schools in self-defense would have to adapt the curriculum to care for motor-minded children. The continuation schools have the equipment to help children already employed. Why should their usefulness not be extended to prepare children for employment?

## THE ENFORCEMENT OF A PHYSICAL STANDARD.

DR. WADE WRIGHT, *Director, Industrial Clinic, Massachusetts General Hospital, and Consultant in Industrial Hygiene, Massachusetts Department of Labor and Industries.*

Children seeking employment certificates are, in most communities, supposed to satisfy certain requirements regarding age, education, and physical fitness. The age and educational attainments of children are usually matters of record. Evidence of physical fitness,

broadly speaking, must be sought at the time of certification if it is to be obtained.

In the greater number of certificating offices, though not in all, responsibility for the determination of the physical condition of applicants is placed upon physicians. While this delegation of authority by governmental agencies to persons medically trained commends itself as reasonable and wise, it is doubtful if evidence could be found to indicate that the judgment of laymen in matters pertaining to the physical state of children is in any important degree inferior to that of examining physicians as manifested in their achievements in this field throughout the country, except in a small number of certificating offices.

Many of the difficulties which beset the problem of medical certification of children for employment are traceable to a cause which is accountable for a host of other woes of society. It is the incomprehensible faculty of the public for considering almost any doctor an able doctor, for obscuring the frailties of the medical profession with a veil of mysticism, a garment so flattering that the doctors seemingly gladly bear with it. Men quick to anger over the shortcomings of an automobile service station are meekly tolerant of the incompetencies of their physicians. They forget that State registration confers upon a physician the right to practice medicine but does not endow him with wisdom.

The enforcement of standards of physical fitness is dependent primarily upon medical personnel and secondly upon the standards to be enforced. Unless it should be certain, in any State or municipality, that all or a large majority of the physicians in a community could be trusted to make a thorough examination and to interpret the findings intelligently and accurately, it is apparent that the examinations should be made by selected individuals. It is not practically possible to obtain universally trustworthy medical opinions under conditions such as prevail in Massachusetts, where a child applying for working papers may be examined by the physician of his choice. Neither is it practically possible to obtain even reasonably uniformly reliable opinions from all physicians who may be appointed as examiners unless they are obliged to conduct examinations according to established standards of procedure and under some central supervision.

The examination of supposedly healthy individuals is not so simple a task as may be imagined. Neither is it an undertaking which stirs the imagination of most physicians. Few doctors are interested in incipient disease and probably many are incapable of recognizing it, for it is not a matter of much concern to medical schools, and doctors' offices are visited by sick persons, rarely by those who consider themselves well.

If the purpose of various State laws through provisions relating to the physical qualifications of children seeking employment is to assess truly the physical conditions of children, without doubt medical examinations must be made by suitably qualified physicians appointed for the purpose. Quite as essential as the appointment of such examiners is provision for their proper compensation and, should the appointees be already public officials, consideration of the time required for the discharge of this additional duty. It is futile to expect that professional services of a high order will be rendered without suitable recompense, except under very unusual circumstances. It is equally futile to hope that busy school physicians or public-health officers can assume large new responsibilities without a portion or all of their work suffering.

Whenever possible, there should be appointed to examine children applying for employment certificates physicians who are interested in such work and who have had some definite training in this field. If specially trained men can not be obtained, there should be sought physicians of unquestionably high professional and ethical standards.

In certain States medical examiners are required to determine the physical fitness of applicants in relation to specific occupations. It is thus assumed that the examiner has some knowledge of many trade processes and of the demands they make on those engaged in them. It is possible for a physician practicing in a small industrial town to have some knowledge of most of the processes carried on in the local industrial establishments. In large industrial centers, and especially in those having varied industries, it is beyond the range of possibility that any physician should be sufficiently well acquainted with manufacturing processes to warrant invariable unconsidered acceptance of his opinion regarding the fitness of a child for a specific form of employment. Not only are there many kinds of jobs, but jobs of similar designation may differ greatly in different establishments, and with the job, the attendant health hazards.

Even within a single large establishment the forms of work are so numerous that many industrial physicians in well-conducted plant medical departments, men deeply concerned with selective placement of labor applicants, do not after physical examination recommend the employment of personnel for specified tasks. Upon the basis of physical examinations applicants are graded according to a code; A, for example, may be used to indicate persons of excellent condition, fit for any employment within the establishment; B, those with minor defects demanding some consideration in placement; C, those who must be carefully placed with regard for physical condition; and D, those rejected as unfit for employment at any work within the establishment.

Selective placement is urgently needed in industry, and it is to the common interest of the work and the worker. It should entail consideration of both physical and mental qualifications of the labor candidate in relation to the requirements of the prospective work. Selective placement, however, implies a study of the job at least as intensive as that of the man who is to have the job. While much has been accomplished in the field of work analysis, much remains undone. Numerous summarized job analyses present as requisites an imposing array of the cardinal virtues coupled with a few loose generalities regarding desirable physical characteristics. It may be that an errand boy in a factory should be intelligent, industrious, honest, and of ordinary muscular strength, but it may also be that he should be able to walk 15 miles a day, climb scores of flights of stairs, and carry certain weights, without collapse.

Though it is highly desirable that certifying physicians possess as exact information regarding industrial processes as may be possible, it must be remembered that an examiner is essentially a physician who can not have encyclopedic knowledge of industry.

A few certifying centers have established close working relations between the office of the medical examiners and that of a placement bureau. It is an admirable arrangement, if not the only one so far developed which can assure proper utilization in connection with the placement of children of the findings of physical examinations.

The standards of physical fitness set forth in various laws relating to certification for employment are for the most part the same in substance, if not in wording. Adjectives are notorious legal stumbling blocks, and some nouns are as troublesome. The individuals who drafted legislation requiring as prerequisite to certification a physician's statement that a child is of normal development, in sound health, and physically fit to engage in specified work probably meant well. It is regrettable that they did not supplement the legislative drafts with precise definitions of normal development, sound health, and physical fitness. It may have been their intent that the terms should be loosely interpreted, in which event the spirit of the law may be said truly to have descended now upon most of our certifying offices.

There is observable a tendency among many people to attach undue significance to a thorough physical examination. The making of a physical examination requires but a few minutes of a doctor's time, but the interpretation of his findings may call upon the support of centuries of medical experience. Reasonable uniformity of judgment is not possible unless the technique of examination and of weighing the significance of the observed facts is to some degree standardized.



The world would be a healthier, happier place if more people would periodically submit to a medical overhauling, but they should exercise some discrimination in selecting their physicians. It is not wise to act precipitately upon the advice of a physician whose standards of judgment are uncertain. Many a man has gone to his doctor, been examined, and then rushed out and bought an abandoned farm, or gone to Los Angeles, or committed suicide, or taken a trip to Europe, only to learn later that the doctor's dictum was but an opinion and that the opinion happened to be wrong.

A physical examination should be in keeping with the purpose which it is to serve. If a labor boss wished to move a heavy timber and of his gang he had available a big Lithuanian and a little Italian, he would probably conduct a hasty physical examination of the two without medical assistance and tell the Lithuanian to get under the timber. Economy of time and personnel require that the technique of the physical examination of children seeking working permits be no more elaborate than is necessary in consideration of the purpose for which the examination is made. It may be assumed that the immediate purpose of the legal requirements concerning medical certification is to exclude from the working world children incapable of engaging in the work of their choice and thus to offer opportunity for furthering the development and health of the physically subnormal. In general, the laws do not provide for discriminating placement or for benign coercion toward the correction of defects.

When a child presents himself as an applicant for an employment certificate any one of several things may happen. He may be granted a certificate conditionally or unconditionally, in which event he goes to work legally. He may be refused a certificate, in which event he may go to work illegally or return to school or loaf. He has only to wait out the brief period during which the question of his employment is a matter of concern to the State and may then enter industry with few administrative restrictions placed upon his activities. The children who apply for working papers are all of them going to work eventually, excepting only those with serious and rapidly progressive disease. The most that an examining physician can do for a subnormal child is wisely or unwisely to defer the day when the child may take his place, albeit a poor place, in the working world. This issue is not immediately concerned with that of the determination of a proper minimum age for leaving school, which is another story.

The reports of many certificating offices show that over half the children examined are sufficiently defective to be recorded as such and that about one-third of the total number examined present defects which are considered to warrant temporary or permanent refusal of certificates.

The impelling desire to obtain prompt employment may lead a defective child or his parents to seek such remedial or corrective treatment as may be indicated. The correction of physical defects observed in the course of examinations of children wishing to obtain employment certificates is an important service, but not a prime function, of certificating offices. It is not authorized by law, and expenditures incident to the rendering of the service are probably technically without justification unless the work is in the hands of a school medical department.

Each year many thousands of physically subnormal children are granted certificates without delay. They may be advised to secure corrective treatment, but it is a reasonable presumption that few follow the advice. A smaller number obtain provisional certificates or are informed that no certificate will be issued until after needed medical treatment has been obtained. Motivated by the child's desire to work or his parents' intent to have him work much is thus accomplished that previously, during school years, was impossible of achievement.

It is of the utmost importance, however, that it be clearly recognized that this accomplishment is a tardy effort to compensate for the shortcomings of school medical inspection service. It is a desirable and creditable thing that a certificating office should guide a child aged 14 years in securing dental care. It would have been better for the child if school physicians had secured for him similar treatment when he was 9 years old. Tonsillectomy as a condition of employment may be sound certificating-office practice, but tonsillectomy as a condition of freedom from rheumatic heart disease is better school medical practice.

A study of the defects presented by the children examined as applicants for working papers must lead to the conclusion that efforts to restore the children identified as subnormal to reasonably good health must be relatively ill rewarded. Defects of teeth and vision, cardiac disease, certain orthopedic conditions, and many other abnormalities observed seldom admit of other than palliative treatment. To secure for these children even at an eleventh hour the best assurance of maximum physical efficiency is a task well worth doing, but it is work which should be done long before the children reach certificating offices.

School medical inspection and follow-up work in few if any communities are so conducted as to reduce very materially the incidence of subnormal children among those who eventually pass from primary schools to work. Statistical data collected during a study recently made for the Children's Bureau indicate that the relative frequency of physical defectives is approximately the same from early grammar-school grades, through grammar school, in certificating

offices, and in the findings of the examinations of men drafted during the World War.

Even in communities where school medical work is carried on thoroughly and conscientiously, it is difficult to secure requisite care for substandard pupils. Neither the children nor their parents can be forced to seek treatment for any but very exceptional defects. The children are apprehensive of medical attention; and parents may be uncomprehending or resentful of what they consider criticism and interference, or may be eagerly cooperative but unable to do much for their children because of economic limitations.

The advance of health standards of children, and of adults as well, must be determined by the state of enlightenment of the public regarding health and disease, for it is now in murky obscurity. Meanwhile, the citizens of this country, being a liberty-loving people, still cherish their inalienable right to be as sick as they please.

If school medical inspection were conducted with ideal thoroughness, when a child presented himself as an applicant for an employment certificate it would be necessary only to review the school medical record, briefly determine the child's freedom from any acute disease, and then decide upon the basis of the evidence in hand. Such a course of action is warranted in few if any certifying offices. At the present time the greatest value of the medical examination made as prerequisite to the issuance of an employment certificate lies in its revelation of the inadequacies of existing mechanism for the care of the health of children of school and preschool age in both public schools and those conducted under private auspices. The products of educational machinery are seldom subjected to final inspections and trials before they leave the shop. It is suggested that this procedure be compared with that of any successful commercial manufacturing organization.

The examination prior to certification for employment serves another useful purpose in affording a basis for comparison with the findings of subsequent examinations which may or may not disclose evidences of deterioration in health. Without such a basis of judgment no sound conclusions can be drawn regarding the physical effects of early employment upon immature persons.

Whatever the purpose and benefits of the examination may be, in many States it must be made, and upon the basis of direct observations an opinion must be delivered regarding each child's development, health, and fitness for a specified form of employment. The examining physician must either guess that his opinion is right or know that it is right. Without standards of judgment he is obliged to guess. The guess of a well-trained, conscientious man of experience is a very trustworthy opinion, but it is of less value than

the opinion of the same man based upon the application of sound criteria.

Provisional standards of development exist and are widely used, in the main as points of departure. There is need of intensive research in the problem of the normal development of children from birth to full maturity. New standards will be forthcoming, more nearly absolute than those now available. They may rest upon consideration of age, height, and weight, or may ignore the age or be patterned after Dreyer's formula or Pirquet's pelidisi or be altogether different. Meanwhile such tables as those of Doctor Wood may serve a very useful purpose and should be employed. They do at least dignify the doctor's guess.

Soundness of health can be estimated only by weighing the probable importance of observed deviations from normality. There are few universally accepted conventions regarding normal limitations. A slight murmur which one physician interprets as significant of organic heart disease may be considered negligible by trained cardiologists. The significance of albuminuria, of minor degrees of scoliosis, of certain pulmonary findings, are all matters to be determined in accordance with the best medical practice.

There is a rapidly growing demand among examiners in certifying offices for standards of normal limits for physical findings. Until such standards appear the best gauge is the opinion of a well-trained physician. Even when good standards of normality become available they can not supplant careful physical examinations and sound medical judgments. They will be useful tools—they will not do the work.

No hospital or dispensary or private practitioner of medicine can do good work without medical records. Neither can reasonably thorough, systematic medical examination of applicants for employment certificates be carried on without records. They are essential for all comparative studies and to the conduct of efficient supervision. They should be as simple as may be consistent with their purpose. A detailed form such as that published by the Children's Bureau may be too elaborate for use in some offices restricted as to personnel, but much printing on a form may mean little writing. The central filing of copies of all examination records may greatly facilitate supervision, but it must be productive of needless labor and expense unless the supervising authorities are prepared to analyze intelligently the statistical data thus rendered available.

The effective enforcement of physical standards requires that applicants for employment certificates be examined by carefully selected physicians appointed for the purpose, working with proper compensation and with sufficient allowances of time.



The essential purpose of the examinations is to prevent the employment of substandard children at work which would probably prove detrimental to health. The incidental benefits of the examinations are found in the presentation of a last opportunity for the institution of educational and remedial measures, of a check upon the achievements of school and preschool medical work, and of a basis for an estimation of changes in the physical state of children during early working years.

Standards of procedure and limits of normality are required to assure reasonable uniformity of judgment throughout a State or the entire country.

Though an examining physician should be broadly informed regarding trade processes, it is suggested that final decisions concerning the placement of children in specific jobs should be the responsibility of persons more intimately acquainted with working conditions.

The study of this important phase of the public health is a relatively new thing. Physicians and laymen, working under adverse conditions, have accomplished much. Many medical certifying officers display a truly inspiring enthusiasm and interest in the medical and social problems there presented in such great numbers. The achievements of these officers can be matched by those of many more if State and municipal authorities will offer guidance and support.

#### DISCUSSION.

DR. EMMA MACKAY APPEL, *Chief Medical Examiner, Employment Certificate Bureau, Chicago Board of Education.* Nearly everyone has emphasized the necessity of checking the legality of papers presented by children appearing for a working certificate. It has been our experience that it is often well to check up on children. I remember one little boy who failed to pass the physical examination and was very indignant. He substituted a friend who he thought would pass, and was equally furious when he discovered that the friend had been held for enlarged and infected tonsils.

In Doctor Wright's paper he emphasized the qualifications of examining physicians. This is most important. In the Chicago office we have found that the successful medical examiners develop the ability to check up their physical findings and observations quickly. It is essential that the examiners be well trained medically, be thoroughly competent diagnosticians, and have some knowledge of industrial conditions, but above all they must be sensitive to the social and economic environment of the child. They should have ability to classify children intelligently as to the type of work possible for each and they must be able to keep up their interest in

spite of the large number of children who present themselves for medical examination.

It is practically impossible for physicians to do accurate work unless they are in constant touch with the industrial situation and with the different types of jobs in which children are employed. We have one factory in Chicago where the work is altogether piece-work. For some time the industrial studies division of our bureau, of which Miss Davis spoke yesterday, has been trying to have this establishment comply with the law and provide chairs for the workers. After a good deal of effort this was accomplished and children were again allowed to work there. Later it was found that the children were changing their jobs because the work was too hard. Another investigation was made, and it was found that although the children were provided with seats they could not use them and make any money, as standing was required in order to speed up on the piecework, and only a child of more than ordinary strength was able to stand at this work all day. Because of this one child suffered a severe occupational neurosis and was obliged to give up work entirely.

In addition to the correction of physical defects, it is essential to follow up the child in industry with careful examination after each job. Our procedure in follow-up work may best be illustrated by the case of a boy who was originally refused a certificate because of malnutrition. He was sent by us to Arden Shore, our open-air school for boys, where he improved very much. On account of the poverty of his family he was allowed to go to work when he was in fairly good physical condition, though not up to normal. Shortly after this we had a spell of very hot weather during which he over-worked. For two weeks he was unable to sleep at night and worked very hard all day, finally collapsing with a nervous condition that was not diagnosed by the family physician who was called in. He was ill at home under the care of this physician for two weeks, when he returned to our office. It was found that he had a well-marked case of chorea. He was in the hospital for six weeks, in the convalescent home for six weeks, and at Arden Shore for four months before he was again able to go to work. This is only one of the many instances of children who require more than just the preliminary examination to make them fit and keep them fit for their jobs.

#### **THE ENFORCEMENT OF A "BEST INTERESTS" OR "NECESSITY" STANDARD.**

DR. E. J. LICKLEY, *Assistant Superintendent of Schools and Director of Compulsory Attendance and Child Welfare Department, Los Angeles, Calif.*

Since the subject of the enforcement of a "necessity" requirement for going to work was brought out so well in Mr. Lederle's paper

yesterday, I should like to devote part of my time to touching upon some of the general phases of the child-labor problem in California. It differs from that of other States in several ways. First, we have very few factories. The two serious problems we have in the field of child labor are: First, agriculture; and second, children working in the production of motion pictures. The latter is a special condition that exists in southern California, and is a serious problem to those interested in the enforcement of the child labor laws.

In California children of any age may work in the production of motion pictures provided they secure permits. About 75 per cent of all the permits issued are issued for work in that one industry. It is the largest industry in point of investment in all the Southwest. The figures are stupendous. It represents a different problem to the child-welfare workers, for several reasons. In the first place, children go to work in motion pictures for reasons that are quite different for the most part from the reasons that are usually given for children going into industry. All the parents are obsessed with the idea that their children are all potential stars. That is the first and chief reason they want these children to go to work. Usually the mother or the father who wants the boy or girl to work in the production of motion pictures is governed by the tremendous idea that he has in his family a little Mary Pickford or a little Charley Chaplin or a little Douglas Fairbanks, and all that is necessary is that some kind-hearted official issue a permit in order that this undiscovered genius of the silver screen may not be lost to the general public. The juvenile stars of the motion-picture screen have almost all been given their first permits in the issuing office at Los Angeles. We have had such stars as Jackie Coogan, Wesley Barry, Mildred Harris, Mary Osborn (known as Little Mary Sunshine), and many others.

The second reason arises from the fact that so many of the children have fathers or mothers engaged in the industry and they are going to live in this motion-picture world, the children are going to grow up in it and that will be their occupation. So they say: "Our children are going to follow this line of work, why shouldn't they begin early? Why shouldn't they start in when they are children?" There is a tremendous demand, so the motion-picture people tell us, all over the country for juvenile pictures.

The third and the smallest group of parents is composed of those who want their children to work for the money it brings in to them; those who are not willing to work themselves but hope that their children may earn fabulous sums as motion-picture stars.

It is interesting to note that the very brightest children are the ones who do work in the production of motion pictures. There is no place for the dull boy or girl in this work. You can readily see that it requires brightness even on the part of the very small chil-

dren. Those who work regularly are very small in number; 95 per cent of all the children who work in the production of motion pictures are intermittent workers.

The law of California provides for very little supervision of this work, but by administrative means the board of education has undertaken to give these children some educational advantages; so we require every child under the age of 16 to be under the personal supervision of a teacher or tutor who has the qualifications of a public-school teacher. All these children must spend part of each day with these teachers, and the teachers are paid by the moving-picture industry but work under the supervision of the department of compulsory education, to which they report daily. The cost of the education of these children is a justifiable charge on the industry.

The question has come up many times as to the effect of this work on the child's education. What does it do and what is the result of working in motion pictures, particularly in the cases of the large number who work 5 or 6, 8 or 10, 50 or 60 days a year? All who are familiar with school work know that two weeks' nonattendance is serious if it is consecutive; four weeks is almost fatal. We require every teacher to send to the department of compulsory education at the end of each term a duplicate report card of every child who works in motion pictures for 5 days or more, and check them carefully. When we started this system we thought it would prevent those who were failing in their school work from going into moving pictures, but to our great surprise the average child who worked in motion pictures was doing better work in school than the children who were not working. You can see how that is; the brightest and the best children are taken out of school; they would get along anyway. They are not the retarded or backward children; they are the brightest.

But the work has some undesirable results. Probably the greatest evil is the fact that these children live in an unreal world; not the unreal world of fairyland, not the unreal world of the stories we tell children, which is normal and natural, but they live in an unreal world like little old people.

If you have ever seen motion pictures made, you will realize what I mean. On the screen you see the picture of the Coliseum at Rome or some old cathedral. That is taken from some small set represented by the size of an average room. All the rest is skeleton work. It looks impressive on the screen, but the set and the surroundings are often cheap and tawdry. These children are living in an unreal world; they become sophisticated very early; they become blasé. They are not really children; they are really little old men and women who have grown old prematurely.



The California law, except as it applies to agriculture and motion pictures, requires a child to meet the following conditions, approximately, before he can go to work: He must be 15 years of age and have completed the seventh grade; but if he is 14 and through the eighth grade, if his services are needed for the family's support he may be granted an employment certificate.

We determine the matter of economic need by cooperating with the outdoor relief department of the county charities. We require any person who applies for an employment certificate for a child on the basis of economic need to go to the outdoor relief department of the county charities and submit to the same investigation that is required of all persons seeking public relief. The investigator submits to the issuing office a detailed confidential report. We have found that the economic need does not exist except in a very few cases.

Our experience has demonstrated that the majority of children who are excused from school in the State of California on the plea of economic need do not take their money to their families; they spend it on themselves, the greater part of it, and the small percentage that is given to the family does not help materially. Practically it does not work out as a reason for children leaving school. Only when the best interest of the child is the basis for issuing the permit is the law satisfactory.

If there is not an intelligent issuing officer, sympathetic, with vision, who knows something of social conditions and who has some conception of the value of conservation of child life, the statutes will be of no avail.

In Los Angeles no permit is issued, regardless of family conditions, unless the attendance officer of the district in which the child resides and the principal of the school which the child attends agree that the child should be allowed to work. We perhaps rely more upon the judgment of the attendance officers than we otherwise would because of the type of attendance officers which we have. In California the attendance officer or assistant supervisor of attendance must possess a high-school teacher's certificate. As a result, out of 20 attendance officers 15 are university graduates, and all of them are looking forward to promotion in the school work. One of them has just been appointed principal of a junior high school.

However, the one place where we do most unsatisfactory work in California is the follow-up work. We do so little for the boy or girl who leaves school. We are willing to spend any amount of money on children so long as we can keep them in school, from the kindergarten until they get a degree from the State university, if they will only stay in school. But the ones who most need the care of society are the ones who are forced out into industry. The minute

they go we let them shift for themselves. What an idiotic practice it is! We are willing to spend so much money on them while they are kept in school, and so little when they leave school.

We subscribe to the program and the ideals of the Children's Bureau. We expect not only to approximate those ideals but ultimately to reach them in the enforcement of the child labor laws in California.

#### DISCUSSION.

Miss MINOR. May I say with reference to the paper on physical standards that that has been a question very much at issue in New York City. There was a time when but 5 children out of 5,000 were refused certificates for incapacity. Then Dr. Josephine Baker took hold of the situation as head of the bureau of child hygiene. Since then refusals for physical incapacity have increased amazingly. Two years ago about 2,000 were refused outright and 5,000 or 6,000 had their papers withheld for remediable defects. Over 85 per cent of those children subsequently had those defects corrected and received employment certificates. The remainder of this number were turned over to the New York child labor committee for follow-up work and we cleared up all except 87 cases, showing that the defects are correctable and that these cases can be handled despite the protests of the parents, who claimed that the clinical facilities were insufficient and that the cost was too high. We found that the obstacle was very largely a desire on the part of the child to avoid the dentist's chair. The only safe thing to do is to certify a child as physically sound and able to do any work in which he may lawfully be employed.

Mr. W. M. DENISON, *Director, Bureau of Attendance, State Department of Public Instruction, Pennsylvania*. I was very much interested in the discussion this afternoon; especially was I struck by the statement made by Miss Minor that it was necessary to have a literacy test in order to determine the educational standards for employment certificates. It seems to me that the teachers of public schools should be honest enough and conscientious enough to be trusted in their promotion of children through the grades, and that a child who has completed the work of the grades specified and has the teacher's certificate to that effect ought to be able to read and write the English language intelligently and correctly.

If Miss Minor's statement is true, and I shall accept it as absolutely true, it seems to me it is an indictment of the teachers of New York State. If it is true in New York it is probably true in Pennsylvania. We are going to know, since you have raised the question.

Another point brought out was about the age standard. I believe that one of the speakers this afternoon said that in the State in which she lives the census enumeration was made to include all

children from 1 to 21. I believe that we should do this and that children should be required to present an accurate and authentic evidence of age when they enter school. Philadelphia this year is requiring every child that enters school to provide evidence of age at entrance to school.

The question of certificating children in rural communities in agricultural work has just been touched upon. Yet nothing has been definitely said about this subject this afternoon.

Miss CAMPBELL. Madam Chairman, may I express to the Children's Bureau my personal appreciation for calling these conferences, which have been of great practical value and of unusual interest. I am asking this appreciation to be indorsed by those here assembled as a group. May we not also present a request to the Children's Bureau that a similar conference be called each year at whatever time and place seems feasible to the bureau? Personally I should like to express my appreciation to the Children's Bureau for calling this meeting, and I should like to ask, if it is proper, that we present a resolution that we should again be called together.

Mr. LEDERLE. I feel that I have received much benefit from this conference and that I owe a debt of gratitude to the bureau for calling the meeting. I offer a motion at the present time that the Children's Bureau be extended a vote of thanks from the assembly for calling this meeting and that we request that another meeting be called at an early date.

[The motion was seconded, and upon a vote being taken it was carried unanimously.]

Mr. DENNISON. I would like to make another motion, namely, that the Children's Bureau be asked to include in their next program a paper as to the control of street trades.

[The motion was seconded, and upon a vote being taken it was carried unanimously.]

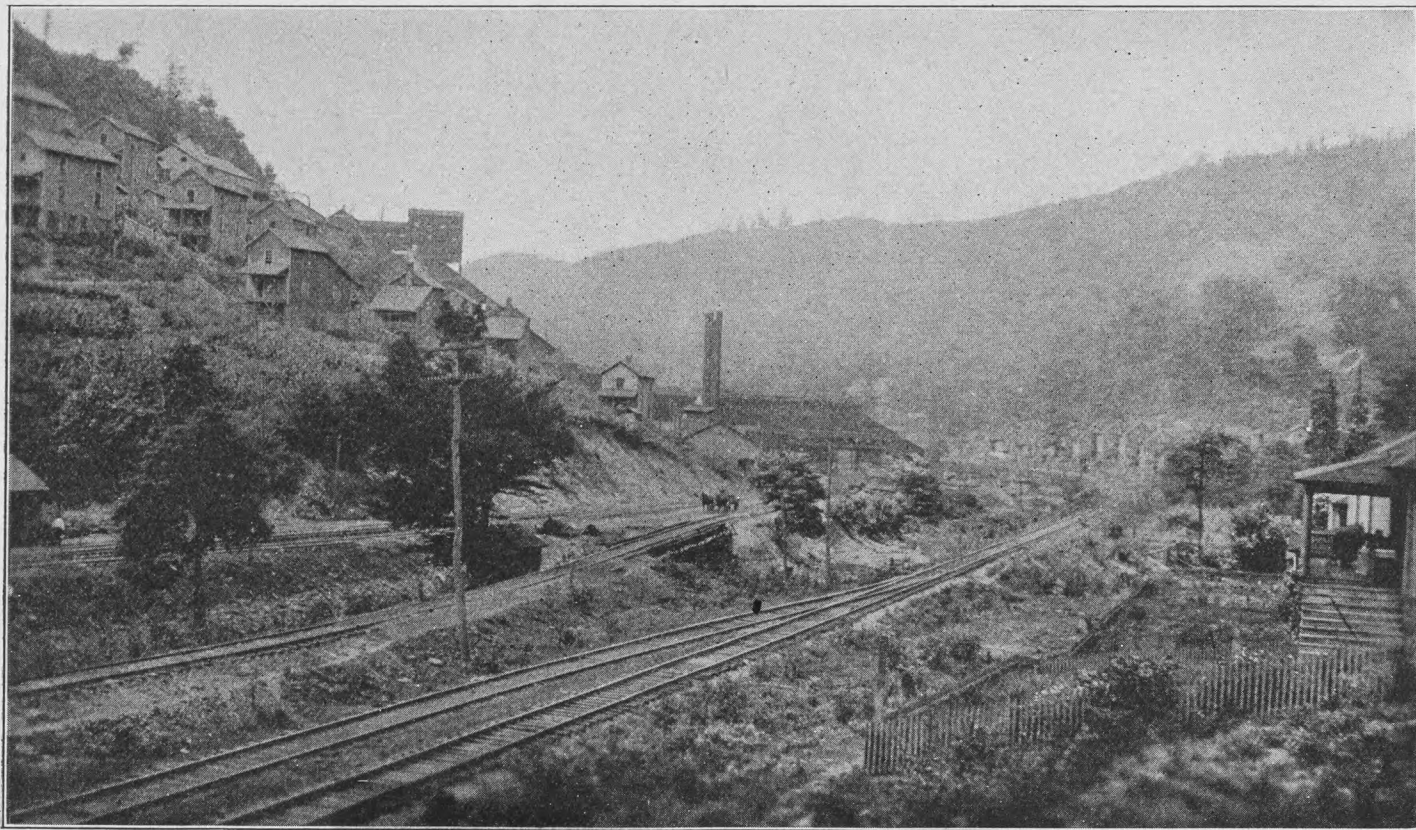
The meeting adjourned.











A COAL-MINING CAMP IN RALEIGH COUNTY, W. VA.