

U. S. Department of Labor
CHILDREN'S BUREAU
Washington

LIST OF DOCUMENTS CONTAINING THE PRINCIPAL CONGRESSIONAL HEARINGS, REPORTS, AND
DEBATES ON THE PROPOSED CHILD-LABOR AMENDMENT TO THE FEDERAL CONSTITUTION.

Hearings (on Joint Resolutions Proposing an amendment (on Child Labor) to the Constitution of the United States) before a Subcommittee of the Committee on the Judiciary, U.S. Senate, Sixty-seventh Congress, fourth session (reprinted in unnumbered committee print of Report of the Committee on the Judiciary, U.S. Senate, on the Child-Labor Amendment (to accompany S. J. Res. 1), Sixty-eighth Congress, first session). *

Hearings (on Proposed Child-Labor Amendments to the Constitution of the United States) before the Committee on the Judiciary, House of Representatives, Sixty-eighth Congress, first session. **

Report of the Committee on the Judiciary, House of Representatives, on the Child-Labor Amendment to the Constitution of the United States (to accompany H.J. Res. 184), Sixty-eighth Congress, first session. Report No. 395, Part I - Majority Report; Part II - Minority Report. +

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Debates and speeches in the House of Representatives, Congressional Record, April 25 and 26, May 16 and 22, and June 23, 1924, pp. 7369-7403; pp. 7454-7486; pp. 7497-7505; pp. 8984-8985; pp. 9438-39; pp. 11720-11724. (Price 13, 11, 10, 15, and 14 cents, respectively.) ++

Debates and speeches in the Senate, Congressional Record, May 28 and 29, 1924, pp. 9948-9969 and pp. 10115-10142; June 2, 1924, pp. 10378-10433. (Price 17, 16, and 19 cents, respectively.) ++

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Please return to
Frances Ingram
Neighborhood House

date ?

No. 44960

Jefferson Circuit Court, Criminal Branch

Commonwealth of Kentucky,

Plaintiff

OPINION

vs.

Mr. Newman, Business Manager, Louisville Post Pub. Co., Defendant

This case was appealed from the Court of Hon. Andrew P. Vogt on a demurrer to the warrant, and in no wise is the constitutionality of the law questioned, nor need that phase of it be here discussed. The chief cause of complaint seems to be that a boy selling papers, who possessed a badge entitling him to engage in this labor, was in the habit of turning over part of his purchase to a younger brother that he might assist him; and it is further charged that this habit is indulged in to a large extent by the newsboys of the city, who being of legal age, make purchases themselves and then secure those of more tender age and who could not secure a badge entitling them to employment, to sell these papers throughout the city.

The warrant is based on the fifteenth sub-section of the Child Labor law, which is divided into two classes. In the first it prohibits the sale of numerous articles by boys under 14 years of age mentioning specifically newspapers, and the second is very similar mentioning all as contained in the first section, but omitting the word "newspapers."

The Commonwealth contends that this *cassus omissus* is not material, and the law should be strictly construed as per the first section where newspapers are included.

However, in the case of *Hickman vs. Wright*, 210 S.W., Tenn., 447- 8, the Court said:-

"A pure '*cassus omissus*' occurring in a statute can never

C O P Y.

be supplied or relieved against by the court under any rule or canon of construction or interpretation. Lewis' Sutherland, Statutory Construction (2nd Ed.) Vol. 2, sections 605, 606; 11 Corpus Juris, p. 31, note 69; 26 Am. & Eng. Ency. of Law, (2d. Ed.) p. 601; Kelly vs. State, 123 Tenn. 516, 132 S. W. 193; State ex rel Board, etc. of Benton County vs. Boice, 140 Ind. 506, 39 N. E. 64, 40 N. E. 113."

There are numerous other decisions of like character, and it is the opinion of the Court that our law-makers realizing that boys of even tender years can engage in the occupation of selling newspapers without interfering with their school duties or general welfare, but that on the other hand it might materially contribute towards the support and aid of a widowed mother or needy family, intentionally omitted this word, feeling that under proper supervision and care that the handling and sale of newspapers by boys is to a great extent a source of education.

Now the other phase of the question relative to older boys securing the aid of the younger to assist in their sales, is one that cannot well be regulated by the publishers of newspapers, and one for which I feel they can neither be held morally or legally responsible. We have our Juvenile Court and Juvenile Court officers who should manage to cope with this situation, and upon their shoulders the duty rests. However, in every instance, a boy possessing the legal right to sell papers should at all times have his badge where it can be plainly seen.

But the law seems plain upon the subject, and the demurrer should be sustained.

JUDGE.

2120

No. 44960

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Plaintiff

OPINION

vs.

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Louisville Post Pub. Co.

Defendant

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JUDGE.

appellee - law -
one against whom
an appeal is taken

appellant - one
who appeals, as
from a judicial decision

The Filson Historical Society

COURT OF APPEALS OF KENTUCKY

January 12, 1925.

Commonwealth of Kentucky,

Appellant

vs

APPEAL FROM JEFFERSON CIRCUIT COURT
(CRIMINAL DIVISION)

Stanley Lipginski,

Appellee

OPINION OF THE COURT BY JUDGE SAMPSON, - AFFIRMING.

Appellee, Lipginski, was arrested in January 1925, on a warrant charging him with a violation of subsection 15 of section 331A, Kentucky statutes, which constitutes a part of the Child Labor Laws. A hearing was had before a magistrate and appellee, Lipginski, found guilty, a fine being imposed. From the judgment entered thereon Lipginski appealed to the Jefferson Circuit Court. A general demurrer was interposed

to the warrant on the ground that no public offense was charged, it being claimed that the boy to whom the newspapers were delivered to be sold was over the age of fourteen years and between the ages of fourteen and sixteen years, although he had no permit to engage in any street occupation and wore no badge or button indicating his authority to engage in street employments. The warrant itself is very brief but by stipulation of the parties the affidavit of the probation officer upon which the warrant was issued was and is to be considered a part of the warrant, and it was further agreed that only "newspapers" were to be considered as sold by the boy in the trial of this case.

For the Commonwealth it is contended that the language of sub-section 15 of Section 331A, Kentucky statutes, is plain and unambiguous; that the legislature was only regulating and attempting to regulate the employment of boys in occupations pursued on the street, and there is nothing for the court to do but to give the statute that meaning, that street trades are the outgrowth of opportunities offered by centers of great population and are found only in the larger cities, consequently there is a natural^{and} distinct classification of cities which distinguishes these where they exist from those where they did not exist, and it is not special legislation to regulate them impartially in such cities.

For appellee, Lipginski, it is insisted that it was not unlawful for him to engage a boy over the age of fourteen and between the ages of fourteen and sixteen years in the city

of Louisville to sell papers upon the street under section 331A, Kentucky statutes, and that inasmuch as the warrant charged the selling of newspapers by a boy between the ages of fourteen and sixteen in the streets of Louisville, no public offense is stated, and the demurrer was properly sustained to the warrant. Lipginski further contends that since the same omnibus clause is at the end of the first sentence of 331A, Sub-section 15, as that at the end of the second sentence, and the word "newspapers" is included in the first sentence, but omitted from the second sentence, the meaning cannot be supplied and covered by the omnibus clause at the end thereof.

In argument, counsel for Lipginski says that while a court may consider the "mischief intended by the legislature to be remedied" in the enactment of a statute, it cannot consider arguments that might be presented to a legislature for the passage of the act, but must look to the title and language of the act and facts of which ^{it} may take judicial notice. It further says that the doctrine of ejusdem generis has no application to the language employed in the statutes and ought not control the construction. The first two sentences of sub-section 15, of section 331A, Kentucky statutes, read exactly alike, except the second sentence omits the word "newspapers", while the first sentence employs that word but refers only to boys under the age of fourteen years. The second sentence covers

boys between the age of fourteen and sixteen years, the two sentences reading:

(First sentence) "No boy under fourteen years of age shall be employed, permitted or suffered to work at any time in any city of the first, second or third class, in or in connection with the street occupations of peddling, bootblackening, the distribution or sale of newspapers, magazines, periodicals or circulars, nor in any other occupation pursued in any street or public place."

(Second sentence) "No boy between 14 and 16 years of age shall be employed, permitted or suffered to work in any city of the first, second or third class, in or in connection with the street occupations of peddling, bootblackening, the distribution or sale of magazines, periodicals, or circulars, nor in any other occupation pursued in any street or public place except upon the following conditions."

The exception mentioned in the last words of the second sentence are educational in their nature. The trial court upheld the constitutionality of the Statute and sustained the demurrer to the warrant holding that the statute did not apply to the sale of "newspapers". The Commonwealth appeals, insisting that the selling of newspapers is practically the only street occupation in which boys engage and to so hold in effect nullifies the entire statute. The averments of the warrant as supplemented by the statement of the affidavit upon which it was issued are in substance as follows:

"About 11:30 o'clock on the morning of November 26, 1924, appellee knowing that one Bernard Cecil, a boy between fourteen and sixteen years, did not have the badge required by the statutes, furnished his newspapers to be sold on the streets of Louisville, and knew that Cecil was going to sell the papers in violation of the law; that the public schools were in session at this time and Cecil was not licensed to engage in a street occupation during school hours.

A proper determination of this appeal depends upon the correct interpretation and construction of the first two sentences of sub-section 15 of section 331A, Kentucky statutes, copied above. By the first sentence, "no boy under fourteen years of age shall be employed, permitted or suffered to work - - - in any city of the first - - class - - in connection with the the street occupation of peddling, boot-blackening or distribution or sales of newspapers, magazines, ~~periodicals~~ periodicals or circulars, nor in any other occupation pursued in any street or public place." As the boy Cecil was over the age of fourteen years he does not come within the foregoing provisions of the statutes but does come within the second sentence which provides that "no boy between fourteen and sixteen years of age shall be employed - - in any city of the first - - class -- in connection with the street occupation of peddling, boot-blackening or distribution or sale of magazines, periodicals or circulars, not in any other occupations pursued in any street or public place except upon the following conditions."

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For the Commonwealth it is argued that the word "newspapere", employed in the first sentence was by inadvertance, oversight and mistake of the draftsman, omitted from the second sentence of the act; that this is shown by the purpose intended to be accomplished by the enactment of the statute, and this being true the court should read the statutes according to the intention which the General Assembly must have had when it made it law; that the omission of the word "newspapers" is what is commonly called and termed "casus omissus".

Appellee, Lipginski, insists that the word "newspapers" was not inadvertently omitted from the second sentence but by purpose on the part of the draftsman thereof, and the legislature in its passage, suggesting that the great daily newspapers published in the Commonwealth were powerful enough to induce this course on the part of the General Assembly in order to protect their business, the sale of newspapers on the street, from such a source of obstruction as the inhibition of the sale of same by boys between the ages of fourteen and sixteen years, operating upon public streets in cities of the first, second and third class. Just why the word "newspapers" was omitted from the second sentence of the statutes the court is unable to say. The record does not disclose why this was done. Of course, it may be conjectured that it was omitted for one reason or another with an apparent showing of reason, but there is

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no legal way by which the court may determine for a certainty why the word "newspapers" was omitted from the second sentence. This being true, must we not accept the statute as we find it and concede that the General Assembly in its wisdom omitted the word "newspapers" from the second sentence for some reason which appeared to that august body to be sufficient. Whatever may have influenced the General Assembly to omit the word "newspapers" from the second sentence in the statute, if it did ~~it~~ purposely do so, is sufficient, and courts are not authorized to interpolate words into a statute which the law-making body has purposely omitted. It is claimed for the Commonwealth, however, that even though the word "newspapers" is omitted from the second sentence of the statute, its place is supplied by the general words of the statutes concluding "nor in any other occupation pursued in any street or public place."

~~xxxxx~~ This phrase concludes both the first and second sentences of the statute. It must have been considered by the law-making body as important to the expression of its will in the enactment of this statute, else it would not have been employed at the end of each of the two first sentences thereof. And if with such words concluding the first sentence it was necessary and thought to be so by the law-making body to employ the word "newspapers" in the first sentence, it would seem with equal force to have been necessary to employ the word "newspapers" in the second sentence if the statutes was intended to prohibit boys between the ages of fourteen

and sixteen years from selling the newspapers upon the streets of cities. Many rules of construction might be called to the support of this conclusion if it were necessary, but we think this common sense view sufficient to meet the argument made by appellant. *Richie vs Smyth* 80 U. S. 566; *Commonwealth vs Barnett*, 196 Ky., 731; *Hickman vs Wright* 210 S. W. 447. The learned trial judge delivered a written opinion from which we take the following pertinent observation:

"The argument of the Commonwealth is that the word "newspapers" was inadvertently omitted by the Legislature in the second sentence adverted to, and having been inadvertently omitted by the Legislature, it should be included by the court. This seems to me clearly to confound the functions of these two agencies of the government. Under the Constitution it is the province of the Legislature to enact and the province of the judiciary to interpret, and it is of vital importance to the maintenance of our institutions that the functions of the two departments shall be kept separate and distinct as provided in the Constitution. However beneficent a law might be, it is for the Legislature to pronounce it. However much public policy may demand the enactment of a law, the Court cannot enact it."

We conclude that the act must be considered a presented by the legislature without the interpolation of words which it may appear to some were intended to be but were not

employed by the law-making body in the enactment of the statutes, and we must, therefore hold that the sale of newspapers was not included or intended to be included in the inhibition of the second sentence of sub-section 15 of Section 331A, Kentucky statutes.

Appellee insists that the whole of subsection 15 of section 331A, Kentucky statutes, is unconstitutional and void if it includes, as contended by appellant, the sale of daily newspapers. This insistence is rested upon the assumption that the statute is local or special legislation, and, therefore, contrary to section 59 of our Constitution. As well stated in brief of counsel for appellee, street occupations such as the selling of newspapers, is ~~unlimited~~ confined to populace centers and big cities. There is, therefore, a natural and reasonable distinction to be made between such occupation in such places from like callings in the country and small towns. The General Assembly has a right to make such classifications based upon natural and reasonable distinctions. 31 Corpus Juris, 995; Hodge v. Bryan 149 Ky., 110; 148 S.W. 21; City of Louisville v. Coulter, 177 Ky., 242; 197 S.W. 819; Commonwealth v. Ward 136 Ky., 155; 123 S.W. 673; Dwiggins Wire Fence Co. v. Patterson 166 Ky., 278; Lakes v. Goodloe 195 Ky., 240; James v. Barry 138 Ky., 656; 128 S.W. 1070.

It follows, therefore, that the act is not
contrary to the provision of section 59 of our Constitution.
Judgment affirmed.

Frank E. Daugherty, Atty. Gen., Frankfort, Ky.
Gardner K. Byers, Asst. " " " "
Irvin Marcus,
Jos. S. Lawton, Com. Atty., Louisville, Ky.
For Appellant.

Ben. S. Washer,
Peter, Lee, Tabb & Krieger, Louisville, Ky.
For Appellee,

1/15/50

CONSUMERS' LEAGUE OF KENTUCKY
215 E. 7 Walnut Street, Louisville.

Your Senator is *Dr. Lewis Ryans* Rep.
1206 W. Jefferson St.

Your Representative is *Leon P. Lewis*
1401 Duke Southern Bldg

If you are interested in the health of women and children in Kentucky, demand a REORGANIZATION of the State Department of Labor.

Their health will be greatly improved by competent inspection of sanitary conditions in industry.

Please don't destroy this until you

WRITE OR SEE YOUR STATE REPRESENTATIVES!

55x24

ABSTRACT OF PROPOSED BILL
TO EFFECT
THE REORGANIZATION OF THE STATE DEPARTMENT OF LABOR.

Personnel of the Department	<p>A Chief Labor Inspector, who will have complete charge of the labor department under the Commissioner of Agriculture, Labor and Statistics, two male and two female deputy inspectors responsible to the Chief Inspector. Salary of Chief Labor Inspector \$3000.00 and of deputies \$2000.00.</p> <p>In the present law there is no Chief Labor Inspector charged with responsibility for the organization of the work of the department. There are one male and one female inspector at salaries of \$1200.00 each, and one male and one female assistant of equal authority at \$1000.00.</p>
Competitive Examination of Candidates for Labor Inspectors	<p>Applicants for these offices are required to pass competitive written examinations, prepared by the Commissioner with the advice and assistance of a properly qualified sanitary engineer, selected by the Commissioner; the Chief Labor Inspector to be chosen from among the four applicants receiving the highest rating.</p> <p>In the present law, no provision is made for written or oral examination.</p>
Causes and Procedure for Removal from Office	<p>Appointments shall be for four years. Removals from office may be caused by insubordination, incompetence, neglect of duty, intoxication or immorality. Written notice specifying charges shall be sent to the offending officer. Charges shall be filed with the Secretary of State, and appeals may be made to the Governor who may reverse decisions.</p> <p>No corresponding section is in the present law.</p>
Duties of the Department	<p>Duties of the Department shall be to visit all places of employment for the purpose of investigating conditions of employment affecting the life, health, safety and welfare of the employees for the administration and enforcement of all law of the state regulating the employment of labor and for the collection of statistics of labor and manufactures. Statistics shall be compiled every two years, and may be collected by mailing a schedule to all employers of labor who shall answer all questions therein relating to labor or statistics or manufactures.</p> <p>The present law provides for inspection, but does not define standards. It decrees the collection of statistics when the Commissioner directs, and there is no method of enforcing this provision as it stands.</p>
Records	<p>Proper, complete and permanent records shall be kept of all investigations made and of statistics gathered.</p> <p>No provision for permanent records is made in the present law.</p>

Information Confidential All information gathered shall be confidential and shall be published in such a way as not to disclose the private affairs of any person, firm or corporation. Any employee of the department who shall use such information in such manner as to disclose the private affairs of any person, firm or corporation shall be punished by \$500.00 fine or one year imprisonment.

No like provision is in the present law.

Registration of Places of Employment Every person, firm or corporation which employs labor shall register with the Department of Labor, within one month of beginning business, the name of the concern, nature of the enterprise, name of the person upon whom service of summons can be made, and the number of employees, distinguishing as to sex, adults and children.

No like provision is in the present law.

Cooperation with Other State Departments Inspectors shall report to Health and Fire Authorities violations of laws not coming under the authority of the Labor Department.

No like provision is in the present law.

Publicity , Appropriation shall be made for printing bulletins of educational value.

No like provision is in the present law.

The new bill does not affect the duties and powers of mine inspectors.

TEN PROPOSED IMPROVEMENTS TO EXISTING LAW - SUMMARIZED.

1. Creation of office of Chief Labor Inspector.
2. Increase in salaries of inspectors.
3. Provision made for competitive written examination as basis of appointment.
4. Provision made for removal from office for specific offenses.
5. Provision made for more specific collection of statistics.
6. Provision made for complete and permanent records of information gathered.
7. Information to be strictly confidential, violations punishable by fine or imprisonment.
8. New places of employment to register with Department of Labor.
9. Cooperation with Health and Fire authorities.
10. Appropriation made for publishing of educational bulletins.

ABSTRACT OF PROPOSED STANDARDS FOR
SANITATION OF FACTORIES, WORKSHOPS AND ALL PLACES OF EMPLOYMENT.

Cleanliness
of
Workrooms

Workrooms, halls and all parts of buildings and premises should be kept in as clean, sanitary and safe condition as nature of industry will permit. Workrooms should be cleaned at least once in every twenty-four hours, and wherever possible not during working hours, and in such manner as not to raise unnecessary dusts.

Floors of workrooms should be kept free from nails, splinters, holes, loose boards and from measurable depths of water; where not practicable, platforms or mats providing dry standing places should be supplied for women employees.

Safety of
Passageways

All passageways should be kept free from obstructions so as to permit rapid exit in case of fire.

Stairways over three risers in height should be provided with hand rails, and treads should be kept in good repair.

Ventilation

Adequate ventilation with regulation of temperature and humidity should be maintained in all places of employment, if necessary, by mechanical means. (Schedules of temperatures, and minimum air space per person are specified for offices, workrooms and toilets.)

Removal
of Dusts, etc.

Where dust, fumes, fibres, or other impurities are released by any process, in quantities tending to injure the health of the workers, there should be provided special devices to remove impurities at point of origin.

Lighting

Workrooms, passageways and all parts of building in use should be kept properly and adequately illuminated, either by natural or artificial light.

Exposed bare lamps located less than twenty feet above floor level should be provided with shades, reflectors, diffusing glassware or other accessories to minimize the glare.

Drinking
Water

Cool, uncontaminated drinking water, easily accessible to workers should be provided in covered containers.

Sanitary fountains or paper cups should be used; containers from which water has to be poured or dipped should not be permitted.

Lunchrooms

There should be, apart from the workroom, a room where workers may eat lunch. This room should be equipped with tables, and chairs or benches with backs, and hot plates.

Dressing
rooms

Where the nature of work requires changes of clothing, separate dressing rooms for men and women should be maintained.

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Where only street clothing is removed, hangers should be provided, placed on rods high enough to keep clothing from touching floor or walls.

Seats for
Women Workers

The Chief Labor Inspector should determine when seats with or without backs are necessary, and the number thereof, except in no case should there be less than one for each three employees.

Where women have to stand continuously, easy chairs should be provided in dressing room and such women should have two ten minute rest periods daily.

Weight of
Burdens

No employer should permit or require a woman employe to lift or carry any burden over twenty-five pounds.

Toilet
Facilities

Water closets for each sex should be provided in adequate numbers (average one toilet for each twenty persons where less than one hundred are employed; in larger establishments the number of persons per closet is higher.) These shall be not more than three hundred feet from place of work. Where entrances to toilets for men and women are within ten feet of each other, a T or L shaped screen should be built across doors.

Partitions dividing toilet rooms for men and women should extend from floor to ceiling and should be covered with tile or metal to height of seven feet.

Amount of ventilation necessary is definitely stated.

Toilet bowls hereafter installed should be of vitreous china, or similar material; insanitary bowls to be removed.

Walls and ceilings should be covered with paint, not paper.

Regulations of the State Board of Health should be followed in constructing privies; proportion of facilities to employes same as above.

Washing
Facilities

Wash basins or troughs with hot and cold, or tempered water should be supplied (average one basin to each twenty persons where less than one hundred are employed; in larger establishments number of persons per basin is higher.)

In factories where any poisonous or injurious substance is handled hot and cold water, liquid soap and individual towels should be supplied and basins on a basis of one for every ten employes. Basins should be of vitreous china, enameled iron or similar material; galvanized iron permitted for troughs.

Where washrooms for each sex are adjoining, the separating partition should be solid and extend to the ceiling.

COPIES OF THE COMPLETE CODE WILL BE PROVIDED UPON REQUEST.

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Causus omisus

Report of the Trial of Street Trade Section of Child Labor Law before
Magistrate Smith on January 23, 1925.

Among those present were the following:

Mrs. Dinning, Selligman, Caldwell Norton, Chaney, Mrs. Rodman, Dept. of Labor Inspector, Mrs. Burger, Misses Freda Selligman, McCandless (three others from the Y.W.C.A.) Miss Nettie Lowell, Miss Brooke Norton, Miss Marie Mayer, Mr. Seiller, Chief Labor Inspector, Mr. Fred Hess (three other women, names unknown).

The Defendant had been accused of violating the Section prohibiting the sale of newspapers, periodicals and racing forms without an employment certificate. Mr. Washer stated that he only represented the newspapers, claiming that they were especially distinguished in the law. That he was not defending the Defendant on account of making the counts of selling racing forms or periodicals.

The facts were agreed upon. The sale of the Louisville Post was made by a man to a boy between 14 and 16 years of age. The question raised by the case was had he the right to sell a paper to a boy of that age who had no badge. Mr. Washer said the lack of the badge constituted the alleged violation.

An outline of Mr. Washer's defense follows:

This case is important to the papers and readers. Should the court sustain the Commonwealth, it will forbid the sale of papers to a greater portion of boys, and in fact would make it practically impossible. Mr. Washer quoted Judge Robinson's decision. He contended that the Legislature when it omitted the word "newspapers", had in mind the impossibility of regulating newsboys because on account of the difference between newspapers and other industries. Papers issue many editions daily. The result is a mad rush from 400 to 500 boys to get their papers out on the street, and it is impossible for paper vendors to ask boys about badges, and it is impossible to follow up the resale of papers.

Mr. Washer based his defense on two points, emphasizing only the first one

1. That the law expressly and deliberately excludes newspapers.
2. The Act is unconstitutional in that it applies to cities of the 1st, 2nd and 3rd classes only under Section 59 of the State Constitution. It provides that the regulation of labor shall be uniform throughout the Commonwealth, and this section purposes to regulate labor.

The law forbids the sale of newspapers by boys under 14 years of age. Mr. Washer said that the newspapers concede this fact, and that the exclusion of the word "newspaper" in the next section is deliberate. There is a distinction between boys selling newspapers, and in other occupations which occupy full time because selling papers is compatible with going to school.

It is ~~not~~ impossible to read into a Section of a Statute a word which is not there. An error of a legislative body may not be corrected by a court, which may not enlarge or restrict, but only interpret the law as it stands (Mr. Washer cited cases of causis omisus which the Tennessee Supreme Court and other courts said could not be relieved by the court.) Mr. Washer said that the newspapers do uplift work for the boys, and that this can be shown by the fact that most boys selling newspapers are newsboys well raised and studious, and not the urchins of former years.

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Mr. Washer claimed the omission of the word "newspapers" was purposeful, and quoted a New York decision to the effect that insofar as a Statute is incomplete, it is inoperative. The Kentucky law reads that it is lawful for boys between 14 and 16 years of age to sell newspapers without a badge. The Legislature has not since 1919 amended that Section, although years after year amendments including newspapers have been presented.

The enforcement of this law would wreck the newspaper business, and the self or family support undertaken by the newsboy. Possibly the boys could not get badges. If they could get badges, how could the newspapers tell that they had them? Mr. Washer held that this boy Defendant was in the same position as the newspaper Manager in the previous case because the intention is that newspaper managers should be forbidden to sell papers to boys under 16.

Mr. Washer asked the court to bear in mind -

1. The wording of the Statute.
2. The decision of Judge Robinson in a ^{Superior} Court.
3. The decision that you cannot read into an Act what is not contained in the Act.

The above is an outline of Mr. Washer's defense. That follows an outline of Mr. Marcus for the Commonwealth.

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Mr. Marcus for the Commonwealth claimed that Mr. Washer's argument was sentimental in that it discussed the effect of the enforcement of the law upon the newspapers; that he interpreted the Statute to suit his own ends; that he quoted from all over the country and not from Kentucky ~~laws~~ to show that the court cannot construe newspapers into the law.

The intention of the legislature was to regulate the employment of minors, and it was not concerned with the problem of getting newspapers to the market. Since Mr. Washer introduced the sentimental side, Mr. Marcus told of the boys who sold newspapers without being able or willing to give their names, of boys under 14 on the streets, and of the boy who sells his "last paper". Since the papers try to keep down motor accidents by publicity, what ~~is their duty~~ about ~~newsboys~~ who are run over while crossing the streets to sell papers? Many of the newsboys who are injured are under 14 and some of the accidents take place during school hours.

The contention is that we can keep children under 14 off the streets if the boy from 14 to 16 years of age wear badges. This is the job of people who are anxious and willing to do it. When the Legislature enacted this law it was convinced that the regulation of the employment of minors was necessary, and it did so regardless of whether it was convenient for the newspapers. There are, therefore, two sides to the sentimental plea.

As to the Statute, Sub-section a. said that ~~sanct~~ a boy who can get an employment certificate can get a badge, and Sub-section b. states that those who cannot get a certificate, may get a badge to sell papers outside of school hours. The case which is being tried occurred at 11:30 in the morning. The boy was too tired to sell papers and go to school, or pay attention to his ~~studies~~ if in school.

studies

The 1st paragraph of the Statute forbids all street occupations to boys under 14 years of age.

The 2nd paragraph does not prohibit; it asks boys from 14 to 16 to submit to regulations so the little ones can be kept off the street. The law contains the phrase "any other occupation pursued in the street or public place". Selling newspapers is an occupation pursued in a public place because that is where the children mentioned were killed.

The law is not a casus omissus as Mr. Washet stated. That occurs when the Legislature prohibits things of different classes. Newspapers were in the same class as the occupation listed in the 1st Section of the Act. Mr. Marcus quoted Kentucky cases in point in which a school house was interpreted as included in the general term "public places". This decision said "general expressions were by no means unintelligible, and may be easily understood and should be construed by the court." Since the sale of newspapers occurs in a public place, it is in the same class as the other street occupations enumerated in the Act, and the court may therefore construe the law so as to include newspapers. Where the general word follows specific enumerations of things prohibited, they shall be held to include all things of the same class, and selling newspapers is a street occupation which is prohibited in the law to boys between 14 and 16 without a badge.

Referring to Judge Robinson's decision, Mr. Marcus said that at first the Judge did not know the implications of the Act, but added beneath his first decision in his own handwriting "however in every instance, a boy having a legal right to sell should have a badge." Why he subsequently changed his opinion, no one knows. As for the intention of the Legislature, the last Legislature did not turn down the bill to include newspapers. It passed the House most unanimously and died in Committee in the Senate. Since there was no opposition in the Legislature, some one must have kept it in the Committee. Mr. Marcus claims that the court has the right to construe the law as the court ~~does~~ ^{sees} it regardless of any previous decision of any court.

There are two sides to the question, ~~and~~ ^{and} one side the wealthy papers and on the other side the little boys to be protected do not know what is for their own good. Unless we try to get this law in force, we cannot keep the small boys from off the streets, cannot keep them from being killed and from being subjected to bad influences. The question is between a little difficulty for the newspapers ~~and~~ ^{and} the good of the boys.

Had the Legislature wanted to except except newspapers from this law it would have done so specifically.

There is no reason why among all occupations, newspapers should be the only one not regulated. All we ask is that they submit to regulations and the court and ~~the influencing~~ officials will keep the young children off the streets. We do not ask the newspapers to enforce it.

This is a test suit. Important enough for the newspapers to send their lawyers, and for women ~~organizing~~ various organizations to come. Mr. Marcus asked the court if he decided against the Defendant, to give him a sufficiently large fine to make possible an appeal.

Mr. Cary Tabb said that in omitting newspapers in the 2nd paragraph, the Legislature meant to eliminate them from that class of occupations. The 2nd paragraph repeated the language of the 1st Section omitting the word "newspapers", and this omission shows deliberate intention. He quoted a case in the Supreme Court of the United States (86 U.S.) in which the re-enacting clause omitted certain words. The Legislature deliberately omitted newsboys because no one cited children from 14 to 16 years of age being killed (I believe this is what Mr. Tabb said and I remember being somewhat astonished at the time but I may be inaccurate. M.R.N.) Then Mr. Tabb described again the impossibility of enforcement and wanted to know why it is impossible to tell the ages of children without ~~the~~ *badges*.

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The Attorney for the Commonwealth then quoted Sections on construing words claiming that a word employing the singular number only may be intended to mean several persons or things, and that plural number may also be intended. He then quoted Section 460 (of what?) which said that words should be given a liberal construction.

He claimed that the statement that the Legislature in passing the bill knew about the problems of newspapers was absurd. The personnel of the Legislature is 95 per cent rural. If Mr. Washer says that you and I do not know how a newspaper is managed, I do not believe that the Legislature was informed. The case depends on whether the Legislature is considered to have deliberately omitted the word "newspapers".

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Magistrate Smith. "I must say I am surprised at the arguments of some of the attorneys." The briefs muddle more than clarify the issue." One point has not been touched, and that is what is the difference between magazines and newspapers? Both the Herald and the Courier-Journal publish magazines and sell them with the newspapers. Then what is the difference between the selling of the two? Can anyone explain? The reason the newspapers do not enforce this law is because it is too much trouble for them to do it. If the children under 14 were eliminated from selling them, there would be less trouble for the newspapers. The Magistrate said that 90 per cent of the newsboys are under 14 years of age (This is a direct contradiction of Mr. Washer's remark who said that the greater portion of boys between 14 and 16 years of age) He called attention to the fact that boys 10 years of age had been seen selling newspapers at 11 and 12 o'clock at night. The court knows the Defendant, but in interest of this question finds him guilty and imposes a fine of \$25.00 because the minimum is \$15.00, and he thinks the question should be appealed.

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These notes are a rough summary from notes taken by Marie Mayer at the trial. They are not official.

CHILD - WELFARE NEWS SUMMARY

CHILDREN'S BUREAU, U.S. DEPARTMENT OF LABOR

Washington, D. C., August 17, 1935

SOCIAL SECURITY ACT

The Social Security Act, which became law when it received the signature of the President of the United States on August 14, not only establishes a system of Federal old-age benefits, encourages the development of State unemployment compensation systems, and makes available to the States Federal aid for administration of unemployment compensation laws, and for old-age assistance, aid to the blind, vocational rehabilitation, and expansion of public-health work, but also contains provisions designed to promote more directly the security of children. These provide for grants to States for aid to needy dependent children in their own homes (commonly called mothers' pensions), maternal and child health services, services to crippled children, and services to children who are homeless, dependent, neglected, or in danger of becoming delinquent. The Children's Bureau, under the Secretary of Labor, will administer these child welfare provisions, except grants for aid to dependent children in their own homes, which the Social Security Board created by the Act will administer.

The amount made available annually for maternal and child health services is \$3,800,000 for the fiscal year 1936 and each fiscal year thereafter. This amount is divided as follows: (1) Available for payment of half of the total expenditure under approved plans, \$2,820,000, of which \$1,020,000 is for uniform apportionment to the States (\$20,000 to each) and \$1,800,000 for apportionment on the basis of the proportion of live births in a State to all live births in the United States; (2) available for allotment according to financial need for assistance in carrying out the State plan after the number of live births is taken into consideration, \$980,000.

The State plans are to be approved by the Chief of the Children's Bureau if they conform with the following conditions:

Financial participation by the State.

Administration of the plan or supervision of administration of the plan by the State health agency.

Such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are necessary for the efficient operation of the plan.

Provision for such reports by the State health agency, in such form and containing such information, as the Secretary of Labor may from time to time require, and for compliance with such provisions as the Secretary of Labor may from time to time find necessary to assure the correctness and verification of such reports.

Provision for extension and improvement of local maternal and child health services.

Provision for cooperation with medical, nursing, and welfare groups and organizations.

Provision for development of demonstration services in needy areas and among groups in special need.

For services to crippled children the amount made available annually is \$2,350,000. This amount is divided as follows: For uniform apportionment to the States (\$20,000 to each), \$1,020,000; for apportionment among all the States on the basis of need after the number of crippled children in need of services and the cost of services are taken into consideration, \$1,830,000. Federal funds may be granted (within the amount available for allotment to each State) only for payment of half the total expenditures under approved State plans, the requirements for approval being similar to those for the approval of the plans for maternal and child health services with additional provision requiring cooperation with any agency in the State charged with administering State laws providing for vocational rehabilitation of physically handicapped children. These services are to be administered by a State agency; if several agencies are responsible, one is to be designated by agreement of those concerned.

For child welfare services the amount made available annually is \$1,500,000. This amount is divided as follows: For uniform apportionment to the States (\$10,000 to each), \$510,000; for apportionment among the States on the basis of the ratio of the rural population of each State to the total rural population of the United States, \$990,000. Grants are to be made to the States, on the basis of plans developed jointly by the State public-welfare agency and the Children's Bureau, for establishing, extending, and strengthening, especially in predominantly rural areas, welfare services for the protection and care of homeless, dependent, and neglected children and children in danger of becoming delinquent. They are to be used for payment of part of the costs of district, county, or other local child welfare services and for developing State services for the encouragement and assistance of adequate methods of community child-welfare organization in areas predominantly rural and other areas of special need.

The term State is defined to include Alaska, Hawaii, and the District of Columbia.

PRENATAL AND MATERNITY CARE

Advisory Obstetric Council Report, New York City The first reports of four subcommittees of the Advisory Obstetric Council of the New York City Department of Health, recently made public, offer recommendations concerning prenatal care, supervisory facilities for the care and handling of maternity cases in hospitals, closer supervision and gradual elimination of midwives, and preparation and dissemination of material on health education for expectant mothers.

Among the recommendations of the committee on prenatal care, of which Dr. George W. Kosmak is chairman, are the following: Supervision of maternity patients from the beginning of pregnancy, by one physician or one hospital service in continuity, if possible; adequate equipment of prenatal clinics for satisfactory routine examinations; opportunities in all clinics for consultation with specialists in allied fields of medicine and surgery; means for providing delivery and postpartum care to all patients, as well as facilities for handling patients who have developed abnormalities; definite

connection of all prenatal clinics with approved hospitals that maintain obstetric services under the control of an obstetric staff, these clinics to be manned by members of such obstetric services and to be supervised at every session by a responsible head; adequate laboratory facilities and a standardized record system for the clinics; patients to be limited to a number that can be cared for adequately; nurses in charge who have had special obstetric training; patients to be urged or required to attend mothers' classes; home visits to be made to all clinic patients by properly supervised and instructed nurses; accommodations for hospitalization during antepartum period to be available if required by patient; districting of the city in such way that all patients within a given area may be referred to and cared for in the clinic nearest their own homes; consideration to be given to religious and other reasons for allowing patients to attend clinics outside their own districts.

The subcommittee on midwives, of which Dr. Haven Emerson is chairman, reported a marked reduction in the number of births attended by midwives. Between 1914 and 1934 the proportion of births in New York City attended by midwives fell from 40 percent to 5 percent. The number of midwives holding licenses from the local department of health has fallen from 1,799 in 1916 to only about 700 at the present time, between 30 and 40 percent of whom are inactive. In addition to recommendations with regard to standards of training and registration of midwives and provision for their retirement, the committee recommended that, if practicable and legal, the regulations governing the issuing of licenses in future be made so rigorous as in effect to preclude the probability of admission of additional midwives to the registry.

Because of the trend in the reduction of midwife practice, the committee recommended that the Bellevue Training School for Midwives be closed, and in accordance with this recommendation the hospital commissioner has already announced that no more pupils will be admitted. For this course the committee would substitute "refresher" courses for midwives under the direction of the department of obstetrics of one of the medical schools of the city. (Press Release of Health Commissioner, New York City, May 12, 1935.)

Results of Prenatal Care, Charlotte, N.C., Maternity Clinic An indication of the value of prenatal care is found in the records of the Charlotte, N.C., Maternity Clinic, according to the Health Bulletin of the North Carolina State Board of Health for May 1935. This clinic offers maternal care to indigent mothers only. High incidence of syphilis, heart disease, nephritis, tuberculosis, and toxemia of pregnancy was found in the group. In spite of the increased risk in this group of mothers, the maternal mortality rate in the clinic's first two years (1932-34) was only 2.5 per 1,000 in the group of 790 women who had prenatal care through the clinic. Among the 286 women who were cared for by the clinic at the time of delivery but had received no prenatal care from it, the mortality rate was 18 per 1,000 births.

Classes in Prenatal Care for Private Patients After more than a year's trial the classes in prenatal care conducted in Cleveland for patients of private physicians have been voted a success by their sponsors, the Child Health Association and the Academy of Medicine, and are to be continued and extended. Not a single maternal death has occurred among the

374 private patients who have attended these classes. They meet at the Academy building or at a branch office of the Visiting Nurse Association, and the instructor is a registered nurse. Applicants are received only with the consent of their physicians. Persons able to pay are charged \$1 for the course of eight lectures, and others are admitted free.

The courses are an outgrowth of the similar work for clinic patients sponsored by health and medical agencies in Cleveland for a number of years. The maternal mortality rate of the women who attended these classes in 1933 was about half that for the city as a whole--a result similar to that reported by the Maternity Center Association of New York City. In 1934 there was only one maternal death among the Cleveland mothers enrolled in the clinic classes. (Survey Midmonthly, May 1935, p. 148.)

REPORT ON THE EVALUATION OF PRENATAL CARE, by Margaret Tyler, M.D., J. H. Watkins, Ph.D., and H. H. Walker, Ph.D., Yale University School of Medicine, Institute of Human Relations, Yale University, 1934. 68 pp.

This report was presented to the Subcommittee on Evaluation of the Committee on Administrative Practice of the American Public Health Association. The study reported was an attempt to find an answer to the question: If all other contingent factors are the same, what if any is the effect on the survival of the mother of various services described as "prenatal care"? It seeks to evaluate the results of prenatal care by comparing the outcome of labor in groups of patients receiving contrasting amounts of prenatal care, the delivery factor being kept constant by inclusion of only cases delivered by the same obstetrical service. After balancing for care, parity, and other factors that might influence outcome, the group receiving better prenatal care was found to include an excess of complications of pregnancy, many of which had apparently prompted the seeking of extra care, also an excess of complications of labor in about the same ratio. When the groups were "balanced" for complications of pregnancy, the outcome at labor appeared similar, "showing no demonstrably greater benefit of prenatal care in the group receiving the better supervision." The authors emphasize in interpretation of these apparently negative results that at least a minimum of prenatal care was received in most of the cases studied, that if no care had been received the results might have been quite different, and that definite conclusions cannot be reached because the actual number of patients and of individual complications in the contrasted groups was small (62 and 63 in the final groups compared). In commenting on this report the Subcommittee on Evaluation says that this finding does not justify any doubt of the definite value of prenatal care, even if limited to a single thorough medical examination, made no earlier than the sixth or seventh month of pregnancy and followed by not more than one or two conferences with a nurse qualified in this field. Further studies are needed before any authoritative statement is warranted as to the essential minimum or justifiable maximum amount or suitable quality of prenatal supervision to be recommended for inclusion in the program of health organization.

THE MATERNITY AND CHILD WELFARE MOVEMENT, by G. F. McCleary, M.D. (Cantab.), D.P.H. Formerly a Deputy Senior Medical Officer in the Ministry of Health, Great Britain. P. S. King & Son Ltd., London, 1935. 227 pp.

The purpose of this book, as the author defines it, is to show how the maternity and child-welfare movement began in Great Britain, how it developed, and what it now does. Chapters are devoted to health visiting, maternity and child-welfare centers, provisions for prenatal care, care of the unmarried mother and of her child, care of the preschool child, State recognition and regulation of midwives, and maternal and infant mortality.

In his conclusion the author says that although his survey has shown the development of a great national movement which has in large measure attained the objects the early pioneers had at heart, the position with regard to maternal mortality remains highly unsatisfactory. The development of a unified system of maternity services he considers the measure most needed to prevent "the deaths and disablement resulting from childbirth which, though known to be largely preventable, are not being prevented." It is to such a service, also, "That we must chiefly look for the next advance in the attack on infant mortality," as neonatal mortality now constitutes half of the total infant mortality. The conditions that kill in the first month must be met with a coordinated provision of adequate prenatal care and skilled attendance at childbirth and in the puerperium--the measures needed for the prevention of maternal mortality.

MATERNITY SERVICES, by Dame Janet Campbell, Formerly Senior Medical Officer for Maternity and Child Welfare to the Ministry of Health. Faber & Faber, London, 1935. 56 pp.

The author calls attention to the fact that after more than 10 years of widespread effort and the development of greatly improved facilities for maternal care, the problem of reducing maternal mortality is still unsolved. "The rate for England and Wales is mounting rather than declining, and was higher in 1933 than it was in 1911 when the present method of classifying deaths came into force."

This pamphlet, intended mainly for non-professional readers, describes some of the difficulties that have to be overcome and makes practical suggestions for improving and expanding the work already being done in Great Britain. Recommendations include better care before, during, and after childbirth; better training in obstetrics for physicians; better conditions for the training and practice of midwives; fuller recognition of responsibility by local authorities. An appeal is made for setting up with the aid of public funds model experimental maternity services in selected areas, preferably where the rate has been high for a long period, to test various methods.

INFANT AND MATERNAL MORTALITY RATES

Provisional Birth and Infant Mortality Rates

The Bureau of the Census has announced provisional birth and infant mortality rates for the United States for the calendar year 1934.

The provisional birth rate for 1934 is 17.1 per 1,000 estimated population, which is higher than the 1933 rate (16.6). The States with the highest provisional birth rates for 1934 are New Mexico (27.9), North Carolina and Utah (each 24.1), South Carolina (24.0), Alabama (23.4), West Virginia (23.2), and Mississippi (23.0); those with the lowest provisional rates are California (12.7) and New Jersey (12.9).

The provisional infant mortality rate for 1934 is 60 per 1,000 live births, which is higher than the 1933 rate (58). The increase appears in both the urban and the rural areas; in the urban areas the rate rose from 57 to 58, and in the rural areas it rose from 59 to 62--a significantly higher figure. The States with the highest provisional infant mortality rates are New Mexico (132) and Arizona (103), both of which have large Mexican and Indian populations. Those with the next highest rates are South Carolina (86), Georgia (79), and North Carolina (77), all of which have large Negro populations. The States having the lowest provisional rates are Oregon (40) and Washington (43).

It is a matter of concern that the infant mortality rates for the whole country and for 14 States show increases of statistical significance and that only 3 States have rates significantly lower than in 1933. The States showing increases are Florida, Georgia, Illinois, Indiana, Kentucky, Maryland, Missouri, New Jersey, North Carolina, Oklahoma, South Carolina, Virginia, Washington, and Tennessee. The 3 States with lower provisional rates are Kansas, New York, and Texas.

Study of Premature Births, Chicago A study which the Health Department of Chicago made of the death certificates of infants born and dying in Chicago hospitals having more than 200 births a year, has shown that "the death rate of premature infants under 15 days of age was as low as 5 per 1,000 births in some institutions and as high as 50 percent in others."

The department has established a 24-hour incubator ambulance service for hospitals without incubator facilities and for private physicians delivering mothers in the home. (American Journal of Public Health, New York, June 1935, p. 750.)

COMPARABILITY OF MATERNAL MORTALITY RATES IN THE UNITED STATES AND CERTAIN FOREIGN COUNTRIES - A Study of the Effects of Variations in Assignment Procedures, Definitions of Live Births, and Completeness of Birth Registration by Elizabeth C. Tandy, D.Sc. Publication No. 229, U.S. Children's Bureau, 1935. 24 pp.

This is the report of a study of comparability of maternal mortality rates in the United States and certain foreign countries, initiated by a committee of the White House Conference on Child Health and Protection and carried on with the cooperation of 16 foreign nations.

The report demonstrates clearly that: "Differences in methods of assignment are insufficient to explain the high maternal mortality rate of the United

States as compared with foreign countries. The official figure of the United States which in the last few years has exceeded that of every country except Scotland, remains high no matter what method of assignment is used. Even if the method of the country assigning the smallest proportion of deaths to the puerperal state were in use in the United States, the United States figure would still exceed that of all the 16 countries" (included in the study) "except Australia, Canada, Chile, and Scotland."

NOTES ON CHILD HEALTH

New Committee on Maternity and Child Health The National Organization for Public Health Nursing has created a Committee on Maternity and Child Health, with the aid of which it hopes to offer to public health nursing agencies throughout the country help and authoritative advice as to the "essentials of a maternity and child health program and the part of public-health nursing in the picture." The chairman of the committee is Winifred Rand of the Merrill-Palmer School (Detroit), and it includes in its membership Dr. Fred L. Adair, Dr. Richard Mason Smith, Dr. Percy R. Howe, and representatives of the American Child Health Association, the Child Study Association of America, the United States Public Health Service, the United States Children's Bureau, and various State and local boards of health and education.

The committee will work closely with the N.O.P.H.N. toward attaining high public health nursing standards in maternity and child health. One of its first undertakings will be the revision of the "Objectives" and the "Manual of Public Health Nursing" as they relate to maternity and child health programs. (Public Health Nursing, June 1935, p. 349.)

Health Conservation, Rural Counties A health-conservation contest for rural counties of northeastern United States having full-time health commissioners and assistants was recently conducted by the United States Chamber of Commerce and the American Public Health Association. The counties were judged on their record in the control of tuberculosis and other communicable diseases, in sanitary supervision of milk and water supplies, in school health work, in service for care of rural mothers and children, and in public-health education. First place in the contest was shared by the two New York counties of Cattaraugus and Westchester. In Cattaraugus the general tuberculosis rate for 1934 was 33, the lowest ever recorded in the county, and tuberculosis among children has been practically eliminated. Likewise, there were no cases of diphtheria in 1934, the first year in which this has been true since records of communicable diseases have been kept in the county. In the last 5 years diphtheria cases have averaged 16 per year, as compared with an average of 96 cases per year in the 10-year period 1919 to 1928. This good record is attributed to the county's campaign of diphtheria immunization, which began in 1925 and had reached more than 18,000 children by the end of 1934. The campaign was focused very largely on infants and very young children, more than 35 percent of all the preschool children having been immunized. (News Digest, Milbank Memorial Fund, June 1935, p. 2.)

Town Meetings on Health

Taking as its slogan "Health Today and Tomorrow" a nationwide campaign of health education has been launched by the National Health Council, a body of 17 national voluntary organizations cooperating with Federal, State, and local health agencies and community groups in promoting better health throughout the United States. The campaign opened in June and will terminate in October with a series of open meetings patterned after the old-fashioned New England town meeting, devoted to discussion of personal and community health and the number and adequacy of community health and social services. The campaign is to be especially promoted in about 400 cities in which health and social-work organizations, both voluntary and official, promise active cooperation. Other communities will be urged to cooperate. The objectives of the campaign are:

- To stimulate intelligent interest in community health on the part of the citizens and taxpayers of American cities;
- To promote such special objectives in these communities as the local health and social agencies may think most desirable;
- To coordinate in these local campaigns all health and social-work agencies, both State and local, in a combined expression of interest in community health;
- To unite the national health agencies in the National Health Council in the promotion of the foregoing objectives.

The chairman of the publicity committee in charge of the program is Dr. Louis I. Dublin of the Metropolitan Life Insurance Co. The headquarters of the National Health Council is at 50 West Fiftieth Street, New York City.

Results of Immunization for Diphtheria An illustration of the value of immunization in the prevention of diphtheria is found in the health records of the Department of Health of New Haven, Conn. After 11 years of active immunization by the department, the 1934 record of only 3 cases and no deaths stands out in striking contrast to the previous yearly average of 313 cases and 20 deaths. (No specific dates are given.) At present the main task of the department is to protect the babies of the city as they reach the age of 6 months and to protect the newcomers. In addition to children immunized by private physicians last year, 1,521 children under school age were immunized by the health department; 624 of these were babies of 6 to 12 months. (Health, Monthly Bulletin of New Haven Department of Health, March 1935, p. 3.)

Scarlet Fever Immunization

A discussion of the value of immunization as a means both of preventing and of controlling outbreaks of scarlet fever was presented by the director of the Caldwell County (Ky.) Health Department, in the April 1935 issue of the Bulletin of the Kentucky Department of Health. Twenty-seven cases of scarlet fever developed in the neighborhood of Princeton in this county in the fall of 1934, and an epidemic seemed imminent. An immunization campaign was begun in which all the children in the white schools in that area were given the Dick test and this was followed by immunizing injections. As a result there were only five other cases of the disease, the only school child among them being a boy who had refused immunization. Similar campaigns were conducted in other school districts of the county with equally good results.

The Dick test was given to a total of 757 children, of whom 363 were found susceptible. With the permission of their parents, 300 of these were immunized and 229 of them took all the immunizing injections. A second testing showed that 207 of the 229 given immunizing injections had become immune and 11 had a decreased susceptibility; the remaining 11 did not take the retest. In addition, it was found that 48 of the 71 children who did not complete the injections for immunization had developed satisfactory immunity.

Prevalence of Scar- Scarlet fever in the United States since the beginning
let Fever, 1935 of 1935 has reached a prevalence hitherto unattained.
Reports received by the United States Public Health Service from State health officials show more than 8,000 cases for 47 States. These were for March only; previously the prevalence of this disease has reached its peak in the first week or two of April. (American Journal of Public Health, May 1935, p. 674.)

REACTION OF FAMILIAL CONTACTS TO SCARLET-FEVER INFECTION, by J. E. Gordon, M.D., G. F. Badger, George B. Darling, Dr. Ph., and Sarah S. Schooten, M.D.; Division of Epidemiology, W. K. Kellogg Foundation, and the Herman Kiefer Hospital, Department of Health, Detroit, Mich. American Journal of Public Health, May 1935, p. 531.

This paper reports in detail certain findings of an epidemiological survey of scarlet fever under home conditions among an urban population of Detroit. The observations covered a period of three years and were concerned with ordinary endemic scarlet fever, not with a short outbreak of the disease.

A STATE-WIDE INFANTILE PARALYSIS PROGRAM, by Lillian E. Kron, R. N., Nurse in charge of Poliomyelitis After-Care, State Department of Public Health, Vermont. Public Health Nursing, New York, July 1935, p. 365.

A description of "the Vermont plan" for the aftercare on a State-wide basis of victims of infantile paralysis. The plan originated after a serious outbreak of the disease in Vermont in 1914, and from that date till 1933 was financed by an anonymous donor. Since 1933 it has been supported by State appropriations supplemented by gifts from another friend of the work.

The staff consists of two nurses who are also physiotherapists, a handicraft instructor, and a secretary. These workers cooperate with physicians, visit patients throughout the State, and conduct clinics. Two or three series of free clinics are held each year in eight centers in the State. In the spring and fall the clinics are conducted by the two nurses for inspection of braces, examination of muscles, and supervision of exercises. Each summer orthopedic specialists, assisted by additional physiotherapists, conduct special clinics.

The purpose of the work is to remedy physical handicaps so far as possible and to help the crippled to become self-supporting and useful citizens.

RECENT PUBLICATIONS ON CHILD CARE

NUTRITION WORK WITH CHILDREN, by Lydia J. Roberts, Professor and Chairman of the Department of Home Economics, University of Chicago. Revised and enlarged edition. University of Chicago Press, 1935. 639 pp.

The former plan and much of the original material have been retained in this new edition of a work first published in 1926, but the text has been practically rewritten in order to reflect the changes of the past nine years. In her foreword, the author notes among the things making a revision necessary the output of basic research from laboratories all over the country since the writing of the first edition, the increase in studies of growth and development, changes in methods of assessing nutrition, the development and extension of health work in schools, the growth of the nursery school, the parent-education movement. Other factors bringing changes are the effects of the depression and of community-wide health demonstrations, new health foundations, and the findings of the White House Conference on Child Health and Protection.

A NUTRITION PROGRAM AND TEACHING OUTLINE, prepared and published by the Philadelphia Child Health Society, 311 South Juniper Street, Philadelphia, Pa., 1934 (second edition), 156 pp.

This outline, originally developed for use in the health centers and clinics of the division of child hygiene of the Department of Public Health of Philadelphia, has been rewritten and enlarged. It consists of a series of lessons, with lists of illustrative material and bibliographical references and questions, covering the general factors influencing nutrition and health and the various foods commonly used in family meals. Among lesson topics are importance of health examinations and correction of defects, health protection for children during hot weather, sleep and rest, minimum and emergency nutrition, nutrition in prenatal and postnatal periods, diet of children at different ages, and specific foods such as cereals, fats and fruits. Lists of menus of different ages are given; also daily food guides and market lists.

THE FUN OF HAVING CHILDREN, by Katharine Seabury. Lothrop, Lee & Shepard Co., Boston, 1935. 202 pp.

This book, written by one who is "merely a mother", deals with the pleasures and responsibilities brought by children to those who have the duty of bringing them up.

MOTHERS' GUIDE WHEN SICKNESS COMES, by Roger H. Dennett, B.S., M.D., D.Sc., Professor of Diseases of Children, and Edward T. Wilkes, B.S., M.D., Instructor of Diseases of Children, New York Post-Graduate Medical School. Doubleday, Doran & Co., 1934. 400 pp.

A practical handbook for mothers, dealing with matters pertaining to health in general such as the care of the baby, signs of health, habits and handicaps, emergencies, specific diseases and ailments of children; nursing procedures, and diets.

GROWTH AND DEVELOPMENT OF THE YOUNG CHILD, by Winifred Rand, A.B., R.N., Specialist in Parental Education; Mary E. Sweeny, M.S., M.A., Nutritionist; and E. Lee Vincent, Ph.D., Psychologist, at the Merrill-Palmer School, Detroit. W. B. Saunders Co., 1934. 429 pp.

This new and revised edition of a work first published in 1930 contains considerable new material on such subjects as endocrine physiology, growth during infancy and childhood, and feeding and nutrition, and an entirely new chapter on biological development. An added feature is the list of questions for classroom use. The book has a bibliography of 184 titles.

INFANT BEHAVIOR - Its Genesis and Growth, by Arnold Gesell, Director of the Clinic of Child Development and Professor of Child Hygiene in Yale University; and Helen Thompson, Ph.D., and Catherine Strunk Amatruda, M.D., Yale Clinic of Child Development. McGraw-Hill Book Co., New York, 1934. 343 pp.

This volume is the report of an investigation of mental development in a group of infants in the first year of life, conducted by the Yale Clinic under scientifically controlled conditions of observation. The research project was carried on during a period of 7 years, and altogether 524 examinations were made of 107 different children. Chapter 3 summarizes the behavior characteristics displayed in 25 different situations instituted at 15 age levels from 4 weeks to 56 weeks.

Extensive cinema records were made which have been codified in An Atlas of Human Behavior, published by the Yale University Press. The atlas contains 3,200 action pictures, together with stenographic notes taken in conjunction with the camera record. The full cinema record is available at the Photographic Library of the Yale Clinic.

A 7-reel talking motion picture made from these records, entitled "Life Begins," is announced by Erpi Pictures Consultants, producers of educational films (250 West Fifty-seventh Street, New York City) in the June issue of the Educational Screen (p. 166). Bookings for the film are being made with organizations interested in child-welfare work.

THE CHILD--HIS ORIGIN, DEVELOPMENT, AND CARE, by Florence Brown Sherbon, A.M., M.D. Professor of Child Care and Development, Department of Home Economics, University of Kansas. McGraw-Hill Book Co., New York, 1934. 707 pp.

This volume is the result of the experience of the author during 15 years' teaching of child development and child care to women students in the University of Kansas. It deals with "the whole child, from his earliest origins until we lead him to the schoolroom door."

Its purpose, as the author states it, is to try to give to parents and students the vocabulary and basic scientific insight necessary to enable them to read the modern child-development literature understandingly and to see the place of the child in the modern world.

Part I has to do with the beginnings of life; part II with the birth of the child and his needs and growth during the first year; and part III with development, behavior, and training, including chapters on development at different age periods up to 5 years.

Brief appendixes deal with food selection and analysis, immunization, and the anesthetics used in childbirth.

A SHORT BIBLIOGRAPHY ON MILK. Consumer Notes, Published for the County Consumers Councils by the Consumers Division of the National Emergency Council. Vol I, No. 7, May 8, 1935. p. 28.

Publications on price, distribution, standards, consumption, food value of milk, public regulation of the industry, and related topics.

CHILD QUESTIONS AND THEIR ANSWERS - A Lesson in Social Hygiene, by Olive Woodruff, Cottage Mother, Ohio Soldiers' and Sailors' Orphans' Home, Xenia, Ohio. Journal of Social Hygiene, April, 1935, p. 181.

A report of actual experience in imparting sex information to a group of young boys.

SEX EDUCATION - FACTS AND ATTITUDES. Child Study Association of America, 221 West Fifty-Seventh Street, New York City, 1934. 60 pp.

A collection of 10 articles addressed to parents on various aspects of sex education. The articles originally appeared in issues of the Association's magazine, Child Study, and other current magazines. A "Selected List of Books on Sex Education" for children and young people and for parents has been issued as a supplement.

CHILDREN'S BUREAU
U. S. DEPARTMENT OF LABOR
Washington

In cooperation with
THE KENTUCKY CHILD WELFARE COMMISSION.

PROVISION FOR DEPENDENT, DELINQUENT, AND HANDICAPPED
CHILDREN IN KENTUCKY.

Report of cooperating committee for _____ County.

The members of the cooperating Committee are (give name and address and if any of the members represent organizations, the names of the organizations represented):

Chairman.

This report has been read and approved by -
(The members approving the report will please sign their names below.)

The KENTUCKY CHILD WELFARE COMMISSION is an official commission appointed by the Governor to study the needs of Kentucky children.

The Commission is to report to the legislature on changes that should be made in State laws.

The Chairman of the Commission is Miss Frances Ingram, Neighborhood House, 428 South First Street, Louisville.

The other members of the Commission are:

Mr. John F. Smith, Vice Chairman, Berea.
Mr. George Stoll, Secretary-Treasurer, Louisville.
Miss Linda Neville, Lexington.
Mr. Harry B. Mackoy, Covington.
Mr. W. F. Bradshaw, Paducah.
Mrs. Frank LeRond McVey, Lexington.
Mrs. Bernard Selligman, Louisville.
Dr. Frank J. O'Brien, Louisville.

The FEDERAL CHILDREN'S BUREAU is cooperating with the Kentucky Commission in finding out the needs of the children of the State.

The Children's Bureau and the Kentucky Commission ask the help of those in your county who are interested in children. It is suggested that a county committee be formed to study conditions and secure the information requested by the Child Welfare Commission and the Federal Children's Bureau. If possible, every organization in the county concerned with social welfare should be represented on the committee; for instance, the local chapter of the American Red Cross, the Rotary Club, the Woman's Club, the Public Health Association, and so forth. The committee should select a chairman who will be responsible for securing the information requested.

The work of the committee will be to answer the questions about children in your county which are asked in this outline. Different parts of the outline can be assigned to different members of the committee, or if the committee represents various towns or parts of the county, each member may undertake to secure all the information for his or her own community. The chairman should carefully check over all replies and see that the same person or family is not counted twice.

Fill in the answers in the spaces provided below and send this to Miss Frances Ingram, Neighborhood House, 428 South First Street, Louisville, not later than _____. If you wish to give further information about the needs of children in the form of a letter to Miss Ingram, it will be appreciated.

In the lists of cases space is given for entering names. If you prefer not to enter names, you may refer to the cases by number only, keeping for future use a list of names numbered to correspond to the numbers given here. All information that you obtain and that is not included in the answers sent to the Child Welfare Commission, such as names and addresses of children, should be kept because of its future value in child welfare work in your county.

After going over your replies, Miss Ingram will send copies to the Federal Children's Bureau, but any names or identifying information will be withheld if you so request.

GENERAL SUGGESTIONS

So far as possible, information should be secured from official records (court records, birth records, marriage records, etc.) If records are lacking, that fact should be definitely stated, as for instance "no records of juvenile court proceedings exist, according to the oral statement of the county (juvenile court) judge." If your answers are based upon oral statements of the juvenile court judge, for instance, or of the county clerk, that should be stated. If official records exist, consult them, and if they do not furnish enough information for you to give a satisfactory answer, secure information also from oral statements of judges or officials, and state what part of your answer is based upon oral statements and what part is based upon records. State the official position of each person giving you oral information.

If you can secure no information from records and none from oral statements of official persons, state these two facts.

If you can secure information only from unofficial persons state whether or not you consider the information reliable, and give the reasons for your opinion.

In securing answers that relate to persons, as for instance, persons who have received aid from the county, be very careful not to seem to be prying into confidential family matters, and not to break any trust placed in you by including in your answers statements that were made to you in confidence. If information cannot be secured from public records or officials, do not try to secure it from other sources if there is any danger that the persons involved will be troubled or embarrassed by the questions.

I. THE RIGHTS OF CHILDHOOD.

Every child has a right to care which will insure

1. Physical and mental health
2. Normal home life.
3. The largest possible development of his powers through education.
4. Opportunity for wholesome play and companionship.
5. Protection from work that interferes with health or schooling.
6. Moral and religious training.

The home, the school, and the Church are the normal agencies for supplying these needs of childhood. However, many children require the special care of the community and the State because of -

1. Orphanage.
2. Illness of parents.
3. Poverty caused by unemployment, shiftlessness, or misfortune.
4. Desertion.
5. Illegitimate birth.
6. Neglect by parents or guardians.
7. Home conditions detrimental to the child.
8. Detrimental community conditions.
9. Delinquency.
10. Physical handicap or disease.
11. Mental defect or disease.

II. CARE OF DEPENDENT CHILDREN.

Sources of Information:

The following are suggested as possible sources of information in your county:

Public Officials and Public Records.

County clerk's records
County Judge (Juvenile Court Judge).
County magistrates
Probation officer
City clerk's records
Mayor
Police department
Superintendent of county schools
Superintendent of city schools
School attendance officer
School census
County and city boards of health.
Public health nurse
Almshouse.

Private organizations.

Associated Charities
Chapter of American Red Cross
Public Health (or visiting nurse) Association
Woman's Club
Parent-Teachers' Associations
Women's Christian Temperance Union
Young Men's Christian Association
Young Women's Christian Association
Churches and Sunday Schools
Fraternal and other organizations (Masons, Knights of Pythias, Odd Fellows, Knights of Columbus, Eastern Star, Elks, Rotary, Kiwanis, Lions, Optimists, etc.)

II. CARE OF DEPENDENT CHILDREN (continued).

CHILDREN SHOULD NOT BE TAKEN AWAY FROM THEIR PARENTS BECAUSE OF POVERTY ALONE.

Forty-two of the 48 States have "mothers' pension" laws under which the county or the State gives aid to children of mothers who are widowed or who for other reasons are the main but insufficient support of the family. Such aid makes it possible to keep children in their own homes and in school, and to give them the care and affection to which they are entitled.

Kentucky is one of the six States that have no such law. Grocery orders and other help are sometimes given through the county fiscal court.

1. Does your county help destitute families through the fiscal court?

How much does the court know about the real needs of the families which ask for aid?

2. Does the city in your county help destitute families?

Through what official is aid given?

How much does he know about real needs of the families which ask for aid?

3. How many families having children under 16 years of age were aided through the fiscal court or by the city during the year 1923, or during the last fiscal year?

II. CARE OF DEPENDENT CHILDREN (continued)

4. Please enter below, for each family separately, information in regard to the families having children under 16 years of age, which received aid through the fiscal court, or the city government, in the year 1923, or during the last fiscal year. Do not visit the homes but secure as complete information as possible from the county or city records and officials.

Status of family. (State whether both parents are at home, or whether the mother is widowed, divorced, deserted, etc.)	Number of children living at home		Amount of aid given during year. (State whether through fiscal court or city government)	Family income at times when aid was granted	State whether you think sufficient aid was granted, and give the reasons for your opinion
	Under 6 years of age.	6 to 15 years of age, inclusive			
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

II. CARE OF DEPENDENT CHILDREN (continued)

4. (continued)

Status of family. (State whether both parents are at home, or whether the mother is widowed, divorced, deserted, etc.)	Number of children living at home		Amount of aid given during year. (State whether through fiscal court or city government)	Family income at times when aid was granted.	State whether you think sufficient aid was granted, and give the reasons for your opinion.
	Under 6 years of age.	6 to 15 years of age, inclusive.			

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II. CARE OF DEPENDENT CHILDREN (continued)

5. What churches or private societies give aid to needy families with children under 16 years of age?

How many families with children are receiving such aid?

How many of these families are also being helped by the county fiscal court or the city government?

6. Do you know of any widowed or deserted mothers or mothers whose husbands are wholly incapacitated, with children who do not have enough food or clothing, or who are neglected because the mother works away from home, or who are not having a chance to go to school? If so, please enter below, for each family separately, information in regard to these mothers and children.

Status of family. (State whether the mother is widowed, deserted, divorced, etc.)	Number of children living at home		State briefly the conditions in the home and your reasons for thinking the family needs aid.
	Under 6 years of age	6 to 15 years of age inclusive.	
1			
2			
3			
4			
5			
6			
7			
8			
9			

II. CARE OF DEPENDENT CHILDREN (continued).

6. (continued)

Status of family. (State whether the mother is widowed, deserted, divorced, etc.)	Number of children living at home		State briefly the conditions in the home and your reasons for thinking the family needs aid.
	Under 6 years of age	6 to 15 years of age, inclusive	
10			
11			
12			
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21			
22			
23			
24			

II. CARE OF DEPENDENT CHILDREN (continued)

7. Dependent or neglected children placed in institutions from your county during the year 1923, or during the last fiscal year, without court commitment. (For court cases see V, Juvenile Courts). Please enter below for each child separately the information asked for.

Name of child	Age and date when placed in institution	Name and address of institution receiving child	State whether child placed for temporary or permanent care	State whether child was living with both parents, with mother, with father, with relatives, etc. (If both parents are dead, state that fact.)	Reason for placing child in institution
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14					
15					

II. CARE OF DEPENDENT CHILDREN (continued)

8. If any of the children listed under 7 were placed in the county almshouse, give below additional facts concerning these children, including the length of stay in the almshouse and if the child left the almshouse, the person to whom he was discharged.

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III. NEGLECT OR ABUSE OF CHILDREN.

Sources of Information:

The sources given under II, "Care of Dependent Children", page 6, especially the County (juvenile court) Judge, the public health nurse, and school officials. The juvenile court law should also be consulted. It is included in Carroll's Kentucky Statutes, which may be found in the Court House or any law office.

9. How many children under 16 years of age in your county need protection because of neglect or abuse by parents or other relatives?

Please enter below for each child separately the information asked for.

Child	Sex	Age	With whom living (both parents, father, mother, etc.)	In what way is the child abused or neglected?
1				
2				
3				
4				
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7				
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10				
11				
12				

III. NEGLECT OR ABUSE-OF CHILDREN (continued)

10. What society in your county or State comes to the aid of such children, and how does it help them?

11. What does the juvenile court do in these cases?

12. How many girls under 16 years of age in your county are living in homes in which there is no woman (mother, relative, housekeeper, or other woman)?

IV. ADOPTIONS.

Sources of Information:

The sources given under II, "Care of Dependent Children," page 6, especially the county clerk's records.

13. Is an investigation made by order of the circuit court before a decree of adoption is granted?

Who makes it?

Does the circuit court, in granting decrees of adoption, consider whether the child's own parent or parents might be able to care for him now or later?

14. Does the circuit court investigate or require investigations of every adoption for which a petition is filed?

By whom is the investigation made?

What does it cover with reference to the child and the child's own family? (Physical condition, character of parents and their ability to care for the child, etc.)

What does the investigation cover with reference to the character and financial condition of the persons desiring to adopt the child, and their ability to give the child a proper home?

IV. ADOPTIONS (continued)

15. How many petitions for adoption were filed during the year 1923,
or during the last fiscal year?

16. How many petitions were refused?

17. How many decrees of adoption were granted?

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V. JUVENILE COURTS.

Sources of Information:

The sources given under II, "Care of Dependent Children," page 6, especially the following:

The County (juvenile court) Judge, probation officer, and county clerk's records.

The circuit court judge and the records of the clerk of the circuit court.

The county jailer and records of the county jail.

The city lock-up.

The police department.

The county auditor's records.

The minutes of agreement between the city and the superintendent of the lock-up.

The minutes of agreement between the county and the jailer.

Child-caring agencies in city and county.

The newspapers.

V. JUVENILE COURTS (continued)

DELINQUENT CHILDREN WHO ARE BROUGHT TO COURT SHOULD NOT BE TREATED AS CRIMINALS. OFTEN THEY HAVE NOT HAD A CHANCE AT HOME. THEY MAY BE IN NEED OF PROTECTION, SPECIAL CARE, OR SPECIAL TREATMENT.

The methods which should be used by courts in dealing with children were studied for two years by a committee appointed by the Children's Bureau of the United States Department of Labor. The report of the committee was adopted by a National conference held in Washington in May, 1923. These juvenile court standards have been printed by the Children's Bureau. Some of them are given below.

Hearings.

In every county the court dealing with delinquent and dependent children should hear children's cases entirely separate from adult cases. The hearings of children's cases should not be public and the names of the children should not be given to the newspapers.

18. Does the juvenile court in your county allow the public to be present at hearings of children's cases?

19. Are the names of delinquent children ever given to the newspapers?

V. JUVENILE COURTS (continued)

DELINQUENT CHILDREN WHO ARE BROUGHT TO COURT SHOULD NOT BE TREATED AS CRIMINALS. OFTEN THEY HAVE NOT HAD A CHANCE AT HOME. THEY MAY BE IN NEED OF PROTECTION, SPECIAL CARE, OR SPECIAL TREATMENT.

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18. Does the juvenile court in your county allow the public to be present at hearings of children's cases?

19. Are the names of delinquent children ever given to the newspapers?

V. JUVENILE COURTS (continued).

20. In how many children's cases in the year 1923, or in the last fiscal year did the county judge waive jurisdiction and hold the child to the circuit court?

Please enter below for each child held to the circuit court, the information asked for.

Child	Sex	Age at time of appear- ance in ju- venile court	Offense	Date of appear- ance in juvenile court	Date of trial in circuit court	Number of days in jail before trial in circuit court	Disposition of case in circuit court
1							
2							
3							
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11							
12							

V. JUVENILE COURTS (continued).

Detention

The Kentucky law says that children under 14 years of age can not be held in jails or lock-ups. The Children's Bureau standards say that children under 18 years of age should not be held in jails or lock-ups.

21. How many children under 18 years of age in your county are now in jails or lock-ups? Give the age of each and the number of days detained to date.

Boys:

Girls:

22. How many children under 18 years of age were held in jail or lock-up during the year 1923, or during the last fiscal year? Give the age of each child and the number of days detained -

Boys:

Girls:

23. Is there a woman matron in the jail?

24. Are girls protected in any way from contact with man prisoners?
How?

V. JUVENILE COURTS (continued).

Detention (continued).

25. How much per day does it cost the county to hold a child in jail?
26. How many meals per day do children in jail have?
27. Is there any group of persons in your county taking special friendly interest in children held in jails? Name them.
28. What is done with children who are arrested and who are not held in jail or police station?

V. JUVENILE COURTS (continued).

Probation

29. Does the juvenile court have a probation officer to help the Judge find out about the home conditions and needs of children and to look after children placed on probation?

How many probation officers-men:

Women:

30. What training did the probation officer or officers have for probation work?

31. How much time do the probation officers give to the work of the juvenile court?

32. Are the probation officers paid from county funds?

If not, who pays them?

33. Does the probation officer visit the child's home in every case before the judge decides what is to be done with the child?

34. Are the children given physical examinations?

How many during the year 1923, or the last fiscal year?

Are the children given mental examinations?

How many during the year?

35. How often does the probation officer visit the children on probation?

V. JUVENILE COURTS (continued).

Number of Cases.

36. How many children came before your court during the year 1923, or during the last fiscal year. Delinquent boys? Delinquent girls?
Dependent and neglected boys? Dependent and neglected girls?
Others? How many of these children had previously come before the juvenile court?
How many had not been in court before?

37. Enter below the action of the court in the cases of the delinquent children dealt with during 1923, or the last fiscal year.

Action of the court.	Number of delinquent children.
Cases dismissed	
Children placed on probation	
Children sent to State reform school at Greendale	
Children sent to penitentiary	
Children sent to some other institution (give the name of each institution and the number sent to each)	
Children placed in care of a child-caring organization or society (give the name of the society)	
Children placed direct by the court in private family homes other than their own	
Case pending or court action not reported	
Total	

V. JUVENILE COURTS (continued).

Number of Cases.

36. How many children came before your court during the year 1923, or during the last fiscal year. Delinquent boys? Delinquent girls?
Dependent and neglected boys? Dependent and neglected girls?
Others? How many of these children had previously come before the juvenile court?
How many had not been in court before?

37. Enter below the action of the court in the cases of the delinquent children dealt with during 1923, or the last fiscal year.

Action of the court.	Number of delinquent children.
Cases dismissed	
Children placed on probation	
Children sent to State reform school at Greendale	
Children sent to penitentiary	
Children sent to some other institution (give the name of each institution and the number sent to each)	
Children placed in care of a child-caring organization or society (give the name of the society)	
Children placed direct by the court in private family homes other than their own	
Case pending or court action not reported	
Total	

V. JUVENILE COURTS (continued)

Number of cases (continued)

38. Enter below the action of the court in the cases of the dependent and neglected children dealt with during 1923, or the last fiscal year.

Action of the court.	Number of dependent and neglected children.
Cases dismissed	
Children placed under supervision of the probation officer	
Children placed in care of child-caring or home-finding organizations or societies (give the name of each organization and the number of children placed in care of each)	
Children placed in the care of institutions (give the name of each organization and the number of children placed in care of each)	
Children placed direct by the court in private family homes other than their own.	
Case pending or court action not reported	
Total	

V. JUVENILE COURTS (continued)

Number of cases (continued)

39. Give below for each dependent or neglected child placed in care of an organization or society or committed to an institution the information asked for.

Child	Name of organization or institution receiving the child	Committed for temporary or permanent care?	With whom living before commitment (Both parents, father, mother, etc. If both parents are dead, state that fact.)	Reason for commitment
1				
2				
3				
4				
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7				
8				
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10				
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12				
13				
14				
15				
16				
17				
18				
19				
20				

V. JUVENILE COURTS (continued)

Number of cases (continued)

40. (continued)

Child	Name of organization or institution receiving the child	Committed for temporary or permanent care?	With whom living before commitment (Both parents, father, mother, etc. If both parents are dead, state that fact.)	Reason for commitment

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V. JUVENILE COURTS (continued)

41. What information is given by the court to the institution or agency to which a child is committed? (Attach a copy of the commitment blank used.)

42. Give below the amount of money spent from county funds for the care of dependent, neglected, and delinquent children during the year 1923, or during the last fiscal year.

Amount spent by the county for children in State institutions	_____
Amount spent by the county for children in county institutions	_____
Amount spent by the county for children in city institutions	_____
Amount spent by the county for children in private institutions	_____
T o t a l	_____

V. JUVENILE COURT (continued)

43. How many adults were brought to court on charges of contributing to the delinquency of children during 1923, or during the last fiscal year?

Give below for each case the information asked for.

Child	Sex	Age	Relationship of adult complained against (Father, mother, no relative.)	Sex and age of adult complained against	Disposition of case (Commitment to workhouse, fine, etc.)
1					
2					
3					
4					
5					
6					
7					
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16					
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19					

VI. CHILD MARRIAGES.

Sources of Information:

Those given under II, "Care of Dependent Children," page 6, especially the county clerk's records. Also the records of the clerk of the circuit court, for divorce proceedings.

44. How many marriage licenses were issued in your county during 1923?

In how many of these cases was the bride under 16 years of age and the groom under 18 years of age?

In how many cases was the bride under 16 and the groom over 18?

In how many cases was the bride over 16 and the groom under 18?

45. In cases of young people applying for marriage licenses, is any proof of age required. (Birth certificate, baptismal certificate, etc.)

46. In cases of young people of an age when consent of parents is required before a marriage license is granted, is any proof of identity required of those who state they are parents and wish to give consent?

VI. CHILD MARRIAGES (continued)

47. Give below for each child marriage during the year 1923, the information asked for.

Date marriage license was issued	B R I D E		G R O O M	
	Age	Residence (In your county, in the State, outside the State.)	Age	Residence (In your county, in the State, outside the State.)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				

48. Can you give any striking cases of unsuccessful marriages whose failure you believe to be due to the youth of the bride or groom?

VII. ILLEGITIMATE CHILDREN.

Sources of Information:

Those given under II, "Care of Dependent Children," page 6; Department of vital statistics of your local board of health; hospitals and children's institutions; county clerk's records. (Be very careful not to make inquiries that will cause any embarrassment or suffering to the individuals involved.)

The Minimum Standards for Child Welfare adopted in 1919 at conferences held at the call of the Federal Children's Bureau stated that special safeguards should be provided for the child born out of wedlock.

"Save for unusual reasons," the Standards say, "both parents should be held responsible for the child."

"Care of the child by its mother is highly desirable, particularly during the nursing months."

"No parent of a child born out of wedlock should be permitted to surrender the child outside his own family, save with the consent of a properly designated State department or a court of proper jurisdiction."

"The fathers of such children should be under the same financial responsibilities and the same legal liabilities toward their children as other fathers."

"The treatment of the unmarried mother and her child should include the best medical supervision and should afford the widest opportunity for wholesome, normal life."

VII. ILLEGITIMATE CHILDREN (continued)

49. How many illegitimate children were born in your county during 1923, or during the last year for which statistics are available?

50. Do pregnant, unmarried girls often go to some city outside the county for confinement? Where?

51. Do you know of any maternity homes run for profit? If so, give the name and location of each.

52. How often does the mother keep the child with her during the nursing period or longer?

53. What becomes of the babies who do not stay with their mothers?

VII. ILLEGITIMATE CHILDREN (continued)

54. Is there any organization in your community or neighborhood interested in protecting the lives and welfare of these children?

If so, give its name and address.

55. In how many cases of illegitimacy did the mother make complaint to the county clerk against the man said to be the father of the child during 1923, or during the last fiscal year?

Please enter below for each such case the information asked for.

Unmarried mother	Date of complaint to county clerk	Age of mother	Age of man said to be the father	Warrant issued or not issued	Date of trial in county court	Result of legal action (Case settled before trial; case dismissed; father ordered to pay for child's support; etc. <u>1/</u>
1						
2						
3						
4						
5						
6						

1/ If the case was settled or support was ordered give in the last column the amount of the settlement or the court order.

VIII. HANDICAPPED CHILDREN.

Sources of Information:

Those given under II, "Care of Dependent Children," page 6; correspondence with Kentucky School for the Blind, Louisville, Ky.; Kentucky School for the Deaf, Danville, Ky.; Kentucky Institute for Feeble-Minded Children, Frankfort, Ky.; Kentucky State Houses of Reform, Greendale, Ky.

56. How many children from your county are in the State School for the Blind?

Give the name, sex, and age of each.

	Name	Sex	Age
1			
2			
3			
4			
5			
6			
7			
8			
9			
10 <u>1/</u>			

1/ If you do not have sufficient room, continue on the back of this page.

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VIII. HANDICAPPED CHILDREN (continued)

57. How many children from your county are in the State School for the

Deaf?

Give the name, sex, and age of each.

	Name	Sex	Age
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

VIII. HANDICAPPED CHILDREN (continued)

58. How many children from your county are unable to attend your local school because they are blind?

Give the name, sex, age, parent's name, and address of each.

Name	Sex	Age	Father's name (Mother's name if child not living with father, or name of person with whom child lives.)	Address	Post Office
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

VIII. HANDICAPPED CHILDREN (continued)

59. How many children from your county are unable to attend your local school because they are deaf?

Give the name, sex, age, parent's name, and address of each.

Name	Sex	Age	Father's name (Mother's name, if child not living with father, or name of person with whom child lives.)	Address	Post Office
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

VIII. HANDICAPPED CHILDREN'S (continued)

60. How many crippled children are there in your county? How many are in need of hospital care, corrective treatment, or crutches or braces?

How many are unable to attend school?

Give below for each crippled child in need of care or unable to attend school the information asked for.

Name	Sex	Age	Nature of handicap. (For example, tubercular knee)	Is child able to attend school?	What care or appliances seem to be needed?
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

VIII. HANDICAPPED CHILDREN (continued)

61. How many feeble-minded children from your county are in the State
Institute for Feeble-Minded Children?

Give the name, sex and age of each.

	Name	Sex	Age
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

VIII. HANDICAPPED CHILDREN (continued)

62. Are there any special classes for feeble-minded children in the public schools in your community? How many teachers of these special classes?

How many children attend?

63. How many feeble-minded children are there in your county who ought to be in the State Institute for Feeble-Minded Children or who need special protection of some other kind?

How many of these children are so defective that they cannot dress themselves or attend to their personal needs?

Keep for future use a list, giving the name, age, parent's name, address, and postoffice of each feeble-minded child in need of special care or protection.

IX. AGENCIES AND SOCIETIES INTERESTED IN CHILD WELFARE.

Give below the names, addresses, and field of work of all officials, organizations, or societies in your county that deal in any way with child welfare problems (Including the Red Cross; public health centers; public health nurses; the county superintendent of schools; the truant officers; the juvenile court judge; private relief societies -- including church and fraternal organizations giving aid; humane societies; Boy Scouts; Girl Scouts; Y.M.C.A.; Y.W.C.A.; recreation directors, settlements, institutions, etc.)

The Filson Historical Society

9/1/46

NEWS

RELEASE DATE Saturday, October 3

NATIONAL CHILD LABOR COMMITTEE

419 FOURTH AVENUE

NEW YORK CITY

ASHLAND 4-0682

The State ment

STATEMENT BY COURTEMAY DINWIDDIE,
GENERAL SECRETARY, NATIONAL CHILD LABOR COMMITTEE

The National Child Labor Committee notes with concern the recent emphasis given by Major General Hershey, Director of Selective Service, to the possibility of curtailing education with a view to using children in war production. The Committee yields to no one in advocacy of all out effort for victory in this war.

But this war is not going to be over tomorrow and we are going to need more intelligent and better trained rather than less educated soldiers and workers to prosecute it vigorously to a finish. Draft Board figures on illiteracy and poor health conditions point clearly to where we need to place emphasis now in educating and improving the health of our young people against the day when we may have to call on them.

One of the urgent needs of our school systems is to introduce more educational work experience so that we may turn out better citizens and workers. Schools can contribute greatly to our national effectiveness by well-designed and carefully supervised work programs developed as educational projects. Under such intelligent supervision children can contribute, and are contributing here and there today, to our national production of food and other useful activities.

It is regrettable, however, that there is already a widespread misuse of children:

1. Without determination of the actual need for their services or whether the real purpose behind the demand for their labor may not be to beat down wages.
2. Without proper selection, instruction or supervision so that they do efficient work, without injury to themselves or the products on which they work.

Such indiscriminate employment is wasteful, annoying to those to whom the workers are sent, and often harmful to the children themselves. From a Southern State Welfare Department comes the story of an 11 year old girl called upon to do a man's work in the field. She often found it necessary to lie down in the furrows and finally suffered a heart attack. Little hope is held out for her recovery.

We are confident General Hershey would not advocate any such use of children. General emphasis on their employment at this time, however, with no indication of essential safeguards, and even suggesting curtailing their education, tends to increase such unwise and indiscriminate demands for child labor. Would not emphasis upon the known untapped or partially tapped manpower be preferable?

There are still large numbers of unemployed in cities which have not secured enough war contracts to absorb their idle workers. Wendell Lund, of the Labor Production Division of the War Production Board, testifying before the Tolan Committee in September, said: "We see, for instance, the great city of New York, with a half million idle and capable workers, rapidly becoming the number one ghost city of this war while other communities are so choked with work that boarding houses are operating on a three-shift basis." There are also vast unused supplies of women's labor, Negro labor and labor in rural areas incapable of supporting their populations.

#

DIGEST AND PROGRESS OF STATE LABOR BILLS

APPRENTICESHIP

Kentucky H. 203. See under State Department of Labor.

CHILD LABOR

New York S. 693. Page. Reported favorably by Public Education Committee 2/13/40.

A. 706. Averill - To Education

Amends sec. 638 of the education law to raise the minimum age for boys engaged in street trades from 12 to 14 years; requires boys 14 to 18 to secure vacation work permits as well as badges, previously boys 12 to 17 had to have badges. Prohibits boys 14 or 15 working before 6 a.m. or after 7 p.m. and boys 16 or 17 from working before 6 a.m. or after 9 p.m.

A. 128. Andrews - To Judiciary

Proposes ratification of the Child Labor Amendment.

Rhode Island S. 39. Fischer - To Special Legislation

Proposes ratification of the Child Labor Amendment.

South Carolina H. 1384. Senseney - To Judiciary

Proposes ratification of the Child Labor Amendment.

HOURS AND WAGES

Hours only

Kentucky H. 203. See under State Department of Labor - establishes 1-day's rest in seven.

Mississippi S. 129. Calcote et al - To Labor

H. 258. Hall et al - To Labor

Prohibits merchants, whether wholesale, retail, dry goods, grocery, drug or other kind, from working their employees more than 48 hours a week. Provides penalty.

New Jersey A. 125. Howe - To Judiciary

Repeals and reenacts secs. 34:2-24 to 34:2-27 inclusive and enacts other sections. Changes hours women are all owed to work in manufacturing, mercantile establishments, laundries and bakeries from 10 hours a day, 54 hours a week, six days a week to not more than 8 hours in any day. Extends coverage to beauty parlors, barber shops, cleaning and dyeing establishments. Removes exemption of canneries packing perishable products and deletes provision regarding chairs for women employees.

Sets out in detail records to be kept by employers. Adds provision for minimum penalty of \$25 for first offense and \$50 for each subsequent offense. Adds provision that all proceedings brought under act shall be by action of debt in name of Commissioner of Labor and defines process of bringing action.

HOURS AND WAGES (continued)

Hours only (continued)

New Jersey (continued)

A. 128. Howe - To Judiciary

Establishes a 6-day week for persons employed in manufactories, mercantile establishments, transportation or public service companies, restaurants, hotels, cafes, bakeries, laundries, taverns, cafeterias, and establishments engaged in sale or service of food or liquors. Exempts persons whose duties shall not consume more than 3 hours on day of rest.

Requires posting of law and record keeping, such records to be available to inspection by Department of Labor. Provides penalty.

New York S. 170. Phelps - To Labor and Industry

A. 165. Walsh - To Labor and Industries

Amends sec. 182 of the Labor Law to extend the 8-hour day, 48-hour week to all employees in hotels and restaurants--previously applied to females over 16 years of age.

Prohibits night work between 10 p.m. and 6 a.m. for all females except hat check girls, cigarette girls, and flower girls--previously females 16 to 21 were prohibited from 10 p.m. to 6 a.m. and females over 21 from 12 midnight to 6 a.m. with exceptions.

S. 277. Schwartzwald - To Labor and Industry

A. 403. Bennett - To Labor and Industries

Amends sec. 161 (2) (d) to extend the one-day-rest-in-7 law to cover employees whose duties include not more than 3 hours work on Sunday in setting sponges in bakeries, caring for live animals, maintaining fires or repairing boilers or machines.

S. 316. Condon - To Labor and Industry

A. 501. Gans - To Labor and Industries

Amends sec. 161 of the Labor Law to extend the one-day-of-rest-in-7 law to cover engineers or firemen employed in a dwelling, apartment, loft, storage place, building and warehouse.

S. 433. Phelps - To Labor and Industry

A. 471. McCaffrey - To Labor and Industries

Amends the Labor Law by adding a new section to be numbered 185-a to limit the hours of work of domestic workers to 60 a week. Defines domestic workers and actual working hours.

S. 853. Young - To Labor and Industry

A. 1060. Todd - To Labor and Industries

Adds a new section 173-b to the labor law to provide that females over 18 employed in bindery work may, from effective date of act to Oct. 24, 1940 work any 8 hours a day and 42 hours a week; and after Oct. 24, 1940 the hours shall be 8 a day and 40 hours a week; unless time and a half is paid for overtime.

HOURS AND WAGES (continued)

Hours only (continued)

New York (continued)

A. 674. Dollinger - To Labor and Industries

Amends the labor law by adding a new section number 161-a to provide employees subject to the one-day-of-rest-in-seven law and who have been employed by his employer for a year or more shall also be entitled to a weeks vacation with pay each year.

Rhode Island S. 114. McCoy - To Labor

H. 669. Kilroy - To Labor Legislation

Adds secs. 27 and 28 to Ch. 285 of General Laws to provide that no woman shall work in any factory, manufacturing or mechanical establishment between 12 midnight of any day and 6 a.m. of the following day. Does not apply to female employees of public utilities working by shifts during different parts of the day or night. Provides penalty for violation.

Virginia S. 127. Norris. Reported with amendment in General Laws Committee on 2/6/40; the amendment adopted 6/9/40; amended 2/13/40. Amendments not yet available.

Amends sec. 1808, Virginia Code to exempt women in beauty parlors and restaurants located in towns of less than 2,000 inhabitants from the 9-hour day, 48-hour week provision.

Wage and Hour

New Jersey A. 40. Ferster - To Labor. Reported favorably by Labor Committee 1/29/40. Amended 2/5/40.

Establishes for all employees except in agriculture, domestic service, executive and professional employment and employees of Federal, State and political subdivisions minimum rate of 25 cents an hour between effective date and Oct. 23, 1941; 30 cents an hour during next four years and 40 cents an hour after Oct. 23, 1945, unless minimum wage orders have been established. Makes provision for handicapped workers, learners and apprentices. Establishes maximum hours standard of 44 hours a week from effective date to Oct. 23, 1941, 42 hours during the following year and 40 hours after Oct. 23, 1942, with overtime compensated at time and a half except in cases of extraordinary emergency, as defined. Provides for wage boards. Provides that higher standards established by minimum wage orders under present law shall prevail. Provides for penalty for violation of Act or orders; Commissioner of Labor authorized to take wage assignments; double indemnity provided in case of unpaid wages. Act to be administered by the Commissioner of Labor through the minimum wage division of the Department of Labor. Department of Labor authorized to assist and cooperate with the United States Department of Labor in the enforcement of the Fair Labor Standards Act.

Amendment of 2/5/40 exempts employers subject to the Federal Fair Labor Standards Act and hospitals operated for charity and not for profit.

HOURS AND WAGES (continued)

Wage and Hour (continued)

New York S. 788, Kleinfeld. Amended in Senate and recommitted to Labor and Industry Committee 2/12/40.

A. 962. Boccia - To Labor and Industries

Establishes minimum wages of 40 cents an hour and an 8-hour day and a 40-hour week with overtime at time and one-half up to 10 hours and 54 hours and double time thereafter for employees in all industries except in domestic service and agriculture. Exempts from hours regulations employees employed at rate in excess of \$3,000 per year; those employed in order to protect life or property during extraordinary emergency and employees in defined seasonal industries during 10 weeks in the aggregate.

Confers upon Industrial Commissioner same rights and duties, with regard to fixing minimum wages above 40 cents an hour for men, as he now has with regard to women and minors. Preserves all wage orders and licenses which impose higher standards than those established by this Act. Provides for licensing of learners, apprentices and handicapped workers. Directs Commissioner to appoint wage boards to determine minimum wages and maximum hours for employees in domestic service and agriculture as soon as practicable; wages may be lower and hours longer than provided in act. Commissioner may issue regulations including regulation of industrial home work. Employers are required to keep employment records and to post law and orders.

Employment agencies are prohibited from offering employment at standards lower than those established by this act. Provides for cancellation of certificate of authority or loss of right to do business under an assumed trade name in the case of any employer who moves his business outside of the State in order to circumvent this act.

Provides for collection of unpaid wages and liquidated damages in civil action, either independently or by assignment to the Commissioner. Provides for cooperation with the U. S. Department of Labor in the enforcement of the Fair Labor Standards Act. Requires conformance with all Federal, State and local laws setting higher minimum wages and lower maximum hours. Creates a division of wages and hours for administration of act, superseding the existing division of minimum wage. Provides penalties for violation of act and orders.

A. 171. Walsh - To Labor and Industries

Amends the present minimum wage act for women and minors; establishes for all workers a minimum of 25 cents an hour during first year of act; 30 cents an hour for next six years; 40 cents an hour thereafter, and, at any time, the minimum rate established by a wage order.

Establishes basic work week of 44 hours during first year of act; 42 hours the second year and 40 hours thereafter, with time and a half for hours in excess of basic hours. Exemption from these overtime rate is provided in case of certain collective bargaining agreements. Time and a half after 12 hours a day and after 56 hours a week is provided for seasonal industries. Provides for industry committees equally representative of industry, labor and the public to recommend minimum rates up to 40 cents an hour, on basis of which Industrial Commissioner may make wage orders after public hearing. Exempts approximately the same occupations as does the Federal Fair Labor Standards Act.

Allows special rates for learners, apprentices, messenger and handicapped workers under permit by the Commissioner.

HOURS AND WAGES (continued)

Wage and Hour (continued)

New York (continued)

A. 171. (continued)

Provides penalties of fine and imprisonment for violation of act and provides for liquidated damages in the amount of double the wages due including the amount due for overtime. Preserves existing minimum wage and maximum hour laws of the State.

Wage Collection and Wage Payment

Kentucky H. 244. Hunt

Amends sec. 576a-1 of the 1936 Revised Statutes to require corporations to pay employees weekly instead of semimonthly.

New York S. 158. Phelps - To Codes

A. 158. Walsh - To Codes

Amends sec. 1272 of the Penal Law to make officers and directors of corporations guilty of misdemeanor where corporation fails to pay wages in accordance with law.

S. 166. Phelps - To Labor and Industry

A. 168. Walsh - To Labor

Amends sec. 196 (2) of the labor laws to include "firm or corporation" in the provision requiring weekly payment of wages. Provides penalty for officers and directors of corporations violating this section.

S. 168. Phelps - To Labor and Industry

A. 164. Walsh - To Labor

Amends sec. 196 of the labor laws by adding a subsection 4, to provide that all penalties and fines collected for violation of the wage payment law shall be used first for the payment of wage claims owing to employees of person or corporations convicted.

S. 1010. Condon - To Labor and Industry

A. 1307. Washburn - To Labor and Industries

Amends sec. 199a(4) of the labor laws to continue the wage enforcement contingent fund. Grants Industrial Commissioner power to collect from employer an additional amount not to exceed 10 percent of each wage claim for maintaining fund. (Previously Commissioner could deduct 5 percent of the amount collected.)

A. 1070. Gans - To Labor and Industries

Amends sec. 196 (2) of the labor laws to require every person carrying on a business by lease or otherwise to pay employees on or before the last day of the week the wages earned during such week. Eliminates 6-day holdover.

HOURS AND WAGES (continued)

Wage Collection and Wage Payment (continued)

Virginia H. 208. Walton et al - To General Laws

Prohibits and makes a misdemeanor the payment of wages in any order, token, check, or otherwise than in lawful money, and not payable at option of holder in such lawful money. Person failing to redeem such token, check, or memorandum in lawful money when presented at issuing office or place of business, or person withholding any part of such wages without giving employee receipt or ticket showing the deduction, or person coercing any employee to purchase goods or supplies from any particular person, firm, or corporation is guilty of misdemeanor and subject to fine.

H. 216. Hines - To Labor

Amends code by adding new section numbered 1818-a relating to semimonthly payment of wages to employees of mining and manufacturing companies, railroad and steamship offices to authorize the Commissioner of Labor and his authorized agents to recover wages not to exceed \$25 for any one employee when employee is discharged or quits. Authorizes Commissioner or his agent to institute suit for recovery if employer does not pay claimant in full within 24 hours of notification by Commissioner or his agent.

Wages - Minimum

Kentucky H. 153. Swope. Reported favorably by Committee Statutes No. 1, 2/7/40. Second reading 2/8/40.

Amends the minimum wage law to exempt employers of 10 women and minors, or fewer, from law and permits employer to file with Industrial Commissioner the names, ages, addresses and wages of any 10 employees who may be exempted from any mandatory minimum wage order.

New York S. 368. Wicks - To Labor and Industry

A. 359. Wagner - To Labor and Industries

Amends the minimum wage law to extend the coverage to domestic service in private homes.

INDUSTRIAL RELATIONS

Kentucky H. 203. See under State Department of Labor

New Jersey S. 3. Scott - To Labor, Industries and Social Welfare

Creates in Department of Labor, but not subject to its jurisdiction, a State Labor Relations Commission of 3 salaried members, appointed by Governor and confirmed by Senate, for 3-year staggered terms, one to represent industrial employers, one to represent associations of employees, and the third to be independent. Commission shall not engage in conciliation, mediation, or arbitration of labor disputes.

Labor organizations, in order to be recognized as legal agencies for collective bargaining under the act, must register with the Commission within 30 days.

Use of fraud, physical violence, or threats is misdemeanor if used in connection with organizational activities, sit-downs, or strikes. It is a misdemeanor to strike without authorization by duly accredited representatives, or by a majority of employees on any job or craft, except in case employer violates an agreement. Union officer or agent must be a citizen or have filed intention to become a citizen.

INDUSTRIAL RELATIONS (continued)

New Jersey (continued)

Act declares right of employees to organize, bargain collectively, and engage in concerted legal activities for mutual aid or protection; but does not legalize such picketing as is already prohibited by New Jersey law, or picketing to support an unfair labor practice.

Act lists 9 unfair labor practices of employers including those named in Wagner Act; specifies that agreements, when reached, shall be put into writing. Prohibits public authorities requiring membership, or nonmembership, in a labor organization as a condition of employment.

Provides for Commission investigating controversies concerning representation at request of employers as well as of employees. Within 10 days of any strike arising out of a question of representation resulting in substantial interference with employer's business, the Commission may hold an election if requested by employer.

Requires employer to post notice of rights of employees under act, on a form prescribed by Commission.

S. 45. Driscoll - To Labor, Industries and Social Welfare
Defines the term labor disputes as used in New Jersey statutes and by New Jersey courts in conformity with definition in Norris-LaGuardia Act.

A. 26. Friedland - To Labor and Industries
Establishes in the Department of Labor a State Board of Mediation of 5 members appointed for staggered terms, empowered to mediate in labor disputes. Upon its own motion the Board may and at the request of either party, the Board must intervene, hold conferences, etc. Board and individual members thereof are empowered to hold hearings and subpoena witnesses.

Whenever a controversy is not settled by mediation, the issues may by agreement between the parties be submitted to arbitration, but failure to agree to arbitrate is not a violation of the Act. Nothing in Act shall be construed to impede or diminish right to strike.

Board is to be paid on per diem basis, with expenses.
Board may use services of labor department.

A. 34. DeVoe - To Labor and Industries
Creates in the Department of Labor a full-time, salaried State Labor Relations Commission of 4 members appointed by the Government with the advice and consent of the Senate for 4-year staggered terms, two of whom shall be chosen from each of the two major political parties. At least one member of the Commission shall represent organized labor and one represent industry. Governor shall designate chairman.

Prohibits commission, its agents or employees engaging in any effort to mediate, conciliate or arbitrate labor disputes.

Declares rights of employees to self-organization; to bargain collectively; and to engage in concerted activities.

Defines unfair labor practices of employers including those named in Wagner Act.

Representatives designated by a majority of employees in a unit appropriate for collective bargaining shall be exclusive representatives for such purposes. In cases of controversy over representatives, commission shall certify the representatives selected. Commission is empowered

MINNESOTA (Continued)

WORKMEN'S COMPENSATION (Continued)

- * H. 64. APPROVED 3/14/41 See Legislative Report No. 9.
Provides the Industrial Commission may direct the payment of benefits by one or more of the employers when there is a dispute as to which employer is liable.
- * H. 748. APPROVED 4/22/41 See Legislative Report No. 11
Raises maximum limit in cases of permanent total disability.
- * H. 1099. APPROVED 4/28/41
Reduces the minimum weekly wage base to be used in computing compensation from $5\frac{1}{2}$ to 5 times the daily wage.
- * H. 1551. APPROVED 4/28/41 See Legislative Report No. 16
Extends the "healing period" benefits.

The Filson Historical Society

The City in ^{delicious} great ~~its modern dress~~ had been
a blazing smoking noise. Its little
ones were ~~treated~~ as step-children put
the dry-nursing of the brick-pave
yards, the gravel street and the
waters of the gutter, while some as
all prematurely swallowed in the
insatiate maw of Commerce.

The Filson Historical Society