

# Must Our Children Do Hard Labor?

Wisconsin Says "No," and Finds a Way to Stop It—By Harold Cary  
(Collier's, The National Weekly, for December 15, 1923.)

TIME after time, as I traveled about this country in search of facts about child labor, I struck officials, charity workers, and school people who were dependent about the situation. "Oh, we've got some laws, but they don't work. You can't stop kids from lying about their ages. It costs too much money to enforce our laws."

By the time I reached Wisconsin such observers had just about convinced me. And then what a shock I had in the offices of the Wisconsin State Industrial Commission in Madison! Sitting opposite me was Taylor Frye, who has charge of the permit system for all children of the State up to seventeen. He is a gray-haired, mild-mannered person, wrapped up in his job. He might be, so far as appearance goes, the president of a small town bank or perhaps a teacher of agricultural engineering in the university. I went at him a little as a terrier might go after a stick, sharp and hard. I was nearing the end of my investigation, and I was pretty sore about child labor in general. I knew that there are thousands of children at work in Wisconsin.

"You're right," he answered, "our laws aren't what they might be on child labor. But they are much better than they were, and perhaps a little better than in most States. Still, it's too bad. We hope to improve them."

A few more questions—was there no State pride in this man? "No, we don't enforce the laws we have quite perfectly," he admitted, "but we do enforce them pretty well."

Of course, having been made skeptical by experiences elsewhere, although in Massachusetts I saw that they were doing pretty well, too, I was far from convinced by a mere statement, and so I jumped again: "How?"

He began to talk. His face lit up. He did have a lot of State pride. He went on for two hours. He got out his table of statistics. He showed me files up to the minute—the showment of child-labor laws so well conceived, so ingenious, so cheaply administered that at the end I had come to know that statutes can be rigidly enforced, no matter what is the power of the opposition.

Yet standards are not what they should be in the State of Wisconsin. The fourteen-year-old boy and girl may work. The educational requirement is high, but the age is too low. But Wisconsin does furnish proof that laws can be framed and machin-

Some people think that the millions or more American boys and girls who now work long hours at hard labor in factories and fields cannot be given their equal chance for health, schooling, and happy life. They say it would take thousands of spies, and cost too much. But Mr. Cary finds that in Wisconsin, where the child-labor laws are fairly strong, they are 95 per cent enforced—without spies, and with very little expense—because they are practically self-enforcing.

ery built up by means of which whatever laws you have can be made to work.

In the first place, there is a set of honest, grinning teeth in the machinery, placed there by one of the shrewdest pieces of legislation ever enacted. It bears the pedantic title of the Treble Compensation Act.

Every child who is injured while at work illegally (whether because his permit is lacking or because he is injured while doing prohibited work) is paid three times as much compensation as he would get if he had been legally at work. The compensation insurance company pays its regular amount; the employer of the hurt child must double it! The insurance company is not allowed to pay that extra two-thirds—that is, unless the employer can't pay it, goes bankrupt, or something. In that case the insurance company has to come through! The maximum amount recoverable for permanent total disability under this law may equal \$49,000!

It would seem as though this law might let the State officers shut their eyes to everything except accidents, knowing certainly that the insurance companies and the employers themselves won't dare to permit any violation of the child-labor statutes.

The theory of the law is that the child who is injured while so illegally employed should have full compensation for his wage loss, just as he might have had at common law, and treble-indemnity provision makes it worth the employer's while to be sure that he is living up to the child-labor laws.

The insurance companies have taken it so seriously that in the past few years they have at their own expense put out hundreds of thousands of pieces of literature, prepared by the Industrial Commission, warning their policy-holders that they have to watch out, and what to watch out for. Factory officials must know these laws or lose their jobs.

In many States the employers vio-

late the child-labor laws in ignorance as well as in defiance. One of the most amazing incidents of my investigations took place in the anthracite fields of Pennsylvania, when it was made evident that the coal-mine managers almost universally thought they were operating under the last national child-labor act, an act thrown out by the Supreme Court as unconstitutional more than a year previous.

A Wisconsin child who has a permit and who is working on a job which is open to him by law gets no treble compensation when he is hurt. In States where the machinery is adequate, this would to some degree nullify the law. But I say that permits really mean something. I saw that the percentage of children who slip through the barriers put around them for their own welfare is probably less than 5 per cent, and that the percentage is decreasing. When Mr. Frye told me their enforcement was not perfect, he meant merely that they would not and could not claim 100 per cent efficiency. But he was able to prove that at that time it was about 95 per cent perfect.

The system is founded on the central authority of the commission. The commission issues the permits, keeps them on record, and, moreover, exercises a sort of paternal guardianship of the individual child. Its discretionary power is great—if it is merely suspicious, it can refuse to grant a permit.

That's where Frye comes in. He has appointed all the permit officers. They serve without pay and like the job. They are people who are interested in child welfare, and Frye's warm-hearted letters make them feel that they are part and parcel of the great State commission. Half the inspectors are school principals. The other half is made up of judges, bank officials, physicians, lawyers, etc.

No child is allowed to go to work

unless the school officials certify that he has finished eighth grade or else been to school for nine years. But the educational officer can refuse to recommend the permit, nevertheless, and often does, prevailing upon the parents to keep the child in school.

If the child changes jobs, he has to have a new permit, so the State always knows where its child laborers are working. Inspectors are constantly on the job, seeing that the spirit as well as the letter of the law is obeyed.

That brings up another point. There are not many inspectors in Wisconsin, and, ordinarily, a given place would be visited but once or twice a year. But if a violation is discovered, especially a violation under suspicious circumstances, the inspector may visit that particular plant fifty times a year. If the employer does not see fit to improve, no permits are issued to children to work in his plant. He goes on a little black list at Madison. It is easy to get on that list and hard to get off, yet today there are less than a score of live names on it!

Proof of age does not seem to bother when you insist on it. Last year 89 per cent of all permits were on either birth or baptismal certificates.

The statutory penalty for violating the law is \$10 to \$100 for every day that each individual child is unlawfully employed. It is a rare thing indeed for one of these cases to go to trial. The offender knows that he has no chance to win, and, therefore, settles on the best terms he can get.

Administration takes office space of about 20 by 30 in Madison, and a similar space in Milwaukee. Perhaps ten persons give all their times to it. It's mighty cheap.

So let me repeat—child-labor statutes can be cheaply and easily enforced. There must be a hundred ways. This one in Wisconsin is good. Others perhaps may be too. This one we know is at least 95 per cent effective.

It can be done nationally too. The laws thrown out proved that, for they worked pretty well before they were declared unconstitutional. So if you don't like child labor, write your heart to your congressman, now in Washington. To make sure that the Sixty-eighth Congress does its most pressing duty, see that he votes for submitting the children's amendment to your legislature.

## SAME OLD REDS SAYS ADVOCATE

In a recent issue, The Central Christian Advocate, a leading organ of the Methodist Episcopal Church, makes a vigorous attack on the agitation for the recognition of Soviet Russia by the United States Government. In its article, The Advocate says:

"We have it dinned into our ears that the old Russia of the Bolsheviks, the Red Communists is dead. With some reservations we have declared as much ourselves. Senator Wheeler made that one of his strongest points that communism is breaking and that capitalism would soon be completely restored. There has been 'a change in policy,' we are asked to believe, and there are indications that that is a fact. But let us tarry beside that argument for a bit of time.

"The Bolshevik policy in Russia or any where else for that matter, is two fold. (1) Its basic policy; and (2) its policy of opportunism. They exist only in contrast; the first grimly held; the second an accommodation. The basic policy of Communistic Russia, that is of the party which has absolute and unimpregnable control of Russia, is absolutely unchanged. It is as for years an international movement. It was not born when Kerevsky was kicked out.

"The basic policy of Bolshevism is not national. It has no conscious-

ness of the word Nation. It is not in a war for any land. Its enemy is capital. Its war is class war. It has no sentiments as to nationalism. Internationalism is its country. As Dr. Hartman said of the Soviet troops he saw reviewed in Moscow, they marched down the avenue singing—what? Songs of Russia? Not one. They were songs of how the Red that is basic. And to attain that end any means, accommodations, bargains, are unobjectionable. And they are a temporary bending like any sabotage.

"In view of this fact along comes the statement that Russia has revised its political theory, introducing, step by step, as Senator Wheeler pointed out, stages of capitalism. But is all that frankly sincere? Does it imply a change of basic policy in Soviet Russia? We have in our hand the volume containing the thesis of Lenin in imposing upon the people this change towards capitalism, of which Senator Wheeler writes with such convincing argument. But the policy of Lenin is simply a self-acknowledged accommodation to grim necessity. There is no change in the party; none as to Red Communism and its propaganda through the world—including the United States—which Trotsky characterizes as stubborn, cruel and sanguinary.

"Soviet Russia is opportunist at home; she is the real article abroad. There is no change in her underground foreign propaganda of Red Communism.

## SCHEDULE OF 70 MILES AN HOUR CAUSED WRECK ON N. Y. CENTRAL

BUFFALO, N. Y., Dec. 17.—(Special to The Herald.)—The New York Central officials apparently have the stage all set to blame Charles Patterson, veteran engineer of Buffalo, for the crash of the third section of the Twentieth Century Limited into the second section of that train at Forsyth last Sunday morning, in which nine people were killed and many injured.

Of course, this is the usual thing among railroad officials to blame some individual when such wrecks occur. The railroad officials have it that Patterson ran past the caution signal and thus caused the wreck.

The public, however, will remember that the New York Central has been ordered by the public service commission to protect this crossing until such time as a subway could be built. Had the New York Central protected this crossing as instructed, the second section would not have crashed into an automobile and compensation would not have been paid. Patterson's train would not have crashed into it.

The New York Central officials admit that this train in competition with other trains to Chicago must make fast time. Engineer Patterson was moving his heavy train along at a speed of 70 miles an hour as per his schedule. If he could not keep his train on schedule, some other engineer would have his job. The Central officials make engineers keep that schedule. From the time Patterson saw the caution signal and the danger signal on block down the line, the stalled section was only a couple of hundred yards away, and it did not give him time to stop. Patterson had reduced his speed from seventy to twenty-five miles an hour when his section hit the second section. Had it not been reduced, Patterson's train would have plowed through the whole section and every passenger on both sections would have been killed.

Despite the fact that Superintendent Brogan has declared that Engineer Charles Patterson admitted he ran past the signals set against him, it was said by those close to the railroad situation that the veteran engineer had made such admissions but held that the great speed at which his heavy train was driven precluded all chance of stopping in time to hold his engine out of the rear coach of the second section. He steadfastly holds to the statements that he is blameless, and it is said that that possibility may be the view of New York state officials who will have to decide just who may be called upon to answer criminal liability for the crash.

At the hearing Tuesday Patterson is said to have testified that when he flashed past the caution signal at the first block his speed indicator showed that his train was pounding through the fog at more than 70 miles an hour. He took measures to reduce the speed and had cut it down materially when at less than one minute the heavy train tore past the block on which the great red danger beacon stood out. From that point to the rear coach of the halted section was only a matter of a hundred yards or so, it is said, and quite to short a distance in

which to stop the great train. "Gentlemen, it must be apparent to you that everything was being done to stop that train." Patterson is reported to have stated frankly to his superiors at the hearing. "You know the speed requirements on the division. If I had been holding to my speed when I hit the second section there would have been nothing left of either train, and I would not be here testifying."

Patterson is said to have told the officials that his train was moving forward at less than 25 miles an hour when the crash occurred. The highway at Forsyth turns sharply onto the New York Central and Nickle Plate tracks and the tracks are so hidden that it is impossible to see them. There has been so many accidents at this place, that the crossing is known all over the country as "Dead Man's Crossing."

Action has been taken by the public service commission and other organizations avert this crossing. It is said that the Central had been notified to protect this cross. If the Central had placed a gate there at a small cost and a small annual outlay this accident would not have happened. To save a couple thousand a year the Central will now have to spend a million in settling death claims, injuries and lost prestige of the road.

Despite the failure of the Central to heed the warning of the public service commission, its officials would now place the blame on Patterson. The public would think more of the Central if in blaming Patterson it also would take part blame for its own omissions. There is no denying that had this crossing been protected the second section would not have been stalled and there would have been no accident.

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NOTE:—This is not same place advertised two weeks ago. That one has been sold.

## The Christmas Spirit

BY KATHERINE EDELMAN

WHO would not be merry, who would not be glad, when all over the earth there can be heard the jingle of Santa Claus' sleigh bells, the patter of his reindeer's hoofs and the chuckle of the jolly little man.

Who would not be merry when everywhere we see eager, expectant little children, their eyes and feet dancing in happy expectation of the joy which they know is coming?

Who would not be merry and glad at the sight of full stockings by the chimney, the gaily-ornamented tree with gifts on every bough?

Who would not be merry and glad at the thought of the gathering and feast that make Christmas a celebration of the home and of family ties?

Who would not be merry when everywhere we look we see men and women at their very best, filled deep with the spirit of love and giving—when everybody seems to have been touched by the magic hand of Christmas?

Who would not be merry when in every home there is happy whispering and planning and streets and shops are filled with a gladness through all bent upon the most unselfish mission in the world: to help bring joy to others?

Who would not be merry and glad when the whole country is radiating peace and joy and good cheer; when the Christmas spirit has spread itself like an encircling mantle over the nation?

Who would not be merry and glad and of good cheer in the conviction that some day, when the Christian citizen serves God in relation to his home, his humanity and his nation, there will be literally "On earth peace, good will toward men."

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