

**MONOGRAPHS OF AMERICAN
SOCIAL ECONOMICS,
INSPECTION OF FACTORIES
AND WORKSHOPS, VII**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649165254

Monographs of American social economics, Inspection of factories and workshops, VII by
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WILLIAM FRANKLIN WILLOUGHBY

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DEPARTMENT OF SOCIAL ECONOMY
FOR THE
UNITED STATES COMMISSION TO THE PARIS EXPOSITION OF 1900

MONOGRAPHS
ON
AMERICAN SOCIAL ECONOMICS

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VII

INSPECTION OF FACTORIES
AND WORKSHOPS

BY
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THE INSPECTION OF FACTORIES AND WORKSHOPS
IN THE UNITED STATES

By WILLIAM FRANKLIN WILLOUGHBY

Factory inspection in the United States has followed and grown in consequence of the enactment of laws regulating the condition of labor in factories and workshops. A little consideration will show that these two classes of legislation are entirely different in character. The province of the first is to specify conditions; of the second, to see that they are enforced. The name inspection is in some respects misleading. The real duty of factory inspectors is to enforce laws. Their powers of inspection are but incidental to this duty, and are exercised in order that the latter may be more efficiently performed. Yet, in the majority of the states having factory laws, the inspection of factories was first provided for, and the power of issuing orders directing factory operators to comply with the provisions of the laws, or at least the granting to the inspectors of adequate powers for enforcing them through judicial action, was only granted later, as the necessity for such powers became evident. In a word, the inspector of factories is primarily a police officer with special duties.

The history of the development of the official inspection of factories and workshops in the United States is like that of most social legislation. One state has led the way by the enactment of tentative measures, which it has afterwards developed as dictated by experience. Other states have profited by the example and have taken similar steps. The moral influence of the action of states on each other in the United States is

great. A movement at first grows slowly, but as state after state adopts similar measures the pressure on others to do likewise becomes stronger, and the movement tends to advance at a constantly increasing rate.

In the field of the inspection of factories we are now in the midst of such a movement. Factory inspection in the United States is of comparatively recent development. Though Massachusetts, the first state to take steps in this direction, enacted its initial law for the inspection of factories in 1877, it was not till six years later, or in 1883, that its example was followed by another state—New Jersey. Wisconsin in the same year provided for inspection through its bureau of labor. Ohio followed in the succeeding year, 1884. The movement, once fairly started, however, has spread with increasing rapidity. In 1886 New York provided for factory inspection. In 1887 Connecticut, Minnesota and Maine did likewise. They were followed by Pennsylvania, California and West Virginia in 1889, Missouri and Tennessee in 1891, Illinois and Michigan in 1893, Rhode Island in 1894, Delaware, Indiana, Nebraska and Washington in 1897 and Kansas in 1899. There are, therefore, at the present time, 21 states that have made some provision for factory inspection.

Twenty-one states out of 45 is, of course, a small proportion. As has been stated, however, it is not a completed movement that is being studied. We are rather in the position of one who in the midst of action stops to look back and see what has been accomplished in order better to determine his course for the future. In considering the progress that has been made, moreover, the comparison should be not with the total number of states, but rather with those in which the manufacturing industry is largely developed. It will thus be seen that of the New England and middle states, all of which are manufacturing states, the smaller states alone—New Hampshire, Vermont and Maryland—have no inspection. In the middle western states, Ohio, Indiana, Illinois, Michigan, Missouri, Minnesota, Kansas, Nebraska and Wisconsin have

inspection officers. The far western and the southern states, if we except the slight measure of inspection in Tennessee, West Virginia, California and Washington, are absolutely unrepresented. In these states, however, the manufacturing interests are but little developed.

Finally, it is important to recognize that the growth of factory inspection lies not only in the creation of new departments in different states, but in the enlargement of the powers and the broadening of the scope of the work of inspection services after they have once been initiated. The principal development of factory inspection is found in the development of each particular bureau.

An appreciation of this development, therefore, can only be had by studying the development of factory inspection in each state in which action has been taken, after which the general features of the movement can be summarized.

Massachusetts. The Commonwealth of Massachusetts holds the preeminent place among the states as regards social legislation. Just as it has been the first to create a bureau of labor statistics, thus setting an example that has been followed by two thirds of the other states and several foreign governments, the first to establish a state board of arbitration and conciliation, the first to regulate the employment of women and children, etc., so it was the first to provide for the inspection of factories. It would be difficult to overestimate the influence that Massachusetts' labor legislation has exerted on the other states. The imprint of its legislation can be found—frequently *verbatim*—in the labor legislation of all the other states.

Massachusetts inaugurated its work of factory inspection by the passage, May 11, 1877, of the law entitled "An act relating to the inspection of factories and public buildings." This act is remarkable from the fact that it immediately made broad and efficient provisions for the regulation of labor in factories. It provided for the guarding of belting, shafting, gearing, etc.; the prohibition of the cleaning of machinery when in motion; the ventilation of factories; the protection of elevators, hoist-

ways, etc.; the furnishing of sufficient means of egress in case of fire, etc. Finally, it directed the governor to appoint one or more members of the state detective force to act as inspectors of factories, with the duties of enforcing not only this law, but other legislation relating to the employment of children and the regulation of the hours of labor in manufacturing establishments.

In 1879 this act was slightly amended by an act that abolished the state detective force and created in its stead a district police force, of which two or more members should be designated as inspectors of factories. In accordance with this act the governor appointed three inspectors, and the first report of their work was made in the year 1879. This year, therefore, really marks the beginning of factory inspection in the state.

It will not be practicable to mention all of the acts subsequently passed by which new regulations concerning the conditions of labor were enacted and the duties of the inspectors correspondingly increased. Some of the principal stages of the growth of inspection, can, however, be briefly mentioned.

In 1880 the duties of inspection were extended to mercantile as well as to manufacturing establishments, and the number of inspectors was increased to four.

In 1882 the number of members of the police force detailed for inspection work was increased to five.

In 1885 the district police force was increased to 20, of whom eight were reported in 1886 as detailed for inspection work.

In 1886 an important increase in the duties of the inspectors was made by the act of June 1, entitled "An act relative to reports of accidents in factories and manufacturing establishments." For the first time, therefore, provision was made for the reporting of accidents to laborers.

The year 1887 was prolific in labor legislation. One act was passed to secure proper sanitary provisions in factories and workshops; another to secure their proper ventilation;

a third to secure proper meal hours; and another to amend the law relating to the employment of women and children. The number of inspectors was increased from eight to ten.

By an act of March 8, 1888, a much needed reform was accomplished by dividing the district police force into two separate departments of detective work and inspection. According to this act the inspection department was made to consist of ten members, not including a chief who was also the chief of the detective department. By a supplemental act of the same year the force of inspectors was increased to 20.

March 10, 1890, the law relating to the reporting of accidents was amended so as to make it relate to all proprietors of mercantile and manufacturing establishments, instead of to corporations only, as had been the case under the old law.

In 1891 the force of inspectors was increased to 26, and it was provided that two must be women. An important act of this year was that of May 28, entitled "An act to prevent the manufacture and sale of clothing made in unhealthy places," by which it was attempted to bring under regulation the growing evil of the sweating system. This act was afterwards amended in 1892 and again in 1893.

In 1893 provision was made for the appointment of an additional district police officer, with the duty of inspecting all uninsured steam boilers.

In 1894 the important service was performed of making a codification of all laws relating to labor in factories, the enforcement of which fell within the duties of the inspection department of the district police force.

In 1895 a great increase was made in the inspection duties of the state by the enactment of a law providing for the appointment of four inspectors to examine uninsured steam boilers and to act as a board to determine the competency of engineers and firemen intrusted with the care of such boilers.

The inspection force at the present time consists of one chief, 26 inspectors of factories (two of whom are women) and four inspectors of boilers.

New Jersey. New Jersey was the first state to follow the example of Massachusetts and provide for the inspection of factories. Its service was inaugurated by the act of March 5, 1883, entitled "An act to limit the age and employment hours of labor of children, minors and women, and to appoint an inspector for the enforcement of the same." By this act the governor was directed to appoint an inspector of factories at a salary of \$1200 a year, whose duties were to inspect all factories, workshops, etc., and to prosecute all violations of law before the proper judicial authorities. He was allowed expenses not to exceed \$500 a year.

In 1884, April 17, a supplemental act was passed providing for the appointment by the inspector of two deputy inspectors, at a salary of \$1000 a year each. The salary of the chief inspector was increased to \$1800, and his allowance for contingent expenses to \$1000. At the same time the original act was modified so as to enable infractions of the law to be more effectively prosecuted. The result of this act was to more than double the efficiency of factory inspection in the state.

April 7, 1885, there was passed what was known as a general factory act, which specified in considerable detail the precautions which must be taken in factories against accidents, and unsanitary conditions. The enforcement of this law was intrusted to the factory inspectors.

March 22, 1886, this act was slightly amended.

May 6, 1887, a new general factory act was passed in order to amend and elaborate the act of 1885.

In 1889 the number of deputy inspectors was increased from two to six, and the general factory act was amended, especially as regards the provision of fire escapes.

The most important subsequent acts relating to inspection were those of 1893 regulating the sweating system, the enforcement of which was intrusted to the factory inspectors, and of 1894 imposing on the factory inspectors the duty of mine inspection.