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The
Joint Committee
of
Shanghai Women's Organizations

*Toward the
Regulation of
Child Labour
in Shanghai*

Bulletin No. 1

31.3 (51.1)



The
Joint Committee
of
Shanghai Women's Organizations

Statement of the Work of the Committee directed toward
the Regulation of Child Labour in
Shanghai, 1921-26.



BULLETIN No. 1

331.3(51.1)

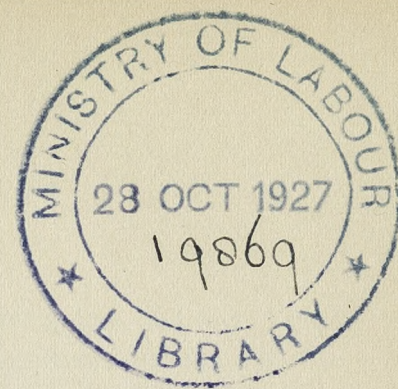
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THE JOINT COMMITTEE EXPRESSES ITS APPRECIATION TO MR. H. LIPSON WARD, AND TO MRS. W. Y. CHIU (MISS ZUNG WEI-TSUNG) FOR THEIR PERUSAL OF THIS STATEMENT.

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FOREWORD

The Joint Committee of Shanghai Women's Organizations, by adoption of a Constitution and By-laws on June 11th., 1926, became an "organization of perpetual existence." Its previous history of over four years of association, however, contains within it record of endeavour and achievement of no mean order. Few women's groups in the world have given their attention to more constructive work. The effort of the Joint Committee of Women's Clubs (as its name then was) toward the regulation of the conditions under which children might be employed in mills and factories in Shanghai has attracted world attention.

At the meeting referred to, decision was made that "a report of the activities of the Joint Committee of Women's Clubs of Shanghai in the matter of Child Labour, should be compiled, with a view to publication." This report is now ready. It is going out at a time when Shanghai is again in the forefront of world attention and when it is impossible to forecast the future of this city. But whatever this may be, it is certain that the history contained in this report will have its effect.

LOIS LAURENZ.
Chairman, Joint Committee
of Shanghai Women's Organizations.
1927.

Shanghai, May, 1927.

A RECOLLECTION

No one who has lived in Shanghai during the last five years and has taken even a mild interest in the momentous but involved relationships of the foreign communities with the million odd Chinese residents, can fail to read the following pages without a thrill of wonder.

This resume of a determined effort towards what is really an elementary reform, represents an outline of the stupendous amount of preliminary cultivation, publicity, and private interviews with all manner of people interested in child labour legislation, carried on simultaneously by a number of organizations, whose work and interest the Joint Committee focussed up. A tremendous inertia had to be overcome, and public bodies as well as private institutions had to be convinced, but lack of space has made necessary omission of many details of import and of historical interest. It is proper to say that the year and a half campaign for Child Labour Reform in Shanghai, so far as the Chinese and foreign women were concerned, in its moral and human results, is a striking monument to international understanding and co-operation, the like of which had never before nor since been seen in Shanghai.

In this connection it is a great pleasure for me as former Chairman of the Joint Committee to record the invaluable work of initiating the interest in the whole problem and of enlisting the co-operation of the women of the city in the effort toward its solution, which was done by Agatha Harrison, an English woman working with the Chinese Young Women's Christian Association, and to record further the meritorious services rendered to the cause by Mary Dingman, Industrial Secretary of the World's Committee of the Young Women's Christian Association with head office in London. Miss Dingman had been loaned to the National Committee of the Y.W.C.A. of China for two years to direct its industrial program upon the relinquishing of the work by Miss Harrison at the end of 1923. She replaced Miss Harrison on the Shanghai Municipal Council Commission on Child Labour, and in her capacity of socio-industrial expert gave not only that Commission but also the Joint Committee invaluable assistance. Her unrivalled technical knowledge, her indefatigable zeal and enthusiastic driving power fired us all with

the inspiration of crusaders. It is certain that without her splendid devotion and persistent energy, the Joint Committee could hardly have performed its own part in this work. It was only the irony of fate and one of those mysterious forces which defy human understanding which deprived her work of a successful outcome so richly deserved.

I must not fail to add that China is grateful for the work of Dame Adelaide Anderson not only as a member of the Child Labour Commission but because of her genuine spirit of helpfulness and humanity which impressed all wherever she went in this country. Lastly I wish to add a word of appreciation for the compilation of this Bulletin by the Corresponding Secretary, Eleanor M. Hinder of Australia. In their work and relationships with Chinese women as well as with the Joint Committee, these Western women have afforded the Chinese people a demonstration of friendly internationalism.

ANNA KONG MEL.
Chairman, Joint Committee
of Shanghai Women's Organizations.
1923-26.

SHANGHAI

The city of Shanghai is situated on the shores of the Whangpoo River which flows into the sea near the mouth of the great Yangtze River, on the East Coast of China.

THE CITY This geographical position has direct relation to the size and commercial importance of this city, which is the most important port of China, and ranks as the sixth largest port of the world. The Shanghai area comprises three separately administered districts, namely: Nantao and Chapei *under exclusive Chinese administration* lying to the South and North respectively of the foreign concessions: the French Concession, under the jurisdiction of the French Consul-General; and the International Settlement, administered by nine councillors representing the Ratepayers, and comprising men from British, American and Japanese nationalities. The area of the International Settlement is 33,503 mow, equivalent to 5,584 acres: that of the French Concession is 15,150 mow, equivalent to 2,525 acres. Thus the total area under foreign control is 8,109 acres, while city districts under Chinese control aggregate approximately 5,600 acres in area. In the approximately eighty years of history of foreigners in this part of China, there has grown up a large city, due largely to the initiative and engineering ability of the Western nations. The population figures as given by the China Year Book for 1926 are as follows: Shanghai District 5,550,200: City of Shanghai 1,538,500. Within the International Settlement 29,947 are foreign, 810,279 Chinese, residents: within the French Concession 7,811 are foreign, and 289,261 Chinese. The area known as the International Settlement is held under "Land Regulations", dating back to 1853: these represent agreement effected between the Chinese Government representative and the Consuls of nationals here, and subsequently approved by the home governments of the treaty powers. A rental is still paid annually to the Chinese Government in "recognition of China's sovereign right to the land" (Dennett: "Americans in Eastern Asia.") Owning of the land within the Settlement is possible for both foreigners and Chinese *by the Land Regulations*. Titles are registered in the consulates of the nationals concerned and Chinese property is often held in the name of a foreigner and therefore also so registered.

The administration of the affairs of the International Settlement is in the hands of the Shanghai Municipal Council, working within the limitations of the Land Regulations and the Bye-laws made there under. To quote from the speech of the chairman of the Shanghai Municipal Council, Mr. Stirling Fessenden, at its Annual Meeting in April, 1927:—

“Shanghai has a unique political status as a municipality, which has no counterpart in the whole world. As a rule, municipalities are created by, and derive their powers from, the supreme legislative assembly of the state or country in which they exist. Shanghai as a municipality was not created by and does not derive its powers of government from the legislative assembly of any simple state or country, nor from the mandate of any single sovereign power. It was created by and derives its powers from an agreement made between the so-called “Foreign Powers” on the one part, and the Chinese Government on the other part.”

Alterations in, and additions to the Land Regulations can only be consulted upon and settled by the Foreign Consuls and local Chinese authorities, subject to confirmation by the Foreign Representatives and supreme Chinese government in Peking. Amendments and additions to the Bye-laws must not be repugnant to the Land Regulations and can only come into operation after approval by the consuls and ministers having treaties or a majority of them and the Ratepayers in special meeting assembled, the quorum for such special meeting being one third of the electors present in person or by proxy. The Council is composed of foreigners only and elected by Foreign Ratepayers only. In response to public opinion that there should be provision for expression of opinion on the part of Chinese ratepayers, who constitute a large proportion of the residents of the International Settlement, a Chinese Advisory Committee to the Council was set up in 1922, composed of five Chinese members. This arrangement did not function satisfactorily. In 1926, a resolution of the Ratepayers' Meeting, declared the desirability of participation in the Government of the Settlement by Chinese residents, and instructed the Council to make representation to the Powers concerned with a view to securing the addition of these Chinese members. The resolution received the endorsement of the Diplomatic Corps in Peking. As yet, however, these places have not been filled. Chinese people have declared themselves of the opinion that, since the bulk of the taxation is paid by them, the proportion of members of the Council thus offered them is inadequate.

They have attempted to have the number increased to nine. As yet however, there has been no acceptance by Chinese people of the invitation to sit on the Council.

Responsibility for the preservation of order, for making roads, for collecting of taxes, for traffic control, for health administration, for general function of government of a modern city-state, is vested in the Municipal Council by the Land Regulations. In 1893 the Council established an Electric Light and Power plant. Its distribution for lighting, heating and power purposes, is very large. It is partly because of this plant, as well as of the geographical position of the city, that so many large industrial plants in Shanghai have come into being. There are literally scores of modern cotton mills, flour mills, steam silk filatures, tobacco and cigarette factories, printing, and dock and engineering works. Japanese cotton mills in Shanghai employ upwards of a hundred thousand workers: the thirty cigarette factories employ between twenty-five and thirty thousand workers. Many workers have been attracted to Shanghai by the lure of steady work which the factories afford, and thus the question of housing has become acute for both the Chinese and foreign portions of the city. But, in consequence

LACK
OF
INDUSTRIAL
REGULATION

of the divided authority of the Shanghai area, and the lack of power of the Municipal Council within the International Settlement, under the Land Regulations, to make regulations concerning the conditions under which work is done in the factories and mills, coupled with the lack of interest displayed by Chinese authorities in the Chinese territory adjacent to the International Settlement, there exists no uniform law by which such conditions can be controlled. As a result, the situation which was known in factories in England during the early days of the use of machinery is repeating itself. Extremely long hours have been worked in the factories in Shanghai—often with the consent of the workers, because they are unable themselves to appreciate the effects of these upon themselves, and since in their former occupations they have not been accustomed to regulation of any kind save the passing of the light of day. Small children accustomed to work alongside their parents in home task, work also in the mills and factories for a twelve to fourteen hour day, and often at night. In silk filatures, the accompanying moisture makes the work particularly trying to growing children, being as they are often under the age of nine years. Twelve hour shifts, night and day, are common, and when there is no night shift, as in silk filatures, the day shift may extend to fourteen

hours. Safeguards to machinery for the prevention of accident, known in the West, and there the subject of rigid supervision, are matters left entirely to the management of factories in Shanghai, in the absence of external authority to frame or to enforce them: and they are for the most part, absent. Many factory buildings, modern in construction, owned and operated by either Chinese or foreigners, may be seen on the river fronts: but that there is room for modification of the conditions under which work is carried on in them, few who gained entrance to them, would deny. There are some striking examples of attention to the results and experience of the West in matters of factory hygiene and supervision of conditions of work generally, but in general, the criticism holds. If Shanghai is not to know the evils of the factory system of the West, if anything is to be learned from the bitter experience of the West, there must come, at the hands of unified authority, regulation of the conditions ruling in industrial plants. It is recognised that standards of living vary, as between Western and Eastern countries: that the present economic situation in China makes it difficult to modify existing conditions. But enlightened opinion concedes also that there are evils inherent in a factory system which tend to become even more vicious when the system holds unchallenged sway in a country of low standards of living and enormous competition to obtain a livelihood. The day of regulation must come, though this may be deferred for a time, in view of the dissensions which convulse China, and in view of the general uncertainty which surrounds the future of the city of Shanghai itself.

In the matter of regulation of conditions in industrial plants in China as a whole, there has as yet been no concrete progress of national scope. In March, 1923, the PEKING REGULATIONS Ministry of Agriculture and Commerce in Peking, promulgated a series of regulations, for whose enforcement, however, it had no machinery. The contents of these in some respects outstripped the achievements of "advanced" industrial countries: but they have remained regulations on paper only.

China was a member of the First International Labour Conference, held under the auspices of the League of Nations, in Washington, during October, 1919. This Conference passed resolutions, known as Draft Conventions, having reference to matters of industrial regulation. Each of the countries participating in the Conference or coming later into membership of the League of Nations, undertook to bring the subjects of the

conventions of this and subsequent conferences to the attention of the legislative body within the country, competent to take action with regard to them, and, as soon as possible, to ratify them. An eight-hour day for Western countries, a ten-hour day for Japan and India, and a day of reduced hours for China, was the subject of one convention. Limitation of the work of women at night, and in periods before and after child-birth, of another. Limitation of the work of children in factories, and the setting of a lower age limit of fourteen years, was the subject of a third. China, as being a member of the League of Nations, and as having been present at the first Conference at which her unique conditions were the subject of sympathetic understanding, has assumed an international obligation toward these questions. It is obvious however, that the carrying out of these is contingent upon the possession by China of a stable government, able both to formulate policies and to create the machinery for their handling.

THE JOINT COMMITTEE OF WOMEN'S CLUBS

The Joint Committee of Shanghai Women's Clubs, as it was first called, dates from November 2nd., 1921, when the first meeting, consisting of the representatives of the British Women's Association, the American Women's Club, the Shanghai Women's Club, and the Shanghai Y.W.C.A., was held to discuss matters relating to the conditions under which children were working in the mills and factories of Shanghai.

Prior to this meeting, there had been a vigorous newspaper correspondence in the "North China Daily News," drawing attention to the condition under which children worked in Shanghai. This group meeting was an attempt to discover how far the conditions described therein were a responsibility of the inhabitants of the International Settlement. At this meeting, a Joint Committee consisting of three representatives of each organization present was set up, to consider how the women's groups in Shanghai might help toward alleviation of existing conditions.

During the year which followed,—till January, 1923,—the Joint Committee met, educating itself as to the reality of the conditions as reported, and considering what steps might be taken for their alleviation, in the light of knowledge of history of such conditions and their reform in the West. The members of the Committee paid visits to factories, observed conditions under which children worked, as well as their toil on the streets and in the shops. The conviction grew upon the Committee that an effort should be made to rouse public opinion to the fact that the evils of children's labour well known in England in the beginning of the 19th. century, were being repeated in Shanghai. It was recognised that, with the increase in numbers of the large-scale industrial plants in Shanghai, the problem obviously must become more insistent. Shanghai women determined to use the weight of their influence through the medium of the Joint Committee toward safeguarding the lives of children.

In January, 1923, these four women's organizations considered the recommendation of the Joint Committee, that an effort should be made to establish a minimum standard for children working in factories, along three lines—exclusion of children under twelve from night work: inspection of factories for enforcing of regulation: provision of part-time education for factory children. All the constituent organizations, which were later joined by the Japanese Women's Societies, agreed to work for the obtaining of these minimum standards, and threw back upon the Joint Committee the task of considering the best method of approaching the Shanghai Municipal Council, as being the governing municipal body which could alone introduce regulative action, applicable in the International Settlement.

On March 1st. the following letter was addressed to Mr. H. G. Simms, the Chairman of the Shanghai Municipal Council:

CORRESPONDENCE
WITH THE
SHANGHAI
MUNICIPAL
COUNCIL

"We have the honour to submit for your consideration the following suggestions in connection with the employment of children in mills and factories in Shanghai.

"While fully recognising the many practical difficulties which bar the way to any change of the present conditions, we none the less venture to urge that (a) the Council consider taking such steps as may be necessary to ensure the abolition of night work for children under twelve years of age (foreign count); (b) that the Education Commission at present sitting consider the provision of part-time schools in such factory districts as come within the Council's jurisdiction, whereby the number of working hours for children would be automatically regulated, and (c) that the powers of the Health Department be extended to include the supervision of factories in matters relating to ventilation, sanitation and safety.

"In bringing those recommendations to the notice of the Council, we should like to point out that the Chinese themselves are showing an active interest in the problems presented by the development of industrial labour. At the National Christian Conference, held in May last, attended from various parts of China, the following standards were introduced and endorsed:

1. No employment for children under 12 years of age.
2. One day's rest in seven.
3. Safeguarding the health of workers by shortening hours, improved sanitary conditions and the installation of safety devices.

"The Chefoo Chamber of Commerce, the Peking Chamber of Commerce and various other Chinese organizations have endorsed the above standards, and are, at the present time, seeking the best methods of putting them into practical effect.

"We are aware of the interest and sympathy already expressed on this question by members of the Council, and therefore venture to hope that the Council will give the above recommendations their careful consideration and use its power to render them effective in the Settlement."

This letter was signed by Mrs. B. M. Gull, Chairman, British Women's Association; Mrs. Mackie, Chairman, Social Service Board, B. W. A.; Dr. Anne Walter Fearn, President, American Women's Club; Mrs. E. Harrison King, Chairman, Social Service Department, A. W. C.; Mrs. T. K. M. Siao, President, Shanghai Women's Club; Mrs. H. C. Mei, Chairman, National Committee, Young Women's Christian Associations; Mrs. K. H. Chen, Chairman, Social Service Committee, Y.W.C.A.

The Shanghai Municipal Council replied in letter dated April 5th., 1923, with the very satisfactory statement that a Commission would be appointed to consider the whole question, preparatory to action. A commission similar to the "Industrial Employment of Children Commission" appointed in March, 1921, by His Excellency Sir Reginald Edward Stubbs, in Hongkong, whose report was presented in May of that year, was set up by the Shanghai Municipal Council.

The Joint Committee of Women's Clubs was asked to nominate members therefor.

"I am directed to acknowledge the receipt of your letter of March 1st, addressed to the Chairman of the Council submitting certain suggestions in connection with the employment of children in mills and factories, and in reply, to call your attention to the Council's decision, briefly reported in to-day's Municipal Gazette, to appoint a Commission to go into the whole question and to report thereon in due course with recommendations for the Council's consideration.

"I am further directed to inform you that the Council will be glad if your Committee will submit the names of those whom they would suggest should serve on the Commission, the membership of which would be completed by further nominations by the Council, but would not include any members of the Municipal Staff, who would, however, be available to give evidence, and otherwise assist the Commission in its labours.

"In the meantime, in regard to the third suggestion submitted in your letter under reply, I am directed to state that ventilation, sanitary accommodation and means of egress in all buildings of the factory class within Settlement limits are dealt with when plans of buildings are submitted to the Council for its approval, and that the necessary provision therefor is indicated on the plans before a building permit is issued. In certain cases, of course, it may prove that the sanitary accommodation is inadequate when the buildings are complet-

ed, but this only occurs when incorrect figure has been given as to the number of persons to be employed, and when this happens, the Council's experience is that the owners are generally quite ready to remedy any deficiency.

"Finally I am to inform you that further provision for the inspection by the Council of buildings after their construction is to be provided for in the revised building rules which are at present in the course of preparation."

This letter was signed by Mr. N. O. Liddell, Secretary and Commissioner General to the Council.

The Joint Committee responded in terms of appreciation for the Council's action, and submitted the following names for service on the Child Labour Commission:

Employers

Mr. C. Beswick.
Mr. H. Y. Moh.
Mr. G. Okada.
Mr. A. Rose.
Miss P. Ayrerton.

Others

Dr. Anne Walter Fearn.
Mr. George Hsu-chien.
Mr. Jabin Hsu.
Dr. Henry Hodgkin.
Dr. Fong F. Sec.
Mr. J. B. Powell.
Miss A. Viola Smith.

Local Industrial Committee

Mr. George Fitch
Miss Zung Wei-tung

Joint Committee

Miss Agatha Harrison.
Miss May-ling Soong
Mrs. MacGillivray.

APPOINTMENT OF THE CHILD LABOUR COMMISSION

A Commission of nine composed of Mr. H. Lipson Ward (Chairman of the Commission), Messrs. E. J. Cornfoot, R. J. McNicol, H. Y. Moh, and G. Okada, with Mrs. MacGillivray, Miss Harrison, Miss Soong, and Dr. Mary Stone was officially appointed by the Shanghai Municipal Council. Of the five men, all except the Chairman represented manufacturing interests.

The terms of reference of the Commission were:

"To enquire into the conditions of Child Labour in Shanghai and vicinity, and to make recommendations to the Council as to what regulations, if any, should be applied to Child Labour in the Foreign Settlement of Shanghai, having regard to practical considerations and to local conditions generally."

The first meeting was held on June 22nd., 1923. The Chairman of the Shanghai Municipal Council in his opening speech, made this significant statement, indicative of the spirit and idea of international relationships in which the work was begun:

"As you are aware the Council endorses the view that it should take a lead in bringing about certain reforms in conditions applying to Child Labour in mills and factories in the Settlement. Since then, the Chinese Government has evinced a desire to improve conditions in mills and factories under its jurisdiction. As it appears to the Council an opportune time to work in co-operation with the Chinese Government, rather than apply separate rules and regulations to factories and mills in the Settlement, it would be much more advisable to take as a basis to work on, the laws recently promulgated by the Chinese Government, and deal with them in the light of your experience and knowledge with a view to persuading the Chinese Government to add to or modify their laws, so that we could adopt them here, thus securing uniform legislation both in and out of the Settlement."

"The gentlemen who have accepted the Council's invitation to sit on the Commission have practical experience in mills and factories, and from a business point of view are just as anxious to arrive at a proper solution of the Child Labour problem as those who approach it from the point of view of social reform. . . . The suitable education of children shut out from work is a question which it will be for you to discuss, but it must be borne in mind that many of them doubtless reside outside our jurisdiction and this is where there should be co-operation with the Chinese authorities. . . . I feel sure you will enter into your labour fully determined to overcome the difficulties you are bound to meet, always bearing in mind that reforms are very necessary if we are to justify our claim to be enlightened administrators of this important Settlement, because no administration can afford to ignore its responsibility for the social welfare of the children under its jurisdiction."

The Commission met thirty-three times in the year which followed. It adopted the procedure of calling evidence, visiting mills and factories, in person, both by night and day, as well as obtaining answers to a questionnaire from owners. The Commission asked definite questions as its members visited the plants. The questionnaire may be found in Appendix I.

Of the thirty-six witnesses who gave evidence, there were representatives from factory and mill owners and managers, Public Health authorities, builders, labour contractors, Fire Brigade authorities, medical men and women of wide experience—both Chinese and foreign men and women. The Report of the

Commission was presented on July 9th., 1924, and signed by all of the original members of the Commission who remained in China with the exception of Mr. Moh, and, in addition, by Dame Adelaide Anderson, co-opted on to the Commission by consent of the Council, and Miss Mary Dingman, replacing Miss Agatha Harrison on her departure from China.

The text of the Report is found in Appendix II.

In June, 1923, one of the largest cotton mill companies—the Ewo Cotton Mills, Limited, owned by Jardine Matheson and Company, Limited,—the oldest British firm in China operating in many trading ventures—*by decision of the Board of Directors excluded the working of children under twelve years of age from their mills. This voluntary action on the part of one large employer of labour was regarded as significant.* It demonstrated to the Joint Committee

that the cause which it had at heart was not a hopeless one, and that there might be support also from other employers in a similar direction. It was repeating the experience of the West, where reforms which subsequently were general through legislative action were, in the first instance, voluntarily taken through the initiative, of wide-visioned employers. Though this company has faced exceedingly difficult times in China in subsequent years, the company has not let down from the principle adopted.

During the time of the Commission's work, the Joint Committee of Women's Clubs was not inactive. It interested itself in marshalling evidence which would be telling. It planned meetings, and publicity, so that the work of the Commission should be followed with intelligence, in preparation for the publication of the report of the Commission. One such meeting, for example, was a joint meeting of the Committees of both the foreign and Chinese Cotton Mill Owners' Associations, and the Employers' Federation, in January, 1924, for the purpose of meeting Dame Adelaide Anderson, (formerly Principal Woman Inspector of Factories in the Home Office in H. M. Government in England), at which the matter under consideration by the Commission was discussed in open forum. Approaches were made to the Cotton Mills Owners' Associations, with a view to obtaining the expression of their attitude to regulation of Child Labour, and the resolutions were forwarded to the Commission. (See references in Appendix II).

The Commission, during the period of its work, asked the Council to seek advice as to its competence in the matter of regulation of the work of children:

"Whether the Council had power at present to make and enforce a regulation prohibiting the employment of children below a certain age—if the answer were in the negative, could the Council acquire such power by addition to the present bye-laws: could such addition be intravires the present Land Regulations, and if so, what steps would be necessary to obtain such addition."

Mr. G. H. Wright, the Council's Legal Adviser, stated that the Shanghai Municipal Council possessed no existing power. It had the power to prohibit employment of children in industries obviously unsuitable and harmful to children, but not to exclude children of tender age from employment generally. He indicated that the Council had power to:

"Make other Bye-laws for the better enabling of them to carry out the object of the Land Regulations—i.e. "the better order and good government of the Settlement," "with which such proposed bye-law was not repugnant." Land Regulation II provides that new Bye-laws must be approved by the Consuls and Ministers of Foreign Powers having treaties, and the Ratepayers in special meeting assembled."

Such information was essential in the hands of the Joint Committee of Women's Clubs, as they came now to consider the best means of working up for such action on the part of the Municipal authorities which could give effect to the Recommendations of Part III of the Commission's report.

Sufficient expression of approval on the part of the Council having been made in the Municipal Gazette of October 23rd., a letter, dated December 4th., 1924, was sent to the Chairman of the Municipal Council, Mr. Stirling Fessenden, signed by Mrs. H. C. Mei, Chairman of the Joint Committee of Women's Clubs:

"On behalf of the Joint Committee of Women's Clubs of Shanghai I wish to express through you to the Municipal Council our deep appreciation of their action in appointing the Child Labour Commission in response to our letter of March 1st., 1923. We are grateful to the men and women who have for months given valuable time to the service of this Commission and who are deeply concerned that their recommendations should receive due, prompt, and effectual consideration and adoption.

"Communications which we have received from abroad and especially from the League of Nations at Geneva show clearly that the report has attracted much attention in other countries. People are expecting much from this effort to regulate Child Labour conditions in Shanghai.

"I am writing to enquire what action the Municipal Council intends to take in connection with the report, and also to ask for information as to what steps are necessary to have its recommendations put into force, with particular reference to local legislation by the Ratepayers' Annual Meeting.

"The Joint Committee of Women's Clubs is prepared to do anything in its power to co-operate in getting the Commission's Report adopted and see that its recommendations are carried out. Thanking you for the courtesy of attention and requesting an answer at your earliest possible convenience."

Personal interviews with officials of the Council followed. In order to have record of the matters discussed, the following letter was subsequently despatched, addressed to Mr. E. S. Benbow Rowe, Acting Secretary of the Council:

"At a meeting on Friday, 19th., December, the Joint Committee of Women's Clubs instructed me to send the following questions to you to be answered in writing, as it was felt by those present that there was need of accurate information regarding them. Mrs. Mei and Miss Dingman reported the interview which they had with you, and while the courtesy of your verbal explanation was much appreciated, it would seem that a formal acknowledgement of the letter sent to the Council, with specific answers to the questions in it, is needed for reference.

1. What is the exact number of voters in the Settlement.
2. What is the total number of votes that can be cast?
3. What is the exact number of voters who must be present to constitute a quorum?
4. What proportion of votes or voters present must be in favour of a resolution to have it carried?
5. Are resolutions ever presented directly by the Council to the ratepayers asking for their ratification or are they always presented by a proposer and seconder outside the Council?"

In reply, the Council's letter, under date January 5th., 1925:

"I have the honour to acknowledge the receipt of your letter of December 24th., 1924, forwarding a list of questions relative to meetings of ratepayers, and in reply to give you the following answers to those questions:—

"1 and 2. At the time of the last annual meeting (April 6th., 1924) the total number of voters on the register was 2,337 and the total votes which they represented was 2,682. Attendance at this meeting was 281, representing 450 votes.

"3. A quorum is not necessary at ordinary meeting, but no Special Meeting may be held under the Land Regulation 15, unless one-third of the electors are present or represented. To have held a special meeting on April 16th., the necessary votes would have been 894.

"4. A majority.

"5. Resolutions are presented directly by the Council when it so desires, and by outside parties when they so desire.

"I have to express the hope that the above particulars may make clear to you any points upon which you may have been in doubt, and to assure you that I shall be pleased to be of any further service to you should my assistance be required."

This letter did not contain, as yet, however, answer to the specific question *as to what steps the Council intended to take with regard to the Commission's report.* Their action, however, followed promptly, and at a meeting on January 21st., record of which appeared in the Municipal Gazette of February 12th., resolution was taken, reported as follows:

"Part III of the Commission's Report having been circulated, is formally adopted, and it is decided to request the Legal Adviser to frame the necessary Bye-law for submission to the Ratepayers at the next annual meeting. The Chairman states that he proposes to move its formal adoption at that meeting, but he suggests that someone who is conversant with the many aspects of the Commission's Report should be asked to second the resolution. A member's suggestion is endorsed that the Bye-law should also apply to buildings on Municipal Roads."

The sense of the Council's decision to present this Report for the adoption of the Ratepayers was communicated to the Joint Committee in letter dated March 2nd. This action on the part of the Council narrowed the task before the Joint Committee: it was no longer necessary to consider the procedure of having the matter considered. But the task remained to rouse an interest in the issue in the minds of the voting ratepayers. Under the Land Regulations, the Council must convene a meeting of Ratepayers annually, for the adoption of the Council's Report and Financial Statement for the previous year, and to pass the budget for the ensuing year. A quorum is not necessary for the completion of such routine business: *But for any resolution which is not intravires the existing Land Regulations, a Special Meeting must be called; the quorum for such special meeting being one third of the electors present in per-*

son or by proxy. For some nine years it had not been possible to obtain a quorum. The Council had in vain tried to bring before the Ratepayers three resolutions affecting Wharfage Dues and Press Control. With real thoroughness, channels of reaching the largest number of people so that on this occasion a quorum could be obtained, were considered by the Joint Committee, on whom this task devolved.

In the weeks that elapsed between this action on the part of the Council, and the annual meeting called for April, 15th., many group meetings of different nationals were held, and the issue explained. Especially active was the educative work done among the Japanese voters, on the initiative of Mr. Sahara, who had heard the presentation of the cause at the Ratepayers' Association, and a meeting of 600 was gathered. Work with other national groups was vigorously pursued, Chambers of Commerce of different nationalities were approached, and some significant record of the official position these groups were prepared to take up, was given to the Joint Committee.

The Consuls of the various countries whose nationals are numbered among the ratepayers, brought the matter to the notice of employers from their countries. The following circular letter was sent to employers from the Acting British Consul-General Mr. J. T. Pratt; and signatures requested, if the subject commended itself:

"The Commission appointed by the Shanghai Municipal Council to enquire into the conditions of Child Labour in Shanghai, having presented its report, and the recommendations contained in Part III of that report having been adopted by the Council, and embodied in a Bye-law which has been published in the press and which will be submitted for the approval of the Ratepayers at the next annual meeting to be held on April 15th., we, the undersigned employers of labour in Shanghai, desire to state that we are in full sympathy with the policy of this Bye-law. We hope that it will be accepted and passed by the ratepayers and that the efforts now being made to secure the necessary quorum at the annual meeting will prove successful."

This was signed by representatives of Jardine Matheson and Company, Limited; Butterfield and Swire, Limited; Mackenzie and Company, Limited; The China Soap Company, Limited; Liddell Bros. Company, Limited; Arnhold and Company, Limited; British American Tobacco Company, Limited. It was also sent by the American Consul-General, to American employers of labour, and signed by The Robert Dollar Com-

pany, The American Trading Company, Inc., The Shanghai Building Company, Standard Oil Company, China General Edison Company: and signed also by members of the Japanese Chamber of Commerce—for Mitsui Bussan Kaisha, Nippon Yusen Kaisha, Osaka Shosen Kaisha, South Manchuria Railway, Mitsubishi Kaisha, Dah Dong Spinning Company.

Equal support was forthcoming from large Chinese firms. Signatures were affixed to a statement in Chinese, embodying the ideas in the statements to which assent was given by foreign employers, on behalf of Sincere Company, The Commercial Press, The Wing On Company, K. Willey Commercial Company, C. C. Nieh Cotton Mills, and Sung Sing Cotton Spinning and Weaving Company. Though there was not, by the Land Regulations, opportunity for these Chinese to express their opinion by vote, their endorsement of the principle beforehand was very valuable.

The Shanghai General Chamber of Commerce had its attention drawn to the matter by its Chairman, Mr. A. Brooke-Smith, Chairman also of the Ewo Cotton Mills, who subsequently wrote to the Joint Committee.

OPINIONS
OF
COMMERCIAL
ORGANISA-
TIONS

"I am in receipt of your circular letter of March 23rd., and have to advise you that it will give me pleasure to do all in my power to draw the attention of the public to the importance of having a quorum at the Ratepayers' Meeting on April 15th.

"As you have doubtless observed I made a statement at the Annual Meeting of the Ewo Cotton Mills that the general managers would support the recommendations of the Child Labour Commission.

"At the annual meeting of the Shanghai General Chamber of Commerce I requested the members to be present at the Ratepayers' Meeting, and I will also take steps to bring your letter to the notice of the Committee of St. George's Society."

The following is the quotation from the Annual Report of the Ewo Cotton Mills, describing the action referred to:

"Following up the remarks I made at our last meeting regarding child labour, I desire to take this opportunity of stating that your general managers propose to support the recommendations of the Child Labour Commission at the next meeting of ratepayers."

This action was taken, despite the fact that the preceding year had proved a difficult one in the history of the Company.

The British Chamber of Commerce endorsed the Bye-law. Action of the American Chamber of Commerce followed, made more specific by the enumeration of the five essential features of the proposed Bye-law in addition to a general endorsement.

The Chinese Advisory Committee to the Shanghai Municipal Council was further addressed by the Chairman of the Joint Committee:

"On behalf of the Joint Committee of Women's Clubs I am writing to ask you if you will give us the invaluable help of your endorsement of Part III of the Report of the Child Labour Commission.

"As you already know, this has received the endorsement of the Shanghai Municipal Council, the General Chamber of Commerce, and the British Chamber of Commerce, and is to be presented to the Ratepayers of the International Settlement at the Meeting called for April 15th. We expect the support of the American Chamber of Commerce. A statement similar to the enclosed will be published in the papers next week, with the signatures of British, Japanese, American and Chinese employers of labour.

"Your approval for publication, put in whatever form you prefer, would be of the greatest help to us as it would indicate the interest of your body which has the power to interpret Chinese opinion."

THE
PROPOSED
BYE-LAW

The actual Bye-law to be submitted and approved at the Special Ratepayers' Meeting was set forth in these terms:

"1. No person within such limits shall:—

- a. For a period of four years from the date at which the Bye-law shall become effective employ in a factory or industrial undertaking any child under the age of ten years.
- b. After the expiration of the said period of four years employ any child under the age of 12 years in a factory or industrial undertaking.
- c. Employ any child under 14 years in a factory or industrial undertaking for a longer period than twelve hours in any period of 24 hours, such period to include a compulsory rest of at least one hour.
- d. Employ any child under the age of 14 years in a factory or industrial undertaking except upon the condition that every such child shall be given at least 24 hours of continuous rest in every period of 14 days.
- e. Employ any child under the age of 14 years in a factory or industrial undertaking in connection with any dangerous unguarded machine or in any hazardous place or in any work likely to cause serious injury to body or health.

- f. Expose any child under 14 years of age employed in a factory or industrial undertaking to dangerous or hazardous conditions without having previously adopted all necessary and reasonable precautions for ensuring the safety of such child.

2. For the purpose of this Bye-law:—

- a. "Factory" means any premises wherein or within the close or cutilege or precincts of which any manual labour is exercised by way of trade, or for purposes of gain or incidental to making any article, or part of any article or altering, repairing, ornamenting, finishing, or adapting for sale any article, provided that at least ten persons are employed in manual labour in the said premises and the close cutilege and precincts thereof.
- b. "Industrial undertaking" includes:
- I. Mines, quarries or other works for the extraction of minerals from the earth.
 - II. Industries in which articles are manufactured, altered, cleansed, repaired, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including shipbuilding, and the generation and transformation of electricity and motive power of any kind.
 - III. Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, or any other work of construction, as well as the preparation for and laying the foundation of any such work or structure.
 - IV. Transport of passengers or goods by road or rail or inland waterway, including the handling of goods at docks, quays, wharves, and warehouses, and the carriage of coal and building material and debris.
- But does not include any agricultural operation.
- c. In any prosecution for an offence against the provisions of this Bye-law if it appears to the court having jurisdiction in the matter that any person who is alleged in the charge to have been a child at the date of the alleged offence was under that particular age at the said date, it shall be presumed, until the contrary is proved, that the said child was under the said age at the said date.

Every owner of a factory and every person carrying on an industrial undertaking shall at all reasonable times permit the duly authorised representatives of the Council to inspect such factory or the working of such industrial undertaking for the purpose of ascertaining whether the provisions of this Bye-law are being duly complied with.

Any person offending against or infringing this Bye-law shall be liable upon conviction to a fine not exceeding \$..... and or imprisonment for any term not exceeding.....months.

A further resolution was drafted to the effect that the Council be authorised to proceed with the proposal contained in Part III of the Report of the Child Labour Commission."

In preparation for the general publicity work which was being planned carefully during these days, but which was not as yet being released so that a short and intensive campaign should be used, calculated to catch and retain the interest of the community and ratepayers immediately prior to the annual meeting, the Joint Committee was not idle. Knowing that in these days of working for common international standards in industry, there was great interest in many overseas countries in the effort being made to regulate the work of children in Shanghai, opportunity was given to individuals and groups to express their interest. Such expression it was felt would be a reinforcing of the idea in the minds of the Ratepayers in Shanghai. In Appendix IV may be found statements which show the wide sweep of the interest.

As the day of the meeting approached, correspondence and articles in the press occupied the attention of the Joint Committee in its effort to educate the body of voting Ratepayers concerning the issue. A lively controversy ensued, there being a feeling on the part of a section of the community that, in the economic situation in which the people of China found themselves, there was greater hardship in excluding children from the mills and filatures, and thus depriving the family of the small though needed help which the children gave. Others again expressed the opinion that the issue was tied up with the matter of adequate educational facilities, and that until such were available, there could be no wholesale exclusion of the children from the mills, forcing them to stay instead in the mean homes and streets. On the part of some of these objectors there was real concern for the well being of the children, the question in their minds being whether the means proposed constituted the best contribution to the lives of the children. The Joint Committee members however, and those who supported them in their effort, drawing their experience from history, and a knowledge of the conditions of the West in the early days of machinery, and wishing to cut the vicious circle into which the children of China had already drifted, pleaded for the support of Ratepayers for the Bye-law.

But when at last the Annual Meeting of Ratepayers assembled in the Town Hall on April 15th., 1925, the necessary quorum to convene a Special Ratepayers' Meeting for presentation of the Bye-law was not present. The number of votes necessary to constitute a quorum in a Special Meeting was 924, and the number present was 622. The actual number of ratepayers present was 399. An effort was made from the floor to bring the matter to the consideration of the meeting despite this lack, but since the rules for the holding of Annual Meetings preclude such action, it was impossible to proceed further. *Not only was the matter of the Child Labour Bye-law thus shelved, but also those other bye-laws concerning an increase in wharfage dues, and control of printing, which the Council had been anxious to introduce for some time past.* The contents of these other bye-laws were such that their passing was opposed by the Chinese residents of the Settlement, who were without direct vote either in the Ratepayers' Meeting, or on the Council.

ANNUAL MEETING OF RATE-PAYERS There was feeling in many quarters that the failure to secure a quorum for nine years was a civic disgrace. The citizens of Shanghai had failed in their civic duty towards issues of paramount importance. What then should the city do?

Early action was taken by prominent men of the city, and a letter, dated March 24th., was addressed to the Council, bearing 76 signatures requesting that the Council

"Call a special meeting of Ratepayers at some convenient date, say during the first week in June, and that.....the Council give notice that the same Resolutions of which notice was given for the last abortive meeting will be presented to the meeting."

A tentative effort was made by the Joint Committee to have the Council present the Child Labour Bye-law alone, since its association with other Resolutions which were being opposed by Chinese people was felt to prejudice its consideration on its own merits, and might, perhaps, militate against the obtaining of a quorum at the meeting proposed. This action was not felt to be possible by the Council, who were bound to present duly proposed and seconded resolutions without prejudice, whenever there should be a meeting duly constituted to deal with them.

In order to strengthen yet further the request thus presented, an effort was made to obtain a house-to-house canvass, to secure the signatures of some thousand ratepayers, urging the holding of the meeting suggested for June 2nd. Though the invaluable help of the business men rendered the task of the Joint Committee rather a different one than in the former effort, it was apparent that its previous experience, and the fact that it was already organized for the purpose of canvass, made its work of equal importance.

TOWARD A SECOND RATE-PAYERS' MEETING On May 8th., there was held at the home of Mrs. J. T. Pratt, wife of H.B.M. Consul-General, a large meeting of those who had been invited to help in obtaining the one thousand signatures asking for the holding of the Special Meeting. Mr. Pratt took the Chair, and presented the claims of the matter of Child Labour for the support of the community. *One important point in the proposed canvass was not that ratepayers should be asked to come to the meeting to vote for the Bye-law, but they should promise to come.* "The ratepayers ought to attend. If a man is opposed to a certain measure he still ought to attend, and give his views, and hear those of other people with equally important views upon important subjects."

Conflict of loyalties which in this international situation are prone to occur, placed the Chinese women's organisations within the Joint Committee in a particularly difficult position in relation to the new effort. Opposition to the Press Bye-law, which placed limitation upon the liberty of publication within the Settlement, was growing in Chinese circles. It was felt to be an infringement upon the rights of individuals: it was further felt to be an extension of the power of foreign administration over Chinese people resident in the Settlement. Though little expressed, there was growing in the minds of some Chinese people who were favourable to the Child Labour Law, because of its humane basis, the feeling that to have this passed, might contribute to this greater control, which, in an emerging national consciousness, was, in their judgment undesirable. Though the latter aspect found no echo in the statements of the Chinese women's organisations associated with the Joint Committee in its effort to obtain regulation, nevertheless the strong feeling among Chinese men with regard to the Press issue, made it almost impossible for the Chinese women to be actively associated with the effort which had so large a place in their hearts, and had received so splendid a

measure of support in the past. Should a quorum ensue, and should the Press Bye-law receive sanction, upon them would rest the criticism of many of their fellow-countrymen for years to come. An example of what can be accomplished in the way of international understanding by co-operation in common enterprise however, was demonstrated by the understanding of the Chinese women's dilemma shown by the women of other groups which had worked for the cause. There was no dissension within the Joint Committee. It was decided that in active canvass the Chinese women's groups would remain quiescent, while retaining their adherence to the principle of the regulation of the labour of children at the hands of whatever authority might for the moment be able to achieve this end.

For the full understanding of the attitude of Chinese people, and especially employers, into these questions, there should be quoted the "Unanimous Opposition" (Appendix V) which appeared in poster form, and in newspaper advertisement on May 29th. Prior to the April meeting of Ratepayers the Chinese General Chamber of Commerce had taken the position that they were unable to endorse the Bye-law because they had already gone on record as having endorsed the Peking Regulations, (see reference in Appendix II), which had been issued by the Peking Government in March, 1923, and which were more extensive in their sweep than the proposed Bye-law. Though the Chamber had stated it was in favour of the principle of child labour legislation, they declined to accede to the request for publicity to their views. Their published statement prior to the second meeting leaves no doubt as to their general attitude.

The Council having finally agreed to call the meeting, the work of "getting out the voter" proceeded with the assistance of many helpers, and much momentum was obtained. It seemed as if success might be achieved.

Meantime, there occurred, at close proximity to the date of the meeting, one of those events in history which seem to act as focus point for much that has been in past situations, but which hitherto has seemed less sharply defined. On May 30th., 1925, consequent upon industrial disturbances dating back to February of the same year, in which a Chinese workman had been killed by a Japanese foreman, there occurred within the Settlement meet-

ings of students and labourers, speaking in the streets, contrary to the regulations of the Municipal Council in this regard. The Council is charged with the preservation of law and order within its confines, and the Council has been cognisant of the danger attendant upon the holding of such meetings, with the possibility of stirring a crowd to ill-considered action.

The Council's Police therefore attempted to disperse the crowds which gathered in Nanking Road—and some Chinese students were killed by gun fire of Police Authorities. It was at once evident that this happening, at this time, was significant for the Ratepayers' Meeting, which in itself held possibility of action on the part of the Council which would be resented by the Chinese people. The "incident" had its own significance, the reverberations of which have continued through the ensuing years. But the "incident" had significance also for the Child Labour Bye-law, as well as for the whole question of Chinese-foreign relationships.

The meeting was called for a date only three days after the "incident". Under the Regulations there was no power for cancelling or postponing such an announced meeting. Therefore matters had to proceed. Streets in the vicinity of the Town Hall were cleared of all traffic except those going to the meeting. After waiting for fifteen minutes after the advertised time of meeting, the Chairman rose and said that "owing to the fact that there was not a quorum present, this meeting has not been held." The number of voters present was 514, and the number of votes represented was 725, falling short by 177 of the required 902 for quorum.

The effort to achieve the passing of the Bye-law by which the labour of children in Shanghai should be regulated had again failed. Into the failure however there had entered other factors of world-shaking significance, and there were those who had worked hardest for the passing of the Bye-law, who, understanding the fires which had been uncovered, were grateful for the fact that the quorum had not materialised, though the days of labour of children had not ceased.

SECOND
FAILURE
TO SECURE
QUORUM

Events which followed the attempt to hold the meeting continued to focus the attention of the world upon Shanghai. There were manifestations of the growing national spirit among Chinese people throughout the country, which had their repercussions in the port cities. "June 23rd." occurred in Canton. A general strike lasting several weeks occurred in Shanghai, with all the accompanying possibilities of excesses which such occasions provide. There was not an atmosphere in which any constructive effort could be made, and accordingly the Joint Committee went into recess. With regard to the specific object for which it had been called into being, there was no sense that there had been waste of effort. There was feeling that some day, in some form, there would come some relief for the child workers in the mills and factories, and when that day comes, the effort of the Joint Committee, in making a thinking which can find expression in final action, would have made its contribution. The Commission's report, which, without the request of the Joint Committee, would not have been presented, stands as one of the few documents which are authentic in regard to several aspects of life and labour in Shanghai.

RECESS OF JOINT COMMITTEE

FORMATION OF PERMANENT JOINT COMMITTEE

In May, 1926, realising that there would be value in associating together in permanent organisation, the groups which had worked for the cause of children, a meeting of those representatives of the 1925 Committee available, was called. Recommendations that there should be formed a Joint Committee with "perpetual existence" went back to the Executive Boards of Clubs which had taken part, and unanimous consent was obtained. Thus there came into being, the "Joint Committee of Shanghai Women's Organizations," with five original member-groups,—British Women's Association, American Women's Club, Shanghai Women's Club, Japanese Women's Societies, Shanghai Y.W.C.A. To these there were immediately added the German Women's Club, which had been active in the work on child labour, and the newly formed Portuguese Women's Club. In June, 1926, the Constitution and By-laws of the Joint Committee were approved in Committee, and submitted to the constituent organisations for ratification.

The objects of the permanent Joint Committee as set down bear close relation to the historical record of its first efforts, and leave within the power of the Joint Committee the challenge to constructive civic work, which shall, it is hoped, be worthy successor of early beginnings.

The objects of the Committee are:

"To foster, in all ways possible, friendly international understanding, to aid in civic movements, and to promote the welfare of women and children of all nationals in Shanghai."

STATISTICAL RESEARCH INTO THE COST OF LIVING OF WORKERS

With a realisation that the Child Labour problem, though its solution was halted in one direction, had still to be faced, the first act of the permanent Joint Committee was to set up a Child Labour Sub-committee, for the consideration of the situation, and to recommend lines of constructive approach toward the final goal. It was realised that some of the criticisms which had been faced in the former effort, were valid: there is indeed insufficient information as to how far the wages of little children are essential for the up-keep of the family. One may argue that the wages of adults will remain small while they are in competition with the small wages of children: but it is necessary to know with greater accuracy something of the economics of the family budget of the worker. In China there has been no government agency, and no private enterprise which has been able to make such statistical study. In June, 1926, however, there was set up, in connection with the China Foundation in Peking, a Social Research Department, financed partly by the second portion of the Boxer Indemnity money, remitted from America, and partly by the Institute of Social and Religious Research in New York City. The Joint Committee, in common with the Shanghai Industrial Committee, recognised the opportunity that such a Research Department offered for the pursuance of the study, the results of which would be invaluable in any future effort toward the regulation of Child Labour. Accordingly, in June, 1926, the following resolution was passed:

"In view of the fact that the regulation of Child Labour within the International Settlement at Shanghai bears intimate relation to the degree in which the adult wage meets the family needs: and since

"No accurate information exists concerning the cost of living, for working toward such adjustment of the adult wage as shall make the labour of children unnecessary:

"The Joint Committee of Shanghai Women's Organizations endorses the request to the Social Research Department of the China Foundation, of groups in Shanghai interested in industrial standards, that the Department undertake an investiga-

tion into the cost of living in Shanghai, and resolves that the Department be addressed by the Joint Committee on the subject."

The application received the support of the Department. Dr. L. K. T'ao, General Secretary of the Department came to Shanghai and a preliminary research into the daily expenditure of some thirty families was undertaken by the Shanghai Research Association, composed of Chinese men and women, with the co-operation of the Foundation's Research Department, in October, 1926. This working together of a voluntary organisation informed of local issues, with scientific statistical supervision, gave promise of good results. The preliminary enquiry, involving but relatively few families, was intended to be "diagnostic," and it was hoped that a larger study might be undertaken in 1927. Events, however, of national and international import for China, have delayed the undertaking of the larger project: and times of civil strife are not the periods in which a record of normal family expenditure can be obtained.

At the time of the publication of this report, the membership of the Joint Committee of Shanghai Women's Organizations consists of ten different groups. Because of language difficulties, most of the women's groups in Shanghai tend to separate upon a national basis. The membership includes two American, one British, three Chinese, one German, one Japanese one Dutch, one Portuguese group. The Joint Committee affords them a prized opportunity for co-operation upon issues which are the concern of all. The purpose of the Joint Committee, under its permanent constitution, is, as has been quoted, "to foster in all ways possible friendly international understanding, to aid in civic movements, and to promote the welfare of women and children in Shanghai." The political events which Shanghai has seen in the early part of 1927, preclude present effort of the type which this report has outlined: as has been well said "concern with new social legislation presupposes a stable state." But there are other issues which are worthy of the attention of the women of Shanghai. In itself it may be the laboratory of international friendliness, for within its precincts are nationals of every country in the world.

Its immediate interest of a wider scope is preparation for the Pan-Pacific Women's Conference, to be held in Honolulu in June, 1928. To this Conference it is expected that women from every country in the Pacific will go. The experience of women of all these lands in issues in which women have interest—in Education, in Health Work, in Social Work, in Government, and in Industry and Business, will be brought to bear upon the discussions. The success of this, as of every Conference, lies largely in the preparation for it. The Joint Committee, having within its membership three Chinese organisations, is particularly interested in the contribution which the Chinese women will make, and holds happy co-operative relations with them in the matter. But the Joint Committee feels also that its composite nature makes it able to make a contribution of its own, and the attention of the members is being directed towards the preparation of a monograph for presentation at the Conference, to which the experience of the many nationals of which the Joint Committee is composed will contribute.

PAN-
PACIFIC
WOMEN'S
CONFERENCE
HONOLULU
JUNE 1928

CONTINUED
CO-OPERA-
TION—"AT
SPES NON
FRACTA"

It is a matter for congratulation that, notwithstanding the difficult days through which the city of Shanghai has passed, the fellowship of women of different nationalities in the Joint Committee remains unbroken: mutual respect which has been engendered by co-operation carries over, through times of strain. The present Joint Committee desires to be a worthy successor of the original group, whose history is contained herein.

APPENDIX I
CHILD LABOUR COMMISSION

QUESTIONNAIRE TO OWNERS AND OCCUPIERS OF
MILLS AND FACTORIES.

1. Name of Mill, Factory or workshop: address and district.
2. Nature of work carried on there.
3. Nature of premises:
 - a. Age and condition.
 - b. Light and air.
 - c. Space.
 - d. Temperature.
 - e. Sanitary conveniences.
 - f. Suitability for occupation, particularly as regards employment of young persons.
 - g. Any further remarks.
4. Employment of children:
 - a. Approximate age of youngest child.
 - b. Hours of labour.
 - c. Night work.
 - d. Nature of work done by children.
 1. Under twelve.
 2. Over twelve.
 - e. Apparent physical condition of children.
 1. Under twelve.
 2. Over twelve.
 - f. Any objections to the particular employment of children.

APPENDIX II

REPORT OF CHILD LABOUR COMMISSION
Commission appointed by Shanghai Municipal Council, June, 1923
Report submitted July, 1924

Terms of Reference

The Commission was appointed by the Council in June, 1923:—

“To enquire into the conditions of child labour in Shanghai and the vicinity and to make recommendations to the Council as to what regulations, if any, should be applied to child labour in the foreign Settlement of Shanghai, having regard to practical considerations and to local conditions generally.”

Preliminary Observations

The Commission has held thirty-three meetings and heard the evidence of thirty-six witnesses. Amongst the witnesses who gave evidence were doctors, officers of the Municipal Services, social welfare workers, employers, contractors, and one woman who had worked for many years in silk filatures. It was early apparent that, apart from the widespread and continuing activities of certain groups and committees interested in religious, social, and industrial work, there was little general public interest in Shanghai in the subject-matter of this enquiry. In this connexion it might be mentioned that, upon notice being inserted in the native and foreign press informing the public of the appointment of the Commission and the nature of its labours, and inviting all who might desire to attend before it and give evidence, response was made by two persons only; one, a foreigner who expressed the opinion, based on a long residence in this country, that whereas a large proportion of the children in China are bright and intelligent, the monotonous routine of work and absence of education results in a considerable number of the adults being unintelligent and dull; the other, a native interested in the supply of child labour to a waste silk filature, who, it was soon obvious, came merely to ascertain how far his particular activities would be affected by any action taken by the Commission. Other than these two individuals the witnesses who gave evidence were persons who did so at the express request of the Commission.

One result of this lack of general public interest was that, with the exception of certain industries, such as cotton manufacturing and silk reeling, the Commission had to be content with information of a more or less general character, supplemented as far as was possible by the personal observations of its members. As far as the Commission has been able to ascertain there are few records of observations by individuals or bodies, whether native or foreign, and no reliable statistics upon any of the matters germane to this enquiry. The ground broken was virgin soil, and it is not pretended that the conclusions of fact at which the Commission has arrived are either exhaustive or beyond modification. Modern conditions of mass production, involving as they do the use of power-driven machinery and the employment of large numbers of work people in the confined space of a mill or factory are, comparatively speaking, new to China. They exist to-day only in a few areas, the most important of which is Shanghai and its vicinity, where the industrial development in recent years has been very rapid. The general standard of living throughout the whole country compared with other and, from a modern industrial point of view, older parts of the world, is extremely low. There are no facilities for the education of the vast majority of the people. Circumstances such as these, coupled with a large birth-rate, result, as is the case, in the population ever tending to outstrip the means of subsistence. The industrial workers are, generally speaking, unorganized and Trade Unions with the power lent by large accumulated funds are entirely unknown.

Evidence—General

The evidence as to the present average earning of unskilled labourers in the Shanghai district was somewhat conflicting. It can be said, however, with some certainty, that the average monthly earnings of a workman of the coolie class are not greater than \$15, whilst in some instances, such as ricscha coolies, they may be as low as \$8. One witness stated that an adult female feather-sorter did not receive more than ten cents for a day's work. The average cost of living for a man and his wife of the very poorest class was generally given as \$16 a month. The Commission has no reason to believe that earnings in the Shanghai district are lower than in any other part of the country. On the other hand, there is every probability that relatively they are slightly higher.

There is no doubt that it is the general practice for the vast majority of Chinese children to be made by their parents or others having authority over them to commence to work at the earliest age possible, having regard to the nature of the work available. Where the family is engaged in tilling the soil there is little harm, except upon educational grounds, in this practice, as it is unlikely that the child will attempt or be made to attempt tasks beyond its capacity. This statement, however, is not true where the work in question has to be performed under less hygienic conditions, and still less is it true where it involves long hours and monotonous operations. This general practice obtains in the Shanghai district equally with the rest of China. The causes of its existence are economic, social, and absence of educational facilities, but, in the opinion of the Commission, the first named is the primary cause.

Evidence—Medical

The medical evidence taken by the Commission and germane to this enquiry can be summarized as follows: It was stated that country children in China are of good physique whilst those living in the cities are, generally speaking, below the standard of Western countries. Tuberculosis is particularly prevalent in the towns. It was stated by one doctor that she really believed that children were worse off in the modern factories than in their native homes because of the humidity of the air which was bad for the tubercular child. The crowded living conditions are to a great extent responsible for the poor physique observed. It was agreed by all the medical witnesses that the existing industrial conditions in Shanghai are extremely adverse to the bodily and mental welfare of the Chinese child-employee. Such children, as a body, were said to be physically inferior to those not so employed but no definite measurements or other particulars were given. Industrial accidents were largely attributed to fatigue and carelessness following on long hours of monotonous work.

Evidence—Particular Industries

The industries in which children are employed may be divided for the sake of convenience into three classes:—

1. *Domestic*:—Young female children are commonly purchased and employed as domestic servants. They probably begin to work as soon as it is possible for them physically to do so. This practice is general throughout the country. It obviously lends itself to great abuse and the Commission has little doubt that, like other forms of slavery, it is the source

of much human misery. The Commission has reason to believe, from the evidence given before it, that many slave children are employed in native brothels and trained to prostitution. Such sale of female children, although undoubtedly contrary to Chinese law, does not appear to be interfered with in any way by those charged with the administration of justice. It is, however, true that in cases where actual cruelty is proved the International Mixed Court at Shanghai will order children to be taken away from the custody of the persons concerned. Apart from evidence as to the existence of this practice and its resultant evils, the Commission was able to obtain little reliable information as to the general conditions of the employment of children as domestic servants.

2. *Shops, Small Work Shops, Home Industries, Laundries and the Building Trades.*—The apprentice system is general in these occupations. The commencement age varies according to the nature of the employment. There is little doubt that the average child is apprenticed at the earliest age at which, having regard to the nature of the particular occupation, it can begin to learn, and at the same time be of some value to its employer. The term of apprenticeship is usually about five years and the apprentice receives during that time little, if any, pay. Except as regards laundries and the building trades, which will be dealt with in more detail later, the Commission was unable to obtain any further information as to the conditions of the employment of children in these industries. Having regard to human nature, the conditions no doubt vary between those incident to slavery and those compatible with humane and proper employment.

3. *Mills, Factories and Similar Places of Industry.*—The commencement age varies with the nature of the employment, but it can be asserted that, generally speaking, the child begins to work in the mill or factory as soon as it is of any economic value to the employer. The Commission has visited a number of mills and similar places of employment, both during the day and at night, and has seen very many children at work who could not have been more than six years of age. The hours of work are generally twelve, with not more than one hour off for a meal. The children frequently have to stand the whole time they are at work. In many industries day and night work is the rule, there being two shifts of twelve hours each. In most instances the mill or factory stops for one shift at week-ends, and in others, in addition to this, endeavours are made by the employers, but without much success, to ensure that

their work people take one day off from work every two weeks. Apart from interruptions and the customary holidays at China New Year, work is continuous. Wages are paid only for working days. In many cases the atmospheric and dust conditions are bad. The sanitary arrangements in the majority of mills and factories leave very much to be desired. The average earnings of a young child are usually not more than twenty silver cents a day. The contract system of employment is common. Under this system the native contractor supplies the requisite labour and is paid on production. This system is obviously open to grave abuse. The Commission heard evidence to the effect that in some instances contractors obtain young children from the country districts, paying the parents \$2 a month for the services of each child. By employing such children in the mills and factories the contractor is able to make a profit of about \$4 a month in respect of each child. These children are frequently most miserably housed and fed. They receive no money and their conditions of life are practically those of slavery.

Cotton mills

With these general observations, the evidence heard as regards the industries which the Commission was able to consider with more particularity may be summarized as follows:

1. *Cotton Mills.*—Generally speaking, there is little to complain of in the conditions as to space, but sometimes the ventilation is inadequate. The temperature of the air is necessarily slightly above the normal and there is a certain amount of dust and raw cotton fibre suspended in the atmosphere. In some instances the temperature was found to be higher and the dust conditions worse than were justifiable. The sanitary conditions are not satisfactory. In many cases little attention is paid to the state of the latrines, and the stench near such places is very marked. In normal times night work is the rule. There are two twelve-hour shifts. In some mills there is a cessation from work for one shift at week-ends, but in such cases the last shift is longer than twelve hours. In one instance the length of the shift was given as thirteen and a half hours, and in another fifteen hours. On occasions where there is no night shift the length of the day's work is frequently thirteen hours or even more. In some mills there is a regular one-hour interval for meals, whilst in others the employees take their meals as best they can. The children are mostly employed in the Spinning Department, and in the great majority of cases have to stand the whole time they are at work. It is

difficult to state definitely the lowest age at which the children commence work. The Commission, however, saw many children at work who could not have been more than six or seven years of age. Some of these children are not on the pay-roll but are allowed to be brought by their mothers in order that they may be under their care. In many mills the conditions during the night shift are, according to Western ideas, most unusual. Rows of baskets containing babies and children, sleeping or awake as the case may be, lie placed between the rapidly moving and noisy machinery. Young children, who are supposed to be working, but who have been overcome by fatigue or who have taken advantage of the absence of adequate supervision, lie asleep in every corner, some, in the open, others hidden in baskets under a covering of raw cotton. The discipline appears to be lax, and those in charge seem to wink at much that goes on in this respect. The Commission noticed that on its advent a warning whistle was given and many of the children were awakened by their immediate neighbours and hurried back to the machines. The contract system of employment above described is common. Many children, however, come with their parents and some independently. The wage of a child in this kind of employment is twenty silver cents a shift. The Commission is satisfied that the general standard of living amongst the class of persons employed in the cotton mills, including the children, has risen greatly by reason of the employment provided. It was stated by one witness that twelve years ago 75 per cent. of these work people had little clothing and were without footwear. There appears to be no shortage in the supply of labour and the Commission is satisfied that there would be no shortage should young children be debarred from employment in the Shanghai district. Efforts are being made in some mills to prevent admission of very young children, and are, at least, partially successful. There is a great difference to be observed as regards the age of children employed between mills where these efforts are being made and mills where they are not. One Japanese firm, owning many mills in China, provides some elementary educational facilities for the young children of its employees.

Silk Filatures

2. *Silk Filatures.*—Nearly all the employees in the silk filatures are women and young girls. Generally speaking, one child is employed for every two adults. The children brush the cocoons and prepare them for the reelers by removing the waste and so exposing the silk thread. This operation is performed over basins containing nearly boiling water with which the

fingers of the children frequently and necessarily come in contact, thereby becoming roughened and unsightly. The Commission is not satisfied that any permanent injury is caused to the hands of the children by reason of this work. Night work is unusual. The regular hours of work are twelve, usually being from 6 a.m. to 6 p.m. The children, however, have to be at the filatures some little time (15 to 20 minutes) before the hour for commencing work, in order to get things ready for the adults.

An hour in the middle of the day is allowed for a meal. In some filatures an interval of about fifteen minutes is also allowed for breakfast. Many of the children employed are very young, being certainly not more than six years of age. It was stated that children under thirteen years of age are not employed in filatures in France and Italy. In the Shanghai district the children almost invariably stand the whole time they are at work, five or six hours at a stretch. Whilst at work many of them develop a peculiar regular and rapid up-and-down movement of the body by means of alternately relaxing and then straightening their knees. Seats are provided in a few filatures, but are rarely used, probably either because the seats are unadjustable, or because it is easier to perform the work standing. Owing to the presence of the hot water in the basins the temperature of the workroom is always considerably above the normal and the atmosphere is very humid. It was stated that fainting in hot weather is not uncommon. The children earn from twenty to twenty-five silver cents a day. In the main they present a pitiable sight. Their physical condition is poor, and their faces are devoid of any expression of happiness or well-being. They appear to be miserable, both physically and mentally. The adults are given a certain number of cocoons from which they have to produce a certain quantity of silk. Should they fall short of this quantity they are fined. They then frequently revenge themselves by ill-treating the children working under them. The Commission is satisfied that the conditions under which these children are employed are indefensible. The work could be done by adults. There is, however, usually a shortage of labour, and moreover, if adults were employed instead of children, owing to the difference in height, the machinery used would probably have to be reconstructed.

Evidence was heard that in one well-run and apparently prosperous native filature at Hangchow the boiling room is separate from the reeling room, each boiler being managed by four boys of about sixteen years of age. Under this system the

softened cocoons after boiling are placed in small wooden containers half full of cold water and then removed to the reeling room. Evidence was also heard that a similar system prevails in Japan. It was stated that this method of operation greatly lessens the number of children employed and does away with many of the undesirable conditions above-mentioned. The question as to whether this system could be introduced successfully into the Shanghai district in place of the present Italian method is of a technical nature concerning which the Commission, upon the materials before it, does not feel qualified to pass an opinion.

Cigarette and Tobacco Factories

3. *Cigarette and Tobacco Factories.*—As far as the Commission was able to ascertain, there are not many very young children employed in these factories. The conditions of employment appear to be better than those in Cotton Mills and Silk Filatures, but full time employment throughout the year, such as has been general in the cotton and silk industries in past years, is not the custom in these industries. The hours of labour are shorter, being nine to ten exclusive of meals. The children usually sit at their work which is light in nature. They earn from twenty to thirty silver cents a day. Night work is not so frequent as in the Cotton Spinning Industry.

Engineering and Ship Building

4. *Engineering and Ship Building.*—The apprentice system is the rule. Not many children under sixteen are employed in the large foreign-managed work. A certain number of boys between the ages of fourteen and sixteen are employed in cleaning the interior of boilers. It was stated that owing to the small size of some boilers young boys were the only persons who could perform this work. The ordinary working hours are nine exclusive of meal time. Night work is not unusual. Conditions in the smaller native shops are different. As in other industries, the boys are no doubt apprenticed at the earliest age possible having regard to the nature of the work.

Printing Works

5. *Printing Works.*—Evidence was heard as to the conditions of employment in one large native Printing Works. As a rule, in these works no one under fourteen years of age is admitted. There is a height test for both boys and girls. The girls are employed in light work and the hours of work are not excessive. A nursery is provided where mothers can leave their babies whilst they are at work. These works are a model

establishment. There are many small native printing works where, so it was stated, the conditions of work are bad and in which quite young boys are employed.

Match Factories

6. *Match Factories.*—There are several in the Shanghai District. Certain operations such as boxing the matches and making up parcels of boxes, can be and are performed by quite young children. As little as nine copper cents is sometimes paid to a child for a day's work. Members of the Commission visited one factory of considerable size. Young children, certainly not more than five years of age, were to be seen working with almost incredible rapidity. Many babies and infants, who could hardly stand, slept or played on the floor whilst their mothers worked. White phosphorus is used in some of these factories, and cases of phosphorus poisoning have been observed. It was stated that the native authorities are making regulations, which are to come into force next year, forbidding the use of white phosphorus, and that there is a possibility that they will be observed. The use of white phosphorus and the importation of matches made with this material have since 1908 been prohibited by, amongst other countries, Great Britain, Denmark, France, Germany, Holland, Italy and Switzerland. Whilst special risk of fire undoubtedly attaches to this industry no precautions, such as the provision of fire prevention screens between the individual workers, mostly very young, engaged in boxing, or ample space between boxing stands, were observed in the factory visited by members of the Commission. From a casual observation of the dwellings adjacent to the factory it was evident that out-work was extensive.

Evidence was heard that such out-work consists of the making of boxes by mothers and their young children. The children are mostly from five to ten years of age. The materials are supplied by the factory through a middleman, and payment is made through him. The starch for pasting on the paper has to be provided by the workers. Payment is made at the rate of nine coppers per thousand for the inside part of the boxes, and seven coppers per thousand for the outside part. It was stated that a woman with two children can finish from two to three thousand parts a day, and it was also stated that the earnings of the husbands in the particular cases enquired into, who were a carpenter, sailor, ricscha coolie and messenger respectively, were not otherwise sufficient to maintain the family.

Laundries

7. *Laundries.*—There are seventy hand laundries licensed by the Council under Bye-law 34, of which eight are situate outside the Settlement limits. About seventy boys under fifteen years of age are employed by these laundries. No girls are so employed. The boys apparently start work when about thirteen or fourteen years old. Boys of ten years of age have been found to be employed, and, generally speaking, they all appear to be under-sized and much younger than the age given on enquiry. It was stated that some of them look weakly and stunted and that many of them suffer during the winter months from chilblains and resultant sores. It was further stated that the smaller boys are to be seen on occasions carrying greater weights than they can properly manage. The work performed consists chiefly of the collection and delivery of clothing, transport of washing to and from the drying grounds and watching the same, and attending to stoves, cleaning, ironing and doing odd jobs. The hours of work are usually from dawn or early morning until dusk and often until late at night. Half-an-hour or more is allowed for the mid-day meal. The apprentice system is common, \$60 or \$70 being paid to the parents for an apprenticeship period of three years. The boys are fed and lodged by the employer. They are usually lodged in rooms adjoining the laundries, sleeping on stages, trestle beds or on the floor. They frequently have to eat and sleep in the same room. The laundry business is in the hands of many small owners, who have little or no capital. They rent cheap houses, paying rent from \$7 upwards a month. It is not easy for them to obtain the right kind of premises as property owners are unwilling to let for this purpose, since buildings so used quickly depreciate in value. In wet weather the clothes have to be dried on the laundry premises which become steamy, hot, and most unhealthy. It was stated that the licence conditions most frequently broken were those against sleeping on the premises and squirting from the mouth. The drastic punishment of loss of licence is not often imposed. The witness who gave evidence also stated that in his opinion the boys were no worse off than those employed in other industries. There is only one power laundry in the Shanghai district.

Building Trade

8. *Building Trade.*—The apprentice system is universal, the term of apprenticeship being three to five years. It was stated that the commencement age was eleven. The Commission, however, is satisfied that, as in other industries, many of the children start work at a younger age than this. No girls

are employed. The apprentices start work chiefly with the masons and carpenters, carrying loads and learning to saw and plane. The hours of work are usually eight to ten a day. In winter half-an-hour is allowed for a mid-day meal, in hot weather two hours. The contract system of employment is the rule. It was stated that in the Shanghai district there were about 20,000 apprentices in this trade, most of whom live with sub-contractors away from their parents. It was also stated that the food given to the apprentices by the contractors is frequently poor, and that it is worse when they are not being employed.

Fire Protection

The Commission also heard evidence with regard to the question of the protection of workers against injury from fire. It was stated that on the whole conditions were very bad. In the case of new large buildings before construction plans have to be submitted to the Chief Officer of the Fire Brigade for his approval. After completion, however, there is no power to force the occupier to keep them in a safe condition in this respect. Fire escapes, staircases and other means of egress are frequently kept blocked with material and doors are barred. Many old buildings are in a very unsafe condition. Officers of the Fire Brigade make tours of inspection from time to time and attention is called to dangerous conditions, but very little notice is taken. It was further stated that, given the necessary powers, the enforcement of regulations would not necessitate any large increase in the Staff of the Brigade.

Preliminary Observations

Having taken all available evidence, the Commission entered upon the most difficult part of its task, namely, the consideration of the question as to what recommendations it should make to the Council. The Commission throughout its deliberations had to keep in mind the terms of reference to it which expressly stated that regard had to be had to practical considerations and to local conditions generally.

Present International Position

The present International position with regard to the regulation of the employment of children and young persons may be stated briefly as follows:—

At the International Labour Conference of the League of Nations held at Washington in October, 1919, a number of draft conventions and recommendations were drawn up dealing with the following amongst other matters.

(1) The limitation of the hours of work of all persons (other than those holding managerial or confidential positions) in industrial undertakings to eight in the day and 48 in the week. China was expressly excluded from the operation of this Convention, whilst in the case of India, a sixty hour week was adopted for all workers in industries covered by the Factory Acts administered by the Government, and in mines and certain branches of railway work. Further consideration of this question so far as India and China were concerned was left for a future meeting of the General Conference. In the application of the Convention to Japan a modification was adopted whereby the actual working hours of persons of fifteen years of age (sixteen from July 1, 1925) or older can be increased in the case of the raw silk industry to sixty hours, and in the case of other industrial undertakings to fifty-seven hours in the week.

(2) The fixing of fourteen years as the minimum age for the employment of children in industrial undertakings in which only members of the same family are employed. To facilitate the enforcement of this provision, the Convention stipulated that every employer should be required to keep a register of all persons under the age of sixteen years employed by him and the dates of their births. In the case of Japan the Convention provided that children over twelve might be admitted into employment if they had finished the course in the Elementary School. India was expressly excluded from the provisions of the Convention, except that the employment of children under twelve was prohibited in factories working with power and employing more than ten persons, and in mines and quarries and the transport services except transport by hand.

(3) The prohibition (with certain exceptions in the case of young persons over the age of sixteen in the event of sudden emergency) of night work under the age of eighteen years. In the case of Japan, the Convention, until the 1st. of July, 1925, was to apply only to young persons under fifteen years of age, and thereafter to those under sixteen years of age. As regards India the Convention was not to apply to young male persons over fourteen years of age.

(4) The exclusion of young persons under the age of eighteen years from employment in certain processes involving the use of lead, and the prohibition of the employment of such young persons in processes involving the use of lead compounds other than subject to certain conditions as to ventilation, cleanliness, medical examination and compensation in case of poisoning.

(5) The adoption of the convention of the Berne International Conference of 1906 prohibiting the use of white phosphorus in the manufacture of matches.

Although it was suggested at the Conference that China should be asked to accept the principle of the protection of labour by factory legislation, and that the Governments having jurisdiction in Settlements and leased territories outside Chinese jurisdiction should also adopt this principle, the question was postponed for consideration at a future Conference. It is evident that the Conference recognized that circumstances made it impossible for China immediately to conform to Western standard.

Certain of these Conventions and recommendations have been adopted by a number of countries and are therein enforced. China, whilst not having up to the present time adopted any of them, has promulgated certain provisional Regulations (see Appendix No. III), which, in so far as they touch the employment of children, will be dealt with later.

Position in Hongkong

In Hongkong the employment of children is regulated by the Industrial Employment of Children Ordinance, 1922, which was passed as a result of the Report of the Industrial Employment of Children Commission appointed by the Governor in Council in March, 1921. Briefly stated the Ordinance and the Regulations made there-under prohibit:—

(a) The employment of children (defined as persons under fifteen years of age) in boiler chipping, the manufacture of fire works and glass-making, all of which are declared to be dangerous trades.

(b) The employment of children for any period between 7 a.m. and 7 p.m. or during the day for more than five hours continuously. It should here be noted that the Ordinance also provides that between any such spell of work and the next one there must be an interval of relaxation of not less than one hour, and that every child shall be allowed one day's rest in every seven days.

(c) The employment of children under the age of ten years in any factory.

(d) The employment of children under the age of twelve years in carrying coal or building material or debris or any unreasonably heavy weight.

The Ordinance also provides for the appointment of an Official Protector of Juvenile Labour with the right to search industrial premises in which children are believed to be employed, and for the keeping by every employer of a running record of all children employed in his factory. Further, in any prosecution under the Ordinance, until the contrary is proved, the person, the subject matter of the charge, is assumed to be a child or under a particular age if he or she so appears to the magistrate. This last provision meets the difficulty of proof of age, which arises owing to the absence of birth registration.

Shanghai Foreign Settlement—Special Difficulties

The special difficulties in the way of the regulation of child labour in the foreign Settlement as they presented themselves to the Commission may be broadly stated as follows:—

1. The absence of a Central Government with power to enforce its decrees through-out the country.

There is no doubt that given such government there would be little difficulty in the way of the Council obtaining the necessary powers to enforce within the Settlement any reasonable industrial legislation enforced outside. In the opinion of the Commission this difficulty is the most serious of all, since it renders it necessary to deal with the Settlement as if it were in the nature of a water-tight compartment. Consequently the question as to how far, if at all, it is practicable to regulate or restrict the employment of children within the Settlement, without injuring or unduly interfering with the industries employing them, which industries have to compete with those outside, is one which has to be seriously considered by all those who approach the present problem. In this connexion the Commission invited an expression of opinion from the Cotton Mill Owners' Association, and received the following replies:—

From the Cotton Mill Owners' Association of China:—

- (1) *That this Association would welcome regulations limiting the employment of children below a reasonable age, provided these regulations were applicable to and were rigidly enforced in the adjoining provinces of Chekiang and Kiangsu, or even Kiangsu only.*
- (2) *That this Association considers "a reasonable age" referred to in (1) above to be 12 years (foreign count) for the first 2 years, and thereafter 13.*

- (3) *That in the event of no regulations applicable to the surrounding districts being possible this Association would not oppose regulations limiting the age of employment inside the Settlement to 9 years (foreign count.)*

From the Chinese Cotton Mill Owners' Association:—

- (1) *That the Association would welcome regulations prohibiting the employment of children below the full age of 12 provided similar regulations were made applicable and rigidly enforced outside the Settlement limit—say, at least in the provinces of Kiangsu and Chekiang.*
- (2)
 - a. *That the Association would regard the enforcement of prohibition in the Settlement only as an augmentation to the disadvantages already existing at which the mills in the Settlement are working, as the prohibition when enforced would drive away from the Settlement not only all the workers affected but also their parents to obtain work outside, and would result in a shortage of labour in the Settlement where the mills in addition to paying higher taxes and dearer raw cotton than those in the interior would have to pay still higher wages in order to attract labour.*
 - b. *That in the opinion of the Association the employment of children by mills is a matter of charitable nature towards the parent workers; for so long as their children, are employed it adds to their income, relieving the burden of supporting their children, and also removes their anxiety for the safety of their children who, from the parents' point of view, are safer and more comfortable in the mills than they would be if left to run wild on the street.*
 - c. *That many mills have tried to eliminate small children from employment but they have met with little success owing to the pitiful requests by the parents of the children.*

Further, at a meeting held on May 1st., 1924, at Shanghai at which, it is stated, a number of labour groups were represented, a resolution was passed that there should be no employment of children under fourteen years of age (presumably Chinese count) and that an eight hours system should be worked for.

2. The circumstance that Shanghai is a treaty port and that the foreign Settlement is managed and controlled by a Municipal Council, whose powers are strictly limited by the terms of the Land Regulations and the Bye-laws made thereunder.

By virtue of Bye-law 34 certain occupations can only be carried on under licence from the Council, and there is no doubt that the Council could, under this Bye-law, prohibit or regulate the employment of children in such of these occupations as are obviously unsuitable and harmful to them, but the Commission is advised that such action would have to be justified by the nature of the particular occupation, and that this Bye-law does not empower the Council to prohibit or regulate such employment simply on general humanitarian grounds. Although, apart from this Bye-law, the Council has no present power of prohibiting or regulating the employment of children below any particular age or in any particular industry, the Commission is advised that the necessary power could be obtained by means of a new Bye-law. The Commission is further advised that any such new Bye-law would involve the approval of a majority of the Consuls and Magistrates of the Foreign Powers having treaties with China and the Ratepayers in Special Meeting assembled. Such Foreign Powers and the various countries of which the Ratepayers are respectively citizens, or the great majority of them, are, however, in agreement with the principles of industrial regulation as laid down by the Washington Conference, and it is to be hoped that no difficulty would be experienced by the Council should it endeavour to obtain the powers required to enable it to take the first step towards what can hardly be considered as other than a necessary amelioration of present industrial conditions as far as the employment of children is concerned.

3. Absence of birth registration and the consequent difficulty of proof of the age of children.

It was suggested by certain of the medical witnesses that a height, or height and weight standard, should be fixed for ascertaining age. This suggestion and the alternative method adopted in Hongkong will be dealt with later.

4. Absence of educational facilities.

Before compulsory education was adopted in England this difficulty was met by the half-time system and by requiring the employer to see and prove that any child he desired to employ did in fact attend school, but the Commission is of opinion that the establishment of this system is at present impracticable in the Foreign Settlement.

5. The need for the provision and maintenance of a specially trained Inspectorate.

This could be gradually met, and involves merely the provision of funds and judicious selection, a nucleus of trained persons being obtainable from the countries now having factory legislation.

The Commission realises that this is a serious difficulty but it is one that was present in most countries in the early days of factory legislation, and one which must necessarily become less as China progresses industrially.

The problem of the protection of child labour has—whether fortunately or unfortunately—arisen in a concentrated form in the Foreign Settlement of Shanghai, that is to say, in a place where, as shown above, the special and peculiar difficulties in the way of regulation dominate the situation, but, in spite of these difficulties, the Commission is of opinion that the problem is one which must be faced and dealt with as far as is possible.

Peking Provisional Regulations.

In March, 1923, the Peking Government promulgated certain regulations in connexion with labour in factories. These regulations are at present provisional only, and have not the force of law. In his address to the Commission at its first meeting, the then Chairman of the Council expressed the opinion that it would be advisable for the Commission, in recommending any regulation, to take as a basis the regulations above mentioned with a view to securing uniformity within and without the limits of the foreign Settlement. The Commission formed the same opinion and decided to consider these regulations and, in so far as it thought they were reasonably practicable, either as they stood or as they could be amended, to recommend to the Council, in the event of their being enforced at any time outside the Settlement, to seek power to enforce them within the Settlement, and the Commission came to the conclusion that enforcement in the surrounding provinces of Kiangsu and Chekiang, or even in the province of Kiangsu only, would be sufficient enforcement for this purpose.

Peking Provisional Regulations—Commission's Conclusions

The provisional regulations consist of 28 Sections. Sections 2, 10 to 17 inclusive, 19 and 26 appeared to the Commission to be either outside the scope of its enquiry or, in view of its conclusions, immaterial, and were not further considered. The remaining Sections, as translated into English, and the conclusions arrived at by the Commission are as follows:—

"Section 1. This Order applies to factories under the following heads:—

- a. Factories in which the number of labourers employed is over 100.*
- b. Factories in which work of an extra hazardous character, or which is detrimental to public health, is carried on.*

(Note.) A further order will be promulgated in due course with regard to factories in which this Order does not apply."

In the opinion of the Commission the figure 100 is far too high. It is essential that smaller industrial premises should be covered, as there is no doubt that the conditions of labour therein are in some respects much worse than those in the larger and more modern factories. In the opinion of the Commission ten is the most suitable figure. If this figure is adopted Sub-section "b" becomes unnecessary. The expression "factory" requires definition, and the regulations should be made to cover outside work such as building and transport operations.

"Section 3. The proprietor of a factory shall not employ boys under the age of ten or girls under the age of twelve."

The Commission is of opinion that no distinction should be made between the sexes. The age should be first fixed at ten and should then be raised one year every two years until fourteen is reached.

"Section 4. Boys under seventeen and girls under eighteen are regarded as juveniles."

The view of the Commission is that in the absence of a general code of industrial legislation, regulation of employment beyond the age of fourteen is at the present moment impracticable.

"Section 5. Juveniles shall be given tasks of an easy and light nature."

This is too vague. The employment of children under fourteen years of age should be forbidden in any dangerous or hazardous place, or at any work likely seriously to injure body or health. In the case of dangerous or hazardous premises there should be power to close the same until made safe.

"Section 6. Juveniles shall not be required to work, exclusive of recesses, for more than eight hours per day, and adults shall not be required to work exclusive of intervals for rest for more than ten hours a day."

In the opinion of the Commission children under the age of fourteen years should not be employed for more than nine hours in any period of 24 hours, or for more than five hours continuously.

"Section 7. Proprietors of factories must not compel juveniles to work between the hours of 8 p.m. and 4 a.m."

In the opinion of the Commission no child under fourteen years of age, should be employed on night work, and the night period should be fixed as between the hours of 8 p.m. and 5 a.m.

"Section 8. Not less than two full days in every month shall be granted to adults for rest, and juveniles must be given not less than three days' rest every month."

(Note.) In emergencies, or in cases of accident, or in times of urgency this rule may be temporarily suspended, but all such cases must be notified to the local authorities within three days from their occurrence."

Every child under fourteen years of age should be given a weekly rest of 24 hours. The Commission does not agree that any suspension of this rule should be allowed.

"Section 9. All labourers must be given not less than one recess each day, and such recesses must be for not less than one hour."

The Commission is of opinion that in the case of children under the age of fourteen the interval of relaxation between any spell of five hours continuous work and the next spells of work should be not less than one hour, and that the interval of relaxation after any spell of work of less than five hours duration should be of reasonable duration, having regard to all the circumstances.

"Section 18. Owners of factories shall provide, at their own expense, suitable educational facilities for their juvenile employees, and also for any of their adult employees who have been thrown out of work."

(Note.) *Such free tuition shall be given for not less than ten hours a week for juveniles, and, for adults who have been thrown out of work, free tuition must be given for not less than six hours every week.*

Whilst the question of the education of children is outside the scope of the Commission's enquiry, it desires to put on record its agreement with the suggestion made by the recent General Education Commission, namely, that the co-operation of mill and factory owners should be sought by the Council for the establishment of educational facilities for:

(a) Children who are too young to go to work in the mills where the parents themselves are at work:

(b) And, if possible, children employed in the mills; which might be accomplished either by means of night schools, or, in the event of the "half-time" system being introduced as regards children, schools to which this class of children would go as "half-timers," i.e., work in the morning and school in the afternoon and *vice versa* or such other system as may be found practicable.

"Section 21. Juveniles and women must not be allowed in the engine rooms, or other places where machinery is in motion, for the purposes of scavenging, oiling or for doing repair work, or to do any hazardous work."

"Section 22. Juveniles shall not be ordered to do any work which is connected with the handling of explosives or noxious drugs."

"Section 24. In all factories precautionary measures must be taken against danger to the life and health of employees and the local authorities have the right to send an officer to make periodical investigations into these matters."

"Section 25. Any factory whose premises and adjoining structures are found by the local authorities to be dangerous to health, or to the public weal, the proprietor of such factory must make the necessary alterations in accordance with the local authorities' orders."

(Note.) *With reference to the above, when ordered by the local authorities, the whole or any part of the buildings may be condemned and shall not be used."*

The matters dealt with by Sections 21 to 25 above-mentioned are covered by the Commission's conclusions under Section 5.

Section 27 and 28 deal with responsibility for observance and date when the Regulations are to come into force and need not be further considered.

Any Regulations should provide for full power of inspection and the imposition of adequate penalties in case of death, and the Regulations are defective in this respect. Further, the difficulty of proof of age is not dealt with. As mentioned above this difficulty can be met either:—

- (a) By fixing a standard of height or height and weight, or
- (b) By providing, as in the Hongkong Ordinance, that in any prosecution, until the contrary is proved, the child, the subject matter of the charge, is to be assumed to be under the particular age if he or she so appears to the sitting Magistrate.

The objection to method "a" is that any such standard must of necessity be to a great extent purely artificial and have a considerable margin of error, and its adoption would render it necessary for employers frequently to measure or measure and weigh, as the case might be, a considerable number of their employees. On the other hand, having regard to the different jurisdictions in the Foreign Settlement, the adoption of method "b" might result in the erection of many and diverse standards. On the whole, however, the majority of the Commission is in favour of method "b".

Subject to the Regulations being redrafted by the Chinese authorities so as substantially to meet the objections and suggestions set out above, the Commission recommends that in the event of their being strictly enforced in the provinces of Kiangsu and Chekiang, or even in the province of Kiangsu only, the Council should seek power to enforce them within the limits of the Foreign Settlement of Shanghai.

The Commission is further of opinion that any real and effective step towards the amelioration of the present conditions of child labour within the practicable limits above indicated, which may be made by the Chinese authorities in the above-mentioned provinces or province, should, if the necessary power can be obtained, forthwith be met by similar action on the part of the Council.

It should here be noted on May 20th., 1924, there was published in the Shun Pao newspaper an ordinance from the Civil Governor of Kiangsu addressed to the Industrial Bureau which recognised that the Peking Provisional Regulations were im-

perfect in that they contain no definite provision for inspection, and suggested that China should also organize a Commission to sit at Shanghai with a view to bringing about conformity between any regulations affecting Chinese and Foreign factories.

Preliminary Observations

As there is, however, at the present moment no regulation of labour in any part of China, the Commission, in conclusion, passed to the consideration of the extremely difficult question as to how far, if at all, the Council ought, in view of this circumstance, to attempt to prohibit or regulate child labour within the limits of the Foreign Settlement of Shanghai.

As far as the Commission is aware, the question of the possibility or advisability of prohibition or regulation within one particular industrial area to the exclusion of the rest of the state or country in which the same is situate has hitherto never arisen, and the fact that the Foreign Settlement does not even comprise the whole of the particular industrial area of Shanghai in which it is situate obviously does not lessen the difficulty of the present problem. Many industries within the Settlement have of necessity to compete with similar industries which, whilst situate outside the Settlement, are within the same industrial area, which draw upon the same market for their labour, and which are organised on similar lines.

It is obvious that any action which might have the effect of raising the cost of production within the Settlement would be not only unfair to industrial undertakings competing with those outside, but would be also unwise from the more general point of view since it would tend to the subsidization outside the Settlement of the very evils which were being attacked within. Moreover, in certain instances, particularly in the cotton industry, the same concern may have mills and factories both inside and outside the Settlement, and any regulation which did not take into account this circumstance, and the difficulties which obviously might arise therefrom, would be most unsatisfactory. Further, the probability that prohibition or regulation within the Settlement, unless very carefully conceived, would merely result in the driving of the children and their parents into the employment of entirely uncontrolled industries outside, must always be borne in mind. Again, owing to the present economic and social conditions in China any immediate drastic prohibition of the employment of children would be in the nature of a revolution and would seriously impoverish many homes. Lastly, the

fact that there is in China at present no system of education for children of the working classes must not be lost sight of. In all countries hitherto the history of early industrial regulation has also been the history of early elementary education. The provision of means for the education of the children has grown up side by side with the prohibition or other regulation of their employment.

Commission's Conclusions and Recommendations

It was only after a very careful and lengthy consideration of the factors set out above that the Commission arrived at their conclusions upon this difficult and serious problem, and it desires to put on record that its recommendations are to be considered as conditioned by these factors, and that, in its opinion, the standard to be aimed at and to be adopted at the earliest practicable moment is that set up by the Washington Conference.

The Commission's conclusions and recommendations are as follows:—

Minimum age

1.—The Commission is of opinion that it is practicable to prohibit within the Settlement limits the employment of children under the age of ten years, rising to twelve years within a period of four years. The Commission is satisfied that such prohibition will not cause financial injury or serious inconvenience to any industry. *The evidence given before the Commission was such as to drive it to the conclusion that, if the continued existence of any particular industry were dependent upon the continuance of the employment of children under ten years of age, then the disappearance of such industry from the Foreign Settlement could be regarded with equanimity.* In the event of such prohibition, the problem of the education of unemployed young children will naturally become more serious, but the Commission hopes that at the same time the solution of this problem will be thereby hastened.

The Commission recommends that the Council should forthwith seek power to make and enforce regulations prohibiting the employment in factories and industrial undertakings of children under ten years of age, rising to twelve years within four years from the date when the regulations come into force.

Hours of Employment

2.—The question of the regulation of the hours of the employment of children is, in view of the existing circumstances, one of considerable difficulty. Whilst there is no doubt that in China neither children nor adults work at the same pressure as in Western countries, the Commission is satisfied that the hours worked in many industries by children under fourteen years of age are so excessive as seriously to affect their health, and can and should be lessened. In normal times many of the important industrial concerns in the Settlement which employ children work on the two twelve-hour shift system, and the Commission is satisfied that a limitation of the hours of employment of children to a length of time less than the normal length of the shift would have the result of preventing the employment of such children in such industries even by day, and the Commission is of opinion that any regulation, which would have this result, would be both unfair to the particular concerns and unwise from a more general point of view. The Commission is, however, satisfied that there is no good reason why during the course of the shifts an interval of one hour for food and rest should not be allowed and made compulsory.

The Commission recommends that the Council should seek power to prohibit the employment in factories and industrial undertakings of children under fourteen years of age for a longer period than twelve hours in any period of twenty-four hours, such period of twelve hours to include a compulsory rest of one hour.

Night work

3.—While it cannot be disputed that night work for young children is highly injurious, the Commission reluctantly came to the conclusion that it is impracticable immediately to prohibit night work for children within the limits of the Foreign Settlement while there is no limitation outside. Industries at present employing labour at night are mostly those organised upon the two-shift system, and the Commission is satisfied that it would be commercially impracticable for such industries to employ children by day, if they could not also employ such children on the turn of the shift at night. Moreover, the result of such prohibition might be that children who were just over the age fixed would be employed continuously at night which, in the opinion of the Commission, would be very undesirable. If the recommendation contained in paragraph I above is acted upon, the result will be that in four years' time there will be no child under twelve years of age permitted to be employed

either by day or by night within the limits of the Foreign Settlement, a result which will constitute a far-reaching improvement on the present conditions, and which will, it is hoped, be merely a step towards the attainment of a position similar to that reached by the Western countries.

In view of the above, the Commission does not recommend that the Council should immediately seek power to enforce the prohibition of employment at night of children who can be employed by day. The Commission, however, considers night work for young children such a serious evil that it is of opinion that this question should in any event be further considered by the Council at the end of a period of four years.

Rest day

4.—As regards the question of a rest day, the Commission is of opinion that, as a step towards the standard set up at the Washington Conference of one whole day's rest in every seven days, it would be practicable to make it compulsory for children under fourteen years of age employed in the Settlement to be given at least one day's rest in every fourteen days. That is the position at the present moment in Japan. In practically all the large mills and factories the employees get a day's rest consisting of twenty to twenty-four hours every seven days, but employment is probably more continuous in many of the smaller native industries.

The Commission recommends that the Council should seek power to make and enforce regulations under which every child under fourteen years of age, employed in factories and industrial undertakings in the Settlement, should be given twenty-four hours continuous rest from work in at least every fourteen days.

Protection against Injury

5.—The Commission sees no reason why it should not be the legal duty of every employer to see that the children employed by him are not exposed to serious risk. Any regulations made under this head should cover risk of injury from dangerous unguarded machinery and from fire owing to lack of proper means of egress or otherwise, and also danger of injury to health, the result of insanitary conditions.

The Commission recommends that the Council should seek power to prohibit the employment of children under fourteen years of age in factories and industrial undertakings at any dangerous unguarded machine, in any dangerous or hazardous place, or at any work likely seriously to injure body or health, and to close any dangerous or hazardous premises where such children are employed until they are made safe.

Proof of Age

6.—As regards proof of age, this difficulty can be met as stated above either (a) by fixing a standard of height, or height and weight, or (b) providing, as in the Hongkong Ordinance, that in any prosecution, until the contrary is proved, the child, the subject matter of the charge, is to be assumed to be under the particular age if he or she so appears to the sitting Magistrate.

Whilst the majority of the Commission is in favour of method (b), the Commission recommends that the Council should adopt whichever of these two methods is the more suitable from an administrative point of view.

Definitions

7.—It will be necessary for any regulations to contain a definition of the expressions "factory" and "industrial undertaking" respectively, or of such other terms as may be used therein to describe the employments covered. In the opinion of the Commission it is essential that the smaller native industries and the building, transport, and similar out-of-door occupations should be brought within any regulations.

The Commission recommends that:—

- (a) **The expression "factory" should be defined so as to cover premises in which ten or more persons are employed in manual work.**
- (b) **The expression "industrial undertaking" should be defined so as to cover out-of-door occupations, such as building, construction work, and transport, but should not include any agricultural undertaking.**

Inspection and Penalties

8.—It cannot be too often stated that the successful enforcement of any regulations must depend to a great extent upon the imposition of adequate punishment in case of breach, and upon frequent inspection by trained men and women.

The Commission Recommends that:—

- (a) **Any regulations should provide for the imposition not only of substantial fines but also, in case of repeated wilful offences, for punishment by imprisonment.**
- (b) **The Council should provide an adequate staff of trained men and women for carrying out the duties of inspection under the regulations.**

Concluding Observations

The Commission fully realises the weight of the burden which the Council will take upon its shoulders, if, having first obtained the necessary power, it acts upon the Commission's recommendations. Few people outside the Settlement appreciate or even attempt to understand the difficult and peculiar nature of the task performed by the Council, with its strictly limited powers in the administration of the densely and diversely populated area within its jurisdiction. Reform of present industrial conditions and the consequent amelioration of the lot of the Chinese child worker cannot be achieved unless it receives the moral and active support not only of the foreign residents, but of the vastly greater body of the Chinese public.

Dated the ninth day of July, 1924.

H. LIPSON WARD, *Chairman*, Barrister-at-law.

ADELAIDE M. ANDERSON, D. B. E., Formerly H. B. M. Principal Lady Inspector of Factories.

J. S. S. COOPER, M. A., B. SC., *Vice-Chairman*, Director, ARNHOLD & Co., LTD.

EDWIN J. CORNFOOT, Silk Merchant, DYCE & Co.

MARY A. DINGMAN, Industrial Secretary. World's Y.W.C.A. Allocated to China 1924-5.

R. J. McNICOL, Manager of Messrs. Jardine, Matheson, & Co., Ltd. Cotton Mills Department, Shanghai, and Chairman of the Cotton Millowners' Association of China.

G. OKADA, Manager, Naigai Wata Kaisha.

MAYLING SOONG, Secretary of Joint Committee of Women's Clubs in Shanghai.

MARY STONE, M. D.

The original membership of the Commission was as follows:—

Messrs. J. S. S. Cooper, E. J. Cornfoot, R. J. McNicol, H. Y. Moh, G. Okada, H. Lipson Ward, Mrs. D. MacGillivray, Miss Agatha Harrison, Miss Mayling Soong, Dr. Mary Stone.

Mr. H. Lipson Ward was appointed Chairman of the Commission and presided at all its meetings.

Mr. J. S. S. Cooper was appointed Vice-Chairman.

Miss Agatha Harrison resigned from the Commission on her departure from China in January, 1924, and Miss Dingman was appointed by the Council in her stead.

Dame Adelaide Anderson, with the approval of the Council, was co-opted a member of the Commission on December 7, 1923.

Mrs. MacGillivray left for England on a holiday at the beginning of May, 1924, having first approved a considerable part of the Report as then in draft, and it is hoped that she will sign the completed Report on her return.

Dr. Mary Stone was able to attend only a few meetings of the Commission but signs this Report.

Mr. Moh attended certain of the earlier meetings of the Commission, but owing to his departure and continued absence from Shanghai it is not known whether or not he is in approval with this Report.

APPENDIX III CHINESE GOVERNMENT PROVISIONAL REGULATIONS

An Order in re-Child Labour, promulgated by the Ministry of Agriculture and Commerce on March 29, 1923.

1. This Order applies to factories under the following heads:—
 - (a) Factories in which the number of labourers employed is over 100.
 - (b) Factories in which work of an extra-hazardous character, or which is detrimental to public health is carried on.

Note.—A further Order will be promulgated in due course with regard to factories in which this Order does not apply.

2. All factories established by foreigners in accordance with the preceding clause, and which are within the jurisdiction of the Chinese authorities, must also abide by this Order.
3. The proprietor of a factory shall not employ boys under the age of 10, nor girls under the age of 12.
4. Boys under 17 and girls under 18 are regarded as juveniles.
5. Juveniles shall be given tasks of an easy and light nature.
6. Juveniles shall not be required to work, exclusive of recesses, for more than 8 hours per day, and adults shall not be required to work, exclusive of intervals for rest, for more than 10 hours a day.
7. Proprietors of factories must not compel juveniles to work between the hours of 8 p.m. and 4 a.m.
8. Not less than two full days in every month shall be granted to adults for rest, and juveniles must be given not less than three full days rest every month.

Note.—In emergencies, or in case of accident, or in times of urgency, this rule may be temporarily suspended, but all such cases must be reported to the local authorities within 3 days of their occurrence.

9. All labourers must be given not less than one recess each day, and such recesses must be for not less than one hour.
10. In factories where both day and night work is carried on the shifts of workmen must be changed not less than once every ten days.

11. Wages shall be paid in the local currency, and payment in kind must not be made without the consent of the employee.
12. A definite pay-day must be fixed, and wages must be paid not less than once each month.
13. In special cases when the working hours must be prolonged, factory proprietors must make reasonable compensation for such overtime.
14. Owners of factories shall not make any deduction from the wages of their employees as security against breach of the rules of the factory, nor for any damage that may be caused by them.
15. If any savings scheme is proposed for the benefit of the employees the owner of shall not retain any portion of his employee's wages without first obtaining their consent, and any proposals for a savings scheme must first be submitted to the local authorities for approval.
16. Any employee who resigns, or in case of the death of an employee, the owner of the factory of such employee must pay the full amount of wages due to the employee, if he resigns, or to his relatives in case of death; also the full amount of the savings deposits remaining to the credit of such employee must be paid.
17. According to the conditions and circumstances of his factory, the proprietor must make provision for gratuities and rewards and he must first submit his proposals to the local authorities for approval.
18. Owners of factories shall provide, at their own expense, suitable educational facilities for their juvenile employees, also for any of their adult employees who have been thrown out of work.
Note.—Such free tuition shall be given for not less than 10 hours every week for juveniles, and for adults who have been thrown out of work, free tuition must be given for not less than six hours every week.
19. In case of injury to, or of illness of employees, the owner of the factory must either limit the working hours of the employee or suspend them altogether, in his own discretion, but in the case of those who have been injured, or of those who become ill while employed in the factory, the proprietor must pay all of their medical expenses, and he must not deduct anything from their wages during the period of the illness of such employees.

20. Female employees must be given leave five weeks before and five weeks after accouchement, and they must also be given a suitable amount of money.
21. Juveniles and women must not be allowed in the engine rooms, or other places where machinery is in motion, for the purpose of scavenging, oiling, or for doing repair work, or to do any hazardous work.
22. Juveniles shall not be ordered to do any work which is connected with the handling of explosives or of noxious drugs.
23. Juveniles must not be employed in any place which is detrimental to health, or where dust and/or powder is flying about.
24. In all factories precautionary measures must be taken against danger to the life and health of employees, and the local authorities to send an officer to make periodical investigations into these matters.
25. Any factory whose premises and adjoining structures found by the local authorities to be dangerous to health, or to the public weal, the proprietor of such factory must make the necessary alterations, in accordance with the local authorities orders.
Note.—With reference to the above, when ordered by the local authorities, the whole or any part of the buildings may be condemned, and shall not be used.
26. The proprietor of a factory may engage any suitable person as manager of his factory, but the appointment must be reported to the local authorities.
27. Owners of factories shall be held responsible for the observance of the provisions of this order.
28. This order comes into force on the day of promulgation.

APPENDIX IV

EXPRESSIONS OF INTEREST FROM ABROAD

GREAT BRITAIN

The *Manchester Chamber of Commerce* cabled the British Chamber of Commerce in Shanghai urging it to vote for the Report.

The *British Section of the Women's International League* meeting in London endorsed the Report and sent that endorsement to the Shanghai Municipal Council and to the League of Nations.

The *Continuation Committee of the great English Christian Conference, "Copec,"* reminded the Shanghai Municipal Council that at Copec in April, 1924, the conference expressed "its concern at the grave situation resulting from the introduction of Western industrial methods in the East," and stated that the great body who are still banded together in England under the Copec name, awaited with keen interest the action of Shanghai on the child labour matter.

The *National Y.W.C.A. of Great Britain,* and the *World's Committee* of the same organization from its headquarters in London, both cabled an expression of their backing of the work of the China Y.W.C.A. which was so intimately connected with this whole enterprise.

In the early summer it was stated in Parliament that *the British Government* has been keenly interested in the attempt to regulate industrial conditions in Shanghai.

AUSTRALIA

Mr. W. M. Hughes, ex-Prime Minister of Australia, who helped draft the clauses in the Treaty of Versailles relating to labour, both cabled and wrote, expressing his endorsement of the child labour campaign.

The *Chamber of Commerce of Wellington, New Zealand,* sent their endorsement to the Shanghai Municipal Council.

THE UNITED STATES

The *National Y.W.C.A.,* cabled the Joint Committee of Shanghai Women's Clubs which was the most active group in promoting the child labour campaign, in endorsement of the proposed measures.

Miss Mary Anderson, director of the *Women's Bureau* of the federal *Department of Labour,* sent a message especially for the American citizens of Shanghai, expressing her conviction that insofar as American capital is invested in industries in China which are not regulated by right working standards, the United States is culpable in present child labour conditions in China.

Miss Grace Abbott, head of the *Children Bureau* of the *Department of Labor,* wrote for publication in Shanghai a statement of the status of child labour regulations in America.

CZECHO-SLOVAKIA

Miss Alice Masaryk, daughter of the president, wrote of her hope that in that new republic "we will have a chance to learn of Chinese leaders," implying that the Chinese understanding of the rhythm of work can help to offset "the efficiency of an electric and steam civilization."

The members of the board of the *National Y.W.C.A.* in Prague also wrote of their keen interest in the child labour issue in China, born of their realization, "at the very beginning of our young Republic, of how very important a part of the state the child is." Among the signatures to this letter were those of the wives of the Minister of Foreign Affairs, the President of the Parliament, the Minister of Social Welfare, the Minister of Education and the President of Agriculture.

JAPAN

Miss Y. Yumada, secretary of the *Society for the Harmonization of Labour and Capital,* came to Shanghai for a few weeks during the campaign to study industrial conditions in China. Through her interest after her return to Japan, a meeting was called of several leading organizations, the *Women's Federation,* the *Peace Society,* the *W.C.T.U.,* and the *Shanghai Islanders' Association of Tokyo,* as a result of which a personal letter was sent to every Japanese voter in Shanghai asking him to vote for the child labour bye-law.

Mr. Bunji Suzuki, president of the *General Federation of Labour in Japan*, stopped in Shanghai en route to the International Labour Conference in Geneva, to speak to groups of his countrymen in behalf of the bye-law.

INDIA

Mr. N. M. Joshi of the *Servants of India Society*, wrote to Miss Dingman regarding the success of labour legislation under the somewhat similar conditions obtaining in India.

One of the strongest evidences of the feasibility of putting such measures in force in an oriental labour market came in a statement contributed for use in the Shanghai campaign by *Tata Sons* of Bombay, the largest employer of labour in India, who heartily endorsed the proposed measure for Shanghai, on the basis of the indubitable success of the legislation brought about under the Indian Factory Act.

FRANCE

Letters of ardent interest and endorsement were received from the following:—

The French National Council of Women, French Women's Alliance, and French Young Women's Christian Association.

The French Women's Union for the League of Nations.

M. Justin Godert, and M. Georges Scelles, Minister and Secretary of the Department of Labour.

M. P. Appell, of the University of Paris.

Dr. P. Armound-Delille, of the International Association for Child Welfare.

M. Wilfred Monod for the Faculty of Protestant Theology.

M. Paul Fuzier for the Protestant Committee on Friendly Relations with Strangers.

M. Emile Borel, ex-Minister of Finance.

M. Max Lazard, of the Labour Party.

Of more than ordinary significance was a letter received by Miss Dingman from M. Fontaine, president of the Administrative Council of the International Labour Bureau in Geneva, officially stating that the Labour Office was taking steps to "act on behalf of the young Chinese workers" and bringing the matter to the attention of the various governments concerned.

APPENDIX V

EXTRACTS FROM MANIFESTO CHINESE GENERAL CHAMBER OF COMMERCE SHANGHAI

Regarding Resolutions III to VI submitted to Ratepayers by
Shanghai Municipal Council
May 29, 1925

IV. Restriction of Child Labor

Not only do we have no objection to the proposed child labour bye-law, but we wish to pledge to it our whole-hearted support. There are two points, however, to be raised.

1. In 1923, the Chinese Government promulgated a provisional law governing factories, in which restrictions are placed in connection with the employment of child labour:

"Article 3. No factory owner should employ boys under ten years of age and girls under twelve years of age.

"Article 4. Boys under seventeen years of age and girls under eighteen years should be considered as child labour.

"Article 5. Child labour should be employed only for light work.

"Article 6. The daily working time for child labour, besides the time of rest, should not exceed eight hours.

"Article 7. No factory should require child labour to work within the time from 8 p.m. to 4 a.m. the next morning.

"Article 18. Factory owners should provide supplementary education for child workers and bear all the expenses thereof. The time for such supplementary education should not be less than 12 hours per week."

Article 21, 22 and 23 all provide that no child labour should be assigned to dangerous or insanitary work. The provisions made by this law are fairly complete and it compares favorably with the bye-law proposed by the Shanghai Municipal Council, in that it makes provisions for the supplementary education of the child. If the Shanghai Municipal Council is really guided by humanitarian consideration and at the same time pays due respect to China's sovereign rights, why not enforce the Chinese factory law in the Settlement?

2. Children entering factories for work are really forced to do so by the necessity of seeking a living. They have no means to obtain education and to live without work, so they have to work in the factories at the expense of their physical development in order to keep their body and soul together. We have here three problems: physical development, subsistence and education. It is true that child labour is harmful to the health of the youth; but, when without employment, they cannot get food and clothes, nor proper education, the result will be worse than to allow them to work in the factories. The problem of subsistence is not easy to solve. The only practical way, it seems to us, would be to allow the child workers to do light and safe work. The factory owners may be permitted under certain restrictions to employ child labour. Free schools should be established extensively in the Settlement so that children who do not work and those who are employed in the factories may both receive a general education. This seems to us to be the most important problem that should engage the attention of the Shanghai Municipal Council at present. There are free schools in most of the large cities in China except the Shanghai Settlement. The limited number of public schools for Chinese children now maintained by the Shanghai Municipal Council are too advanced in standard and too expensive for children of this class. We are of opinion that if the Shanghai Municipal Council is really in earnest in improving the condition of the children of the poor, it should on the one hand enforce the provisional factory laws of China and, on the other establish free schools or grant a small proportion of its annual revenue to the directors of the Chinese Ratepayers' Association to provide for such kind of education.

V. Conclusion

The child labour bye-law is approved by us in principle, but we suggest that the Shanghai Municipal Council enforce China's provisional law governing factories instead of making a new law in this matter. It should also plan for the proper education for poor children so as to prevent them from degenerating into vagabonds thieves or beggars.