

CHILD LABOR LAWS

SHALL THEY BE REGULATED BY THE FEDERAL OR STATE AUTHORITIES

Monday evening, March 28, 1910, the following question was debated at Benson by representatives of the Benson and Kenly Public High schools: "Resolved, That the Federal Government should prohibit children under fourteen years of age from working in factories." The affirmative was represented by Messrs. Ezra Parker and R. E. Parker, of Benson. The negative was upheld by Messrs. Grover Woodard and Wade Brannan, of Kenly. By request we are publishing the speeches of these young men. Two follow:

Remarks by Ezra Parker on a National Child Labor Law. (Aff.)

I am glad to have an opportunity to-night to call the attention of the people of this community and county to what I deem to be one of the gravest conditions that confronts this Republic of ours. And while I am speaking on the affirmative side of this question, what affords me still greater pleasure is to know that I am speaking for, and not against, the cause of suffering humanity. I refer, ladies and gentlemen, to the conditions of the employment of child labor in the factories of our country, and I mean to call your attention to precisely what it means not only to the future of the children, but to the future of our nation as well. First I invite your attention to the conditions that exist in some of the Northern States. For example the state of Pennsylvania. Judge Gray in going through the factories of that state, says that although they have a state law in Pennsylvania prohibiting children from working in factories, he saw hundreds that were under fourteen years of age working in the factories of that state. One particular case that excited his sympathy was a department in which there were several very small children employed cleaning bobbins at 3 cents an hour. One little girl nine years old, with whom he talked, told him that she went to work at half past six at night, worked through the dark and lonely hours of the night, till half past six in the morning. It took her nearly one hour to get from her home and the road led across fields that were exposed to the violent storms that sweep down the valley.

It was when this child had finished her story that that big hearted man exclaimed with much feeling, "Here we actually find the flesh and blood of little children coined into money."

In the state of Maryland there are 20,000 children under fourteen years of age working in the factories of that state. Maine has 2,000 under age working in the cotton and woolen mills of that state. Day in and day out the perpetual click of the rattling looms, the whirr of the belts, the crunch and rumble of the turning wheels make their home a deafening din. Here we find children deprived of the opportunity to go to school, growing up in ignorance. They know not how to read and write although they have spent their last days in school. Our opponents may tell you that a majority of these children working in the mills of the north are foreigners, however that should not decrease our sympathy; because the children of foreigners, if they have a chance, often make admirable citizens, especially in a few generations if their souls are not crushed and their minds are not stunted; in fact all of us or our ancestors were foreigners, and while I am an advocate of the holding high of the high standard of the Anglo-Saxon Race. I have no patience with the narrow view that a few of us monopolize all the real and original humanity of the world, and should treat strangers as beasts.

But now, ladies and gentlemen, even if this was an acceptable reason for working them in the mills of the north, (however it is not.) We come now to a section of the country where you can offer the foreigner as a sacrifice no longer, where the evil is the greatest and most shameful, and where it is practiced upon the purest American strain that still exists in this country,—the children in the cotton mills throughout this grand old south land of ours. The evil is practiced upon the children of these states who are the unadulterated, unmixed, the pure Scotch-Irish, whose fathers fought at Guilford Court House and Cowpens and followed Marion to victory. Their blood has never been adulterated from that day to this. Every sociological investigator testifies that our Southern children of this origin are capable of indefinite development. But after all the sad, sad story is they

are not being developed, the cotton mills are being developed instead. According to the actual testimony sworn to by personal investigators, these children instead of being developed are being ruined by thousands. Will we submit to this longer? We must not. Let us rise up as did our forefathers in the days of old, not to resist the unjust laws of some foreign country, but to discharge a more sacred duty to demand a law that will wipe out forever child slavery in the factories in our country.

Our opponents may tell you that this question involves state's rights and is a matter to be left for each state to deal with for itself, however I think you will be convinced otherwise when you remember that there are forty-five states in the Union that have state child labor laws, and at the same time there are over 60,000 children under age working in the factories of our country. It has been said, and not without some meaning, that a majority of the state laws under the existing circumstances, so far as remedying the evil of child labor is concerned, are not worth the paper that they are written upon.

Here in our own sister state of Georgia there are 33,000 children under age working in the factories of that state, yes murdered every year by hundreds regardless of the law. All that is necessary to prove that the states cannot remedy the evil is their record. Again, if our state passes good laws and enforces them and another state does not enforce its laws the business men of the former state are at a business disadvantage with the business man of the latter. The business man in the state that has the good laws suffers from the very righteousness of that state's law while the business man in the state that has the bad law profits by the very wickedness of that State's law. The manufacturer in the state in which the law is enforced can no longer employ cheap labor, he can no longer make children into gold, still it can be done by every other manufacturer in the state in which the laws are not enforced. Furthermore, what good does it do so far as stopping the evil is concerned, for a state to enforce its laws, when instead of stopping the evil you only make it possible for the mill men from other states to come into your state and gather the children together and ship them out by train loads because they will work so cheaply.

State laws not only fail to decrease the evil but at the same time they decrease the wages of the employees of our state at the expenses of the manufacturers of another. State laws cannot decrease evil unless they were all alike and enforced alike. They only cause children to be moved from state to state. A national law would stop all such evils as these because a person would be subject to the same prosecution under the law in our state that we would in another. All will agree that it is common sense as well as Americanism that every business man under the flag ought to have the same rights and business opportunities so far as the law can give them to him. You will with equal readiness admit that there are no two states that will make and enforce their laws alike. We of the affirmative have no objection to a state having a law if they want it but a state law within itself, as we have already proven, is not sufficient. The evil is something which in its broader aspect the states cannot reach because it is not only citizens of the state that are being ruined but citizens of the Republic as well. It is not only Georgia children that are being murdered but it is American children as well. It is not confined to Pennsylvania, Georgia, and North Carolina alone; it exists all over the Republic. It is a national evil and to fight it successfully we must have a national remedy.

Again the physical, mental, and moral effects of these long hours of toil and confinement on the children are indescribably sad, however I will not discuss that but leave it for my colleague. But there is a question that I will discuss which seems to me alone is sufficient to convince any true, patriotic North Carolinian that we need a national child labor law well enforced. This question is a very serious one indeed—the race

question. We hear the assertion of the superiority of the white race made time and time again, that the white race will never yield to the black race, yet the children who are at work in the southern cotton mills are from the white working class of the south and this terrible situation stares the south in the face, that whereas the children of the white working people of the south are going to the factories and to decay, the negro children are going to school and development.

Ladies and gentlemen if we are not to give some serious attention to human facts like these, how can we wonder at the creation of a class in this country which when we contemplate its existence makes every one of us tremble. It is enough to wring the heart and make the blood boil in the veins of every true southern man to think that day by day we are permitting a system to go on which is steadily weakening the white race for the future and steadily strengthening the black. It is not in the power of any man to keep "superior," by asserting superiority. The truth of it is the south is face to face with the situation of our white children in the mills and our black children in the schools.

Rev. A. J. McKelway, of North Carolina, in visiting the mills in the south said that he saw this very forcibly illustrated where the operatives of a mill were coming out of the mill for their midday meal. At the same time he saw a large number of negro children coming out of a negro school near by for recess. The contrast was noticeable in the particular that the negro children were playing and snow-balling each other on their way home, while the white children were hurrying along with anxious faces to their lunch so as to return to the mill in time.

Friends there is one way and only one way to solve the race question in the south to-day, that is to take our white children out of the mills while they are bright, young and can comprehend easily and put in school instead of the negroes.

Again, Honorable Judges, there is the consequences not only of the labor of children, not only the ruin of their lives and health, but the certain deterioration and the establishment of an ever increasing degenerate class in America, caused by the weakness of the motherhood of our country. To develop a nation of intelligent people we must have strong, healthy, educated mothers. This we can never have so long as we let our young girls work in factories. Put a girl in a factory from the ages of 6 to 14 and she is not only physically unfit for motherhood, but at the same time she hasn't the intelligence a mother ought to have. It is the duty of the father to provide for the home while it is the duty of the mother to teach in the home. And how can a mother teach who knows nothing to teach on account of being kept in a factory when a girl instead of in school. An ignorant, unhealthy mother raises up illiterates and physical wrecks, while intelligent and healthy mothers, whose health and intelligence has not been wrecked during her young age in a factory or the like, raise up children whose health and intelligence can be seen at a single glance in their rosy cheeks and sparkling eyes.

It is in the name of the motherhood of our country and the bright youths that we are pleading with you to-night. The evil of taking these bright youths and murdering them in the factories of our country must be stopped, and stopped now. The evidence is before us of their murder by thousands. The only verdict that we can return is guilty. Then how shall we stop it? The states have tried, they cannot, they have failed. The only remedy is for the nation to do it.

When we think about these evils existing under our government we often wonder what the purposes of our government are any way. Why was it that this Republic was established? What does our flag stand for? What do all these things mean? Ladies and gentlemen they mean that the people shall be free to correct human abuses. They mean that men, women and children shall day by day grow stronger and nobler. They mean that we shall have the power to make this America of ours each day a lovelier place to live in. If they do not mean these things, then our institutions, this Republic, and our flag have no reason for existence. If they do mean these things we must pass such laws as will help to develop a nation of wholesome homes, true to the holiest ideals of man; a nation whose power is glorified by its justice and whose justice is the conscience of millions of free, strong, brave people. It is to make this people such a nation that all our forefathers fought and planned. Friends they have done their part well. Now, how are we doing ours? They presented to us a golden opportunity, and the question with us is will we accept it.

We should show our appreciation of what they have done for us by continuing to progress. And I de-

clare to you that there is no way in which we can show our appreciation better than by, at the present time, passing a national child labor law.

Speech of Ezra Parker delivered March 28, 1910.

Grover Woodard Defends the Negative

Mr. Chairman, Ladies, Gentlemen and Honorable Judges:

We of the negative do not propose to advocate or defend child labor in factories. We shall not claim that it does not exist. We shall not claim that it is beneficial to the children as to society. We know it exists, we denounce it as a curse, which must be checked, an evil which must be remedied. We advocate strong legislation to correct it. But, sirs, what is effective legislation? You are told by the affirmative something of the conditions and how the federal government might correct it. Let us notice also state legislation protective alike to the children and industry.

Should we judge from the argument of the affirmative we would get the idea that the states are not remedying the evil and are almost powerless to cope with it. Nor do we claim that the state laws are perfect. Nothing of human creation is. But, sirs, by giving abstracts from the state laws and naming the states having such laws, we shall show that the states are fighting the evil, and fighting it on a basis the federal government can never attempt. What we shall say of such laws is based on the Hand book of Child Labor Legislation, compiled by Joseph C. Goldsmith, National Consumers League, New York City. It will deal with statistics, hence it might be a bit boring.

The first thing of importance in child labor legislation is an age limit which varies from 12 to 16 years, making a general average of about 14 years. Iowa, Ind., Ky., Mich., N. Y., Ohio, Wis., Conn., Mass., Minn., Neb., Ark., R. I., Wash., Va., Ark., Col., Del., Kan., La., Me., Miss., N. J., Tenn., Ala., Mo., S. D., Utah and Wyo., prohibit employment of children in factories below 14 years of age.

Col., Conn., Ill., Mass., Minn., Mo., Me., N. H., N. Y., N. D., Ohio, Ark., S. D., Va., Wash., Wash., prohibit employment in all vocations during school hours until child is 14 years of age, and any until 16 unless educational requirements have been complied with. Ga., S. C., Va., N. C., N. H., N. D., Vt., allow no children under 12 to work in factories. In Ala., Ark. and Ga., in the exceptional cases of orphans and children of disabled parents, they are allowed to work as early as ten. The states having an age limit are Ariz., D. of C. and N. Mex. But these are either territory controlled by the federal government or are new states whose laws are just being formed.

Now, let us show you what the states are doing to restrict the hours of labor, and to educate those who are not allowed to work. Twenty-three states prohibit night work by children below 14-18 years of age. Mich., Ore., prohibit work between 6 p. m. and 7 a. m. Ohio, Ill., Minn., Ky., Mass., Ark., Ga. and Ala., prohibit work from 7 p. m. till 6 a. m. The laws of Vt., R. I., Wis., Wash., Penn., Mo., Col., Ind., Neb. and S. C., provide that there shall be from 8-10 hours during night in which no children are permitted to work.

Ohio, Ill., Col., N. J., N. Y., Mass. and R. I., restrict work by children under 16-18 from 8-10 hours in 24, and from 48-56 in a week. Ariz., Col., Mo. and Utah restrict work by the day to 8 hours in 24 by those below 14-18. Wash., N. D., S. D., Md. and Va., ten hours in 24.

One of the most effective ways of preventing legal employment of children is compulsory school attendance. Wyo., Ariz., Me., Mo., Col., Minn., N. Mex., Penn., Wis., Ohio, N. Y., Mass., and Conn. require school attendance from 12 weeks to the entire school year up to the age of 16. Mo., R. I., Vt., Wash., Kan., Neb., and Mich. require attendance from 28 weeks to the entire school year up to the age of 15 years. Twenty-five states make attendance compulsory from 12 weeks to the entire school year up to 15 years of age.

Those states having compulsory school attendance have the most effective child labor laws. N. Y. and

Ariz. require children under 16 to have a school record signed by authorities of the school certifying that they have finished the elementary studies. Mon. and Ohio require those under 16 and Wash. under 15 to have finished a reasonable course of study before they may be employed. Del., Ga., and La. require children below 14-16 to have a certificate or affidavit showing that they attended school at least 12 weeks of the preceding year. Fifteen states prohibit children below 14-16 working unless they can read and write English. The majority of the states require working papers—working certificates of age and schooling either from school officials, health inspectors or factory inspectors. Me., Mass., Conn., R. I., N. Y., N. J., Ind., Ohio, Wis., Ill., Kan., Neb., Minn., Mo., Md., Col., Ariz., and Wash. require of those below 14-16 documentary proof of the age and schooling signed by one of the above named officials. In fifteen states the affidavit of parents or guardians is required as to the age and schooling of those below 14-16. Some exceptions are made to the above. The most important exceptions of those laws allowing work under age are of orphan children, of disabled parents or widowed mothers, or of those too poor to live without work. Eleven states allow children 12-16 to work in cases of extreme poverty. The federal government would have to allow the same unless the hand of charity were carried to their rescue. No form of law by whatsoever power administered, whether federal government or states is absolute. Exceptions must be made to all human organisms. A majority of the states provide for a competent board of inspectors and give them the power to enforce the law. Twenty-seven states provide chief inspectors or commissioners of labor to have charge of the work from 4-40 deputies. Co., Me., N. H., N. D., S. D. and Vt. pay school officials and vest them with police powers to enforce the laws.

The penalties for breaking the child labor laws fall under two heads—penalties for the employer and penalties for the parents or guardians. If a factory man employs children under age and over time he is fined from \$5.00-\$100.00 and imprisoned 10-90 days. If he employs them during school hours the fine is the same with 10-30 days imprisonment. In case the employer does not keep or file the schooling certificates in order to be able to produce them for the inspector the fine is from \$5.00-\$500.00 and imprisonment 10-90 days. Should an employer refuse entrance to an inspector or school authorities the fine and imprisonment is the same. Should a parent permit illiterate children to be employed without attending day or night school the fine is from \$5.00-\$100.00 and imprisonment 10-90 days. Should the parent make a false statement in age or schooling certificate a fine of from \$5.00-\$500.00 and imprisonment 10-90 days as the penalty. Now, gentlemen, we have shown you what the states are doing. We have shown you the nature of the states' laws; what they provide for on age limit averaging about 14 years of age; that a limited number of hours for work are specified, that these laws have provisions for enforcement, and that the breaker of such laws is punished by both fine and imprisonment. And the beauty about such laws is that the children are not only prohibited from working in factories but are compelled to attend school either night or day for a specified time. Then too, sirs, every state in the Union except three, and these are new western states, having no special need for such laws, have laws such as we have presented to you. Would you say that we need federal legislation instead of these states' laws, provided the state laws are enforced? It is true the affirmative will try to make you feel that the states are doing nothing to relieve the situation. But are such conditions as they present representative of general conditions? You are more or less familiar with factory districts, do their statements correspond with your observations? They are no more representative of factory conditions than was Uncle Tom's Cabin representative of slave-

Continued on page three.

BILIOUS? CONSTIPATED? HEADACHE?



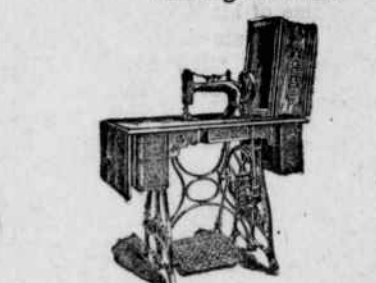
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