

Child Labour in Saint John, New Brunswick
and the Campaign for Factory Legislation,
1880-1905

by

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A THESIS SUBMITTED IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS
in the Department
of
History

March 1994

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ABSTRACT

Child labours constituted a visible and important element of the urban landscape in late 19th century Saint John, New Brunswick. Hundreds of children found employment selling newspapers, taking in sewing, driving teams or working in one of the city's numerous factories or retail establishments. Working-class boys and girls went to work because their families needed their earnings to make ends meet and because employers required a cheap and productive workforce. The visibility of urban child labourers and their harsh working conditions attracted the attention of local progressive-minded reformers. These men and women endorsed a collectivist philosophy which downplayed individual rights and stressed the need for state intervention in the private sphere to improve social conditions. Among them were the trade unionist Peter C. Sharkey, the businessman W. Franklin Hatheway and the woman's rights activist Emma S. Fiske who respectively represented the Saint John Trades and Labour Council, the Fabian League and the Local Council of Women. Their combined and persistent pressure upon the provincial government headed by Premier Lemuel J. Tweedie and Attorney-General William Pugsley was largely responsible for the enactment of the Factories Act in 1905. Although the legislation fell short of the reformers' objectives the Factories Act of 1905 constituted the basis for child labour

and occupational health and safety laws in the province. By securing the passage of this and other social legislation the reformers succeeded in forcing the New Brunswick government to take at least partial responsibility for its citizens' welfare. In this, they contributed to the construction of the welfare state in early 20th century Canada.

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Abbreviations

| | |
|------|---------------------------------------------------------|
| AFL | American Federation of Labor |
| NCW | The National Council of Women of Canada |
| NBM | New Brunswick Museum |
| PANB | Provincial Archives of New Brunswick |
| PANS | Public Archives of Nova Scotia |
| CIHM | Canadian Institute for Historical Microreproductions |
| SPCA | Society for the Prevention of Cruelty to Animals |
| TLC | Trades and Labor Congress of Canada |
| WCTU | Women's Christian Temperance Union |
| WEA | Women's Enfranchisement Association |
| YMCA | Young Men's Christian Association |
| YWCA | Young Women's Christian Association |

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Acknowledgements

The preparation of a thesis is a three-part process. The candidate begins with a topic or a question. Next, that subject is thoroughly investigated. Lastly, writing and editing skills are engaged to produce a manuscript. Fortunately, I have encountered a number of people throughout the course of my studies whose encouragement, guidance and assistance have enabled me to pass successfully through each stage of this process.

First and foremost I wish to thank the members of my family for seeing me through this project from beginning to end. Their encouragement and support has been invaluable, particularly during the moments when the ultimate goal faded from view.

During my undergraduate and graduate days at the University of New Brunswick, members of the Department of History have offered their guidance and support. I would especially like to thank Professors Bill Acheson, Ernest Forbes, Gary Waite, Beverley Lemire and Gail Campbell for advising me as I pursued various projects and honed research and writing skills. This thesis began as a gleam in the eye of an enthusiastic third-year undergraduate and was initially formulated with advice from her equally enthusiastic professor, Ernest Forbes. I am indebted to him for encouraging me to investigate the subject of child factory labour legislation and for instilling within me an interest

in the late 19th century reform movement. This study combines both areas of research.

Researching has been a delight owing in large measure to assistance received from members of archival and library staffs. A special thank you is extended to the New Brunswick Museum Archives team for making my research trips to Saint John both enjoyable and productive. Likewise, the professional help and guidance rendered by the staffs of the Provincial Archives of New Brunswick and University of New Brunswick Archives (Harriet Irving Library) made this researcher's task easier. I also owe a debt of gratitude to Sylvia Guidry of the Harriet Irving Library, Microfilms/Microforms Department. Sylvia often went above and beyond the call of duty to assist me as I "reeled" my way through numerous editions of newspapers. I am sincerely grateful to everyone.

As thesis writers know, preparing a manuscript is a challenge. To my supervisor, David Frank, I offer a special thank you for exercising his fine editorial skills on the various drafts of this text. Eric Tucker and Eugene Derenyi contributed to the end product by tracking down the elusive New Zealand factory laws, and David Bell agreed willingly to review my interpretations of provincial statutes. The comments, suggestions and encouragement offered by colleagues and friends contributed greatly to the successful completion of this thesis. My hope is that the end result

is worthy of our combined efforts.

Introduction

During the second half of the 19th century North American society underwent rapid economic and social change as a consequence of industrialization and urbanization. Urban residents, concerned about the growth of slums, unsafe working conditions, child labour and the perceived rise in crime, disease, child and wife abuse, prostitution, intemperance and juvenile delinquency, unfurled the reform banner and marched together to solve these pressing social problems. A sense of Christian duty motivated many to take up reform causes. Drawing upon ideas expressed by religious leaders, scientists, urban sociologists and socialistic thinkers, and imbued with optimism and a sense of urgency, progressive reformers campaigned for compulsory education, temperance legislation, factory laws, woman's suffrage, health and safety standards, reformatories and playgrounds among other reforms.

Urban professionals, businessmen, clergymen, middle class women, labour leaders and politicians formed the core of the movement. Not surprisingly, many reform-minded individuals supported several causes since their ultimate goal was the transformation of society. Women took a prominent role in the movement, particularly in the areas of temperance, child welfare, health, education, social purity and suffrage. Many women argued that they needed the

franchise so they might vote for leaders who would effect social change. Other suffragists argued that as citizens women should have the right to vote on an equal basis with men. Those women who adopted the latter position could also be found among the ranks of social activists who pressed for moral, social and labour reforms. Progressives shared the belief that the unsavoury urban environment and, consequently, urban society could be altered for the better and that legislation held the key to social improvement. Since children represented hope for the future, often reformers concentrated their efforts upon improving the lives of the nation's youngest citizens.¹

For decades, American and Canadian scholars have examined and debated various aspects of the progressive reform movement which commenced in the second half of the 19th century and waned about the end of the First World War. Robert Wiebe identified its leaders as members of a "new middle class" comprised primarily of urban professionals.²

¹ For an early discussion of this point see: Harold Underwood Faulkner, The Quest for Social Justice 1898-1914 (1931; New York: MacMillan, 1939), Chapter 8. See also: Veronica Strong-Boag, The Parliament of Women: The National Council of Women of Canada 1893-1929 (Ottawa: National Museums of Canada, 1976); Andrew Jones and Leonard Rutman, In the Children's Aid: J. J. Kelso and Child Welfare in Ontario (Toronto: University of Toronto Press, 1981) and Neil Sutherland, Children in English-Canadian Society: Framing the Twentieth-Century Consensus (Toronto: University of Toronto Press, 1976).

² Robert H. Wiebe, The Search for Order 1877-1920 (1967; New York: Hill and Wang, 1968).

Harold Faulkner characterized the movement as a "quest for social justice" on the part of individuals who maintained that their rights as citizens were being eroded and that the long-held doctrines of individualism and economic laissez-faire were outmoded.³ On the other hand, Richard Hofstadter argued that the movement was headed by men who had suffered a loss in status and power, was supported by the bulk of American society and was aimed at restoring "a type of economic individualism and political democracy" which many people believed had previously existed.⁴ From his study of American business and political leaders and their bid to rationalize commerce and industry, Gabriel Kolko concluded that the progressive period was in actuality an "era of conservatism" or an "effort to preserve the basic social and economic relations" necessary for a capitalistic society.⁵ Wiebe, among other historians, contended that progressives were liberal or forward-thinkers who sought to establish order in, and impose a new set of values upon, a shifting urban industrial society.⁶

³ Faulkner, The Quest for Social Justice, pp. 110-129.

⁴ Richard Hofstadter, The Age of Reform: From Bryan to F.D.R. (1955; New York: Alfred A. Knopf, 1969), pp. 5, 148-163.

⁵ Gabriel Kolko, The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916 (London: Collier-Macmillan Limited, 1963), pp. 1-2.

⁶ For more recent discussions of this viewpoint see: Colin Howell, "The 1900s: Industry, Urbanization and Reform," The Atlantic Provinces in Confederation, eds. E.R.

Canadian scholars have devoted considerable attention to this subject. General studies of late 19th century urban reform as well as detailed discussions of campaigns for woman's suffrage, temperance laws, child welfare and labour reform underscore the breadth of the progressive movement.⁷

Forbes and D.A. Muise (Toronto: University of Toronto Press, 1993), pp. 155-191 and Ian McKay, "The 1910s: The Stillborn Triumph of Progressive Reform," The Atlantic Provinces in Confederation, pp. 192-229.

⁷ Paul Rutherford, "Tomorrow's Metropolis: The Urban Reform Movement in Canada, 1880-1920," The Canadian City: Essays in Urban and Social History, eds. Gilbert A. Stelter and Alan F. J. Artibise (Ottawa: Carleton University Press, 1984), pp. 435-455 and John C. Weaver, "'Tomorrow's Metropolis' Revisited: A Critical Assessment of Urban Reform in Canada, 1890-1920," in the same volume pp. 456-477; Catherine Lyle Cleverdon, The Woman Suffrage Movement in Canada (Toronto: University of Toronto Press, 1950) and Carol Lee Bacchi, Liberation Deferred? The Ideas of the English-Canadian Suffragists, 1877-1918 (Toronto: University of Toronto Press, 1983). See also Ernest R. Forbes' critique of this book "The Ideas of Carol Bacchi and the Suffragists of Halifax: A Review Essay on Liberation Deferred? The Ideas of the English-Canadian Suffragists, 1877-1918," Challenging the Regional Stereotype: Essays on the 20th Century Maritimes (Fredericton: Acadiensis Press, 1989), pp. 90-99; Wendy L. Mitchinson, "Aspects of Reform: Four Women's Organizations in Nineteenth Century Canada," Ph.D. thesis, York University, 1977; Wayne Roberts, "'Rocking the Cradle for the World': The New Woman and Maternal Feminism, Toronto 1877-1914," A Not Unreasonable Claim: Women and Reform in Canada, 1880s-1920s, ed. Linda Kealey (Toronto: The Women's Press, 1979), pp. 15-45; Strong-Boag, The Parliament of Women; Jones and Rutman, In the Children's Aid; Sutherland, Children in English-Canadian Society; Susan E. Houston, "The 'Waifs and Strays' of a Late Victorian City: Juvenile Delinquents in Toronto," Childhood and Family in Canadian History, ed. Joy Parr (1982; Toronto: McClelland & Stewart, 1990), pp. 129-142; Paul W. Bennett, "Turning 'Bad Boys' into 'Good Citizens': The Reforming Impulse of Toronto's Industrial Schools Movement, 1883 to the 1920's," Ontario History LXXVIII, 3 (September 1986): pp. 209-227 and Terrence Robert Morrison, "The Child and Urban Social Reform in Late Nineteenth Century Ontario 1875-1900," Ph.D. thesis, University of Toronto, 1971. For an

Richard Allen focused his work upon the religious aspect of the reform crusade during the early 20th century, particularly as it pertained to Ontario and the western provinces.⁸ More recently, Ramsay Cook undertook a study of the movement's intellectual underpinnings, highlighting ideas expressed by radical or unconventional thinkers.⁹ Mariana Valverde's examination of the moral reform movement in English Canada offers valuable insights into the practical side of the urban reform campaign.¹⁰ She stressed the key role played by voluntary associations in demanding that government extend its controlling hand into private life. Moreover, Valverde maintained that because the movement was designed to "raise the moral tone" of society, it cannot be characterized solely as an attempt to suppress the working

interesting discussion of the roles played by working-class men and women in the moral and social reform crusade see: Lynne Marks, "Working-Class Femininity and the Salvation Army: Hallelujah Lasses in English Canada, 1882-1892," Rethinking Canada: The Promise of Women's History, 2nd ed., eds. Veronica Strong-Boag and Anita Clair Fellman (Toronto: Copp Clark Pitman, 1991), pp. 182-205.

⁸ Richard Allen, The Social Passion: Religion and Social Reform in Canada 1914-1928 (1971; Toronto: University of Toronto Press, 1990).

⁹ Ramsay Cook, The Regenerators: Social Criticism in Late Victorian English Canada (1985; Toronto: University of Toronto Press, 1987).

¹⁰ Mariana Valverde, The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925 (Toronto: McClelland & Stewart, 1991). While the study purports to examine the campaign in English Canada, it is largely focused on Ontario and Manitoba.

class and may be more accurately described as an attempt to "re-create and re-moralize" the entire Canadian population.¹¹ From his recent examination of progressivism in the Maritimes, Colin Howell concluded that in pursuing their objections most reformers desired neither to reassert fully the traditional value of individualism nor to press for a "radical remodelling" of society but instead, attempted to steer a "middle course" between these two extremes.¹²

Scholars of labour and working-class history have likewise contributed to our understanding of the reform impulse. Terry Copp, Michael Piva, Michael Katz and Bettina Bradbury have highlighted working-class and labour conditions in the industrial centres of Montreal, Toronto and Hamilton.¹³ Dilapidated tenement housing, slums,

¹¹ Valverde, The Age of Light, Soap, and Water, pp. 17, 20-25, 29-33.

¹² Howell, "The 1900s: Industry, Urbanization and Reform," p. 157.

¹³ Terry Copp, The Anatomy of Poverty: The Condition of the Working Class in Montreal 1897-1929 (1974; Toronto: McClelland and Stewart, 1986); Michael J. Piva, The Condition of the Working Class in Toronto, 1900-1921 (Ottawa: University of Ottawa Press, 1979); Michael B. Katz, The People of Hamilton, Canada West: Family and Class in a Mid-Nineteenth Century City (Cambridge: Harvard University Press, 1975); Bettina Bradbury, "The Family Economy and Work in an Industrializing City: Montreal in the 1870s," Historical Papers (1979): pp. 71-96 and her "Pigs, Cows, and Boarders: Non-Wage Forms of Survival among Montreal Families, 1861-91," Labour/Le Travail, 14 (Fall 1984): pp. 9-46. For further discussion of these subjects as they relate to other Canadian towns and cities see: Susan Mann Trofimenkoff, "One Hundred and Two Muffled

poverty, crime, disease, infant mortality, child labour and unsafe workplace conditions -- social "evils" visible in an urban environment -- prompted concerned middle class residents and labour leaders to press for change.

Historians have also highlighted drives to organize Canadian workers as well as labour's bids to achieve better working conditions in the form of shorter hours, higher wages, union recognition, workmen's compensation, job security and workplace safety.¹⁴

Voices: Canada's Industrial Women in the 1880s," Rethinking Canada: The Promise of Women's History, eds. Veronica Strong-Boag and Anita Clair Fellman (Toronto: Copp Clark Pitman, 1986), pp. 82-94; Canada Investigates Industrialism: The Royal Commission on the Relations of Labor and Capital, 1889, ed. Gregory S. Kealey (Toronto: University of Toronto Press, 1973); John Bullen, "Hidden Workers: Child Labour and the Family Economy in Late Nineteenth-Century Urban Ontario," Labour/Le Travail 18 (Fall 1986): pp. 163-187; and Eric Tucker, Administering Danger in the Workplace: The Law and Politics of Occupational Health and Safety Regulation in Ontario, 1850-1914 (Toronto: University of Toronto Press, 1990).

¹⁴ Eugene Forsey, Trade Unions in Canada, 1812-1902 (Toronto: University of Toronto Press, 1982); Charles Lipton, The Trade Union Movement of Canada 1827-1959 (Toronto: NC Press, 1978); Craig Heron, The Canadian Labour Movement A Short History (Toronto: James Lorimer, 1989); Robert H. Babcock, Gompers in Canada: A Study in American Continentalism Before the First World War (Toronto: University of Toronto Press, 1974); Gregory S. Kealey, Toronto Workers Respond to Industrial Capitalism 1867-1892 (Toronto: University of Toronto Press, 1980); Bryan D. Palmer, A Culture in Conflict: Skilled Workers and Industrial Capitalism in Hamilton, Ontario 1860-1914 (Montreal: McGill-Queen's, 1979); Martin Robin, Radical Politics and Canadian Labour, 1880-1930 (Kingston: Industrial Relations Centre, 1968); Ramsay Cook, "Henry George and the Poverty of Canadian Progress," Historical Papers (1979): pp. 143-156; Bryan D. Palmer, Working-Class Experience: The Rise and Reconstitution of Canadian Labour, 1800-1980 (Toronto: Butterworth, 1983); Desmond Morton,

American historian Ken Fones-Wolf's investigation of the trade union movement in Philadelphia underscored the presence of a co-operative spirit between that city's church people and labour leaders at the turn of the 20th century. Drawing upon the work of Herbert Gutman, Fones-Wolf maintained that religion acted as both a positive and restrictive force in labour's campaigns to win union recognition, improved labour conditions and protective legislation. Links to Christianity gave the trade union movement impetus and legitimacy, and support from social gospellers aided significantly in securing the enactment of labour laws. He suggested, however, that the Protestant church's overall reluctance to become involved in labour radicalism limited the activities and goals of trade unionists.¹⁵ Similarly, in turn-of-the-century Saint John,

Working People (1980; Toronto: Summerhill Press, 1990); Gregory S. Kealey and Bryan D. Palmer, Dreaming of What Might Be: The Knights of Labor in Ontario, 1880-1900 (Toronto: New Hogtown Press, 1987); Tucker, Administering Danger in the Workplace; Joan Sangster, "The 1907 Bell Telephone Strike: Organizing Women Workers," Rethinking Canada, pp. 137-156. For studies on the Maritime region see: Ian McKay, "Strikes in the Maritimes, 1901-1914," Acadiensis XIII, 1 (Autumn, 1983): pp. 3-46; James Richard Rice, "A History of Organized Labour in Saint John, New Brunswick, 1813-1890," MA thesis, University of New Brunswick, 1968 and Robert H. Babcock, "The Saint John Street Railwaymen's Strike and Riot, 1914," Acadiensis XI, 2 (Spring 1982): pp. 3-27.

¹⁵ Ken Fones-Wolf, Trade Union Gospel: Christianity and Labor in Industrial Philadelphia, 1865-1915 (Philadelphia: Temple University Press, 1989). See also: Herbert G. Gutman, "Protestantism and the American Labor Movement: The Christian Spirit in the Gilded Age," Work, Culture, and Society in Industrializing America: Essays in American

links to religion contributed positively to the passage of protective labour legislation. Although religious leaders in Saint John did not play a prominent role in the factory act campaign, they sympathized with labour's concerns, called for the adoption of fair employment practices and supported the drive for factory reform and child labour laws.

Fones-Wolf's study pointed to the presence in Philadelphia of a vibrant reform movement or a coalition of groups and individuals whose efforts were directed towards achieving specific labour goals. To date, studies of labour reform in Canada have not uncovered evidence of a similar reform coalition. Scholarly research on the passage of factory legislation has dealt primarily with the Ontario situation. Lorna Hurl pointed out that social reformers were not prominent among those who initially pressed for the enactment of factory laws, although she indicated that in the 1890s Ontario affiliates of The National Council of Women of Canada (NCW) did lobby for amendments to labour laws. In his detailed examination of the passage of

Working-Class and Social History (1966; New York: Alfred A. Knopf, 1976), pp. 79-117. For a look at the interaction of religion and the labour movement in the Canadian context see: Lynne Marks, "The Knights of Labor and the Salvation Army: Religion and Working-Class Culture in Ontario, 1882-1890," Labour/Le Travail, 28 (Fall 1991): pp. 89-127. Like Fones-Wolf and Gutman, Marks contended that Christianity offered labourites a basis upon which to criticize the capitalist system which, in turn, lent legitimacy to labour's demands.

occupational health and safety legislation in Ontario, Eric Tucker stressed that "no broadly based movement galvanized around" federal politician Darby Bergin's early attempt to secure passage of a Dominion factory law. However, he conceded that the actions of Bergin and other politicians probably heightened public concern over the conditions under which factory workers, especially women and children, laboured, and this in turn, "undoubtedly facilitated" the later passage of such an act in Ontario.¹⁶

The absence in Ontario of a reform movement directed towards securing the passage of factory laws might be explained partially by timing. In the late 1870s and early 1880s when the passage of such legislation was first being proposed, the Canadian wing of the progressive reform movement had not fully emerged. In fact, social organizations that would subsequently push for a variety of social, moral and labour reforms had not yet been born, or were in the process of being created. The NCW, a coalition of women's societies that focused its efforts on reforms relating to women and children, was not organized until 1893. However, this situation did not exist in turn-of-the-century Saint John.

By that date Saint John was home to numerous social

¹⁶ Tucker, Administering Danger in the Workplace, pp. 106-108 and Lorna F. Hurl, "Restricting Child Factory Labour in Late Nineteenth Century Ontario," Labour/Le Travail 21 (Spring 1988): pp. 106-108.

reform and labour organizations. The campaign for factory legislation and child labour laws was in full swing by late 1903. Moreover, it was spearheaded by liberal-thinking representatives of labour and social reform organizations, specifically members of the Saint John Trades and Labour Council, the Fabian League and women's societies, all of whom could agree that such legislation constituted an important element in the new urban society they desired to create. Since Saint John was New Brunswick's largest industrial community, housing a population of approximately 40,000 people in 1901, it, not surprisingly, became the centre of reform agitation. Tucker had pointed out that to present a "more realistic account of factory legislation" it was necessary to posit a theory which could "elucidate the basis for an inter-class consensus" as well as "identify a politically effective force responsible for actively promoting factory legislation."¹⁷ This study offers a "realistic account of factory legislation." It identifies the labour and middle class leaders of the Saint John factory reform coalition, suggests reasons why they could agree on the need for such a reform and details their political activities which culminated in the passage of a provincial factory act and child labour laws.

This thesis makes an original contribution to Maritime

¹⁷ Tucker, Administering Danger in the Workplace, p. 122.

historiography. Recently, Colin Howell outlined the general reform programme of Maritime progressives which included health reform, the peaceful resolution of labour conflicts, clean government, woman's suffrage, child welfare, temperance and positive state intervention in public and private life.¹⁸ Ian McKay pointed to the presence of a vibrant urban reform movement in Saint John in 1914,¹⁹ and William Y. Smith argued that Saint John served as the "organizing centre for New Brunswick," for bringing about bureaucratic centralization in the province between 1911 and 1925.²⁰ Although historians have discussed various aspects of the progressive movement in the region²¹, no in-depth

¹⁸ Howell, "The 1900s: Industry, Urbanization and Reform," p. 156.

¹⁹ Ian McKay, "The 1910s: The Stillborn Triumph of Progressive Reform," pp. 193.

²⁰ William Y. Smith, "Axis of Administration: Saint John Reformers and Bureaucratic Centralization in New Brunswick, 1911-1925," MA thesis, University of New Brunswick, 1984, p. 11. Smith's study examines the push for the establishment of a Workmen's Compensation Board, Department of Health and an agency for overseeing the generation and distribution of hydro electric power.

²¹ Ernest R. Forbes, "Prohibition and the Social Gospel in Nova Scotia," Acadiensis I, 1 (Autumn 1971): pp. 11-36; James K. Chapman, "Henry Harvey Stuart (1873-1952): New Brunswick Reformer," Acadiensis V, 2 (Spring 1976): pp. 79-104; Michael J. Smith, "Female Reformers in Victorian Nova Scotia: Architects of a New Womanhood," MA thesis, Saint Mary's University, 1986; Mary Eileen Clarke, "The Saint John Women's Enfranchisement Association 1894-1919," MA thesis, University of New Brunswick, 1979; Gerald Henry Allaby, "New Brunswick Prophets of Radicalism: 1890-1914," MA thesis, University of New Brunswick, 1972; David Frank and Nolan Reilly, "The Emergence of the Socialist Movement in the Maritimes, 1899-1916," Labour/Le Travailleur 4 (1979): pp.

studies of child factory labour or of the campaign for factory and child labour laws in New Brunswick have appeared. The present study underscores the fact that progressive reformers were active in Saint John at least two decades prior to 1914 and that they were instrumental in the development of social welfare in New Brunswick. It also suggests that Saint John's domination of the provincial political scene extended back to at least 1900 and probably beyond.

The Saint John men and women who campaigned for factory legislation, child labour law and other causes knew that they were participating in a national and international movement for social change. They were knowledgeable of the

85-113; Colin D. Howell, "Reform and the Monopolistic Impulse: The Professionalization of Medicine in the Maritimes," Acadiensis XI, 1 (Autumn 1981): pp. 3-22 and his "The 1900s: Industry, Urbanization and Reform," The Atlantic Provinces in Confederation, pp. 155-191; Ian McKay, "The 1910s: The Stillborn Triumph of Progressive Reform," The Atlantic Provinces in Confederation, pp. 192-229; Larry McCann, "The 1890s: Fragmentation and the New Social Order," Atlantic Provinces in Confederation, pp. 119-154; William Y. Smith, "Axis of Administration"; Judith Fingard, "Evangelical Social Work in Canada: Salvationists and Sailors' Friends, 1890-1920," Social Welfare, 1850-1950: Australia, Argentina and Canada Compared, ed. D. C. M. Platt (Basingstoke: MacMillan, 1989), pp. 25-44; Christina Simmons, "'Helping the Poorer Sisters': The Women of the Jost Mission, Halifax, 1905-1945," Rethinking Canada, pp. 157-177; Robert Nicholas Berard, "Moral Education in Nova Scotia, 1880-1920," Acadiensis XIV, 1 (Autumn 1984): pp. 49-63; Janet Guildford, "Coping with De-industrialization: The Nova Scotia Department of Technical Education, 1907-1930," Acadiensis XVI, 2 (Spring 1987): pp. 69-84; and Donald Macleod, "Practicality Ascendant: The Origins and Establishment of Technical Education in Nova Scotia," Acadiensis XV, 2 (Spring 1986): pp. 53-92.

writings of well-known social critics, including Edward Bellamy and Henry George; they attended meetings and conferences which had social and labour reforms on the agenda; and they read newspapers which kept them apprised of such developments in other parts of the globe. Based upon these and other sources, they designed a reform programme suited to the needs of their community. The reform drives undertaken were both preventative and curative in their aims. The establishment of boarding houses for female workers helped keep young girls off the streets and out of temptation's way. Factory and child labour laws worked to cure workplace problems and to place impressionable youths, from both middle class and working-class backgrounds, in the classroom where they were taught basic academic skills along with the principles of good citizenship.

Saint John progressives, like their counterparts elsewhere, undertook reform causes with optimism and zeal. Although they were convinced that society's future rested in their hands, they had faith that their combined efforts could correct perceived social wrongs. They also maintained that legislation was needed to ensure the introduction of desired changes. In an address delivered before a group of New Brunswick educators in 1896, Professor W. C. Murray of Dalhousie University, a New Brunswicker and formerly a professor at the University of New Brunswick, identified several other tenets of progressive philosophy:

We are fast moving away from the position of the moralists of the middle of this century. Individual rights, individual liberty, individual initiative, individual excellence, are not so highly prized now. We think less about the individual and more about society. We trust more to co-operation -- more to social action -- more to collective endeavours. The individual is fast sinking into insignificance.²²

Reformers maintained that "in union is strength." Consequently, they formed and joined social reform organizations. They also upheld the needs of society over the rights of the individual. Embracing this view, progressives first sought to convert local citizens to an identified cause such as child labour laws. Next, they moved into the political arena and pressed legislators to pass the desired laws and regulations which reformers argued were in the best interest of all concerned.

This thesis is, in essence, a micro-study. It examines a single reform issue -- child factory labour legislation, in a single urban community -- Saint John, New Brunswick, at a given time -- the turn of the 20th century. Limiting the investigation in this way enables one to determine more clearly who rallied behind the cause of factory legislation, why a reform coalition comprised of representatives of several groups was formed, and how the reform campaign was organized. It also allows one to suggest reasons why

²² This is an excerpt taken from a speech delivered by Professor W. C. Murray before the Educational Institution of New Brunswick on 30 July 1896, Educational Review Vol. 10, (August 1896): p. 52.

government leaders responded as they did to the reformers' demands. In sum, such a study provides an in-depth look at the process of change.

Chapter One examines the issue of child labour by discussing the extent of child labour in Saint John, the factors that determined which working-class children entered the urban labour force, the type of work boys and girls performed in both the industrial and non-industrial sectors of the economy, their conditions of labour and how gender affected decisions made by both working-class families and employers concerning child employment. It argues that boys and girls joined the workforce because of the mutual needs of employers and working-class families. As the demand for child workers declined, their numbers likewise decreased. Because Canadian census-takers defined a "child" worker as an individual under 16 years of age, I have done likewise. Most of Saint John's "child workers" referred to here were between the ages of nine and 16 years.

Chapter Two provides a portrait of the men and women who questioned both the factory system and the practice of child labour and then demanded reform. The individuals who spearheaded the factory act campaign were well-known Saint John residents: Peter C. Sharkey, railway freight handler, trade unionist and Fabian socialist; W. Franklin Hatheway, businessman, social reformer and Fabian socialist and Emma S. Fiske, suffragist, social reformer and woman's rights

activist. Although they came from varied backgrounds, Sharkey, Hatheway and Fiske shared an interest in socialist ideas which encouraged them to work together for change. The Fabian League, with the assistance of the Trades and Labour Council, organized the reform campaign. Because the cause of child factory legislation complemented the reform programmes of various women's groups, members of the Local Council of Women could be convinced to support the cause.

Chapter Three examines the response of provincial politicians to the reformers' demands. It suggests that the persistent pressure which the Saint John progressives exerted upon Lemuel J. Tweedie's Liberal-Conservative government was largely responsible for the passage of the New Brunswick Factories Act of 1905. The legislation, however, fell short of the reformers' expectations. Legislators had resigned themselves to the fact that the time had come to place a factory act which incorporated child labour laws on the provincial statute books. Yet, they were unwilling to pass or implement regulatory provisions which business leaders considered detrimental to industry. Therefore, although the forward-thinking leaders of the reform coalition desired a major overhaul of the factory system, they were stymied by politicians who defended the interests of provincial businessmen. Consequently, the progressives had to accept a measure which produced limited results.

Chapter One

Child Labour in Saint John, 1880-1905

WANTED

A good smart parcel boy...

A good girl for general house work...

Girls for Roving, Spinning and Tang weaving at
N.B. Cotton Mills...

Two intelligent boys to learn...cabinet making.
Enquire at factory at east end of Union Street...

Boy wanted between 12 and 14 years of age. Apply
G.F. McLean 146 Charlotte Street...

Girls to sew by hand. Also machine operators...

A strong boy to care for a horse and make himself
useful around a store...¹

The "wanted" advertisements published in the Saint John press offer a window into the lives of working-class children growing up in the industrializing communities of late Victorian Canada. For many of these boys and girls, working for wages was an accepted part of daily life. In the commercial centres of Montreal, Toronto and Saint John and in hundreds of industrial towns across the country, thousands of children routinely went "off to work." They

¹ These advertisements were taken from various Saint John newspapers: Saint John Globe (hereafter Globe) 5 October 1901, 10 January 1899, 26 February 1902; The St. John Daily Sun (hereafter Sun) 9 March 1888; St. John Star (hereafter Star) 2 February 1901.

found employment in factories, mills and shops; they ran errands and sold newspapers in the streets; and they laboured in urban households. Many left their homes early in the morning to arrive on time for work, which in some manufacturing establishments commenced as early as 6:30 a.m. Boys and girls, like their adult co-workers, usually laboured between nine and 11 hours per day five days a week and often a half-day on Saturdays. Child workers endured work discipline, monotonous factory routine and hot, dusty, crowded and dangerous working environments. For Canada's "labouring children," adolescence was not a carefree period set aside for growing up, but a time when many boys and girls accepted the adult responsibility of full-time paid employment. According to census-takers, children under 16 years of age comprised approximately seven per cent of Canada's industrial workforce in 1890. A total of 26,552 children spent most of their day in manufacturing establishments.² At Saint John, New Brunswick's leading industrial centre, boys and girls constituted approximately 14 per cent of the industrial workforce in 1880 and eight per cent in 1890.³

² Census of Canada, 1891, Table II, p. 382.

³ Robert Babcock computed these percentages for 1881 and 1891: see Robert Babcock, "Labour and Industrial Capitalist Development in the North Atlantic Region, 1880-1920," Class, Community and the Labour Movement: Wales and Canada, 1850-1930, eds. Deian R. Hopkin and Gregory S. Kealey (St. John's, 1989) p. 44. Saint John's industrial workforce totalled 2,690 in 1881 and 5,888 in 1891.

However, child labour was not a by-product of late 19th century urbanization and industrialization. In pre-industrial society boys and girls worked alongside their parents in fields and forests and within the household. They also served as apprentices to artisans in small workshops. But in the second half of the 19th century the structure of the workplace altered, and, consequently, the conditions under which children laboured changed as well. Increasingly, boys and girls found themselves in large manufacturing establishments surrounded by dozens of other hands and their working day regulated by overseers and the factory bell. Child labour became a recognizable and important feature of Saint John's industrial life in the late 19th century because of the mutual needs of manufacturers and working-class families.

Factory and mill owners required a cheap, disciplined and productive workforce in order to remain competitive in local, national and international markets. As the advertisements suggest, children could perform a variety of

Included in these figures are adult and child workers living in neighbouring Portland. Saint John and Portland amalgamated in 1889. In Saint John, the proportion of children under age 16 in the industrial workforce was higher than the figure given for Toronto. Gregory Kealey noted that children comprised approximately 11 per cent and five per cent of that city's work force in 1881 and 1891 respectively. See: Gregory S. Kealey, "Hogtown: Working Class Toronto at the Turn of the Century," Readings in Canadian History: Post Confederation, eds. R. Douglas Francis and Donald B. Smith (Toronto: Holt, Rinehart and Winston of Canada Limited, 1982), p. 177.

tasks and operate simple machinery. They also worked cheaply and voiced few serious complaints about their working conditions, all of which made them suitable and desirable for both industrial and non-industrial employment. In the uncertain economic climate of the late 19th century, working-class parents relied upon the combined earnings of young and old family members to maintain the household. Low wages, fluctuating market conditions and well-founded fears that the death, illness or lay-off of the family's primary breadwinner could spell economic ruin, prompted parents to seek out paid employment for their offspring. By the turn of the century, child labour was in decline in Saint John. Thus, the first decade of the 20th century appeared an opportune time to enact child factory legislation.

Until now, little was known about the extent of child labour in Saint John or about the work experiences of, and problems encountered by, that city's young workers. Scholars of late 19th and early 20th century Saint John have concentrated their efforts upon charting the growth and decline of the industrial economy and the development of port facilities.⁴ Even Richard Rice's study of Saint John

⁴ Saint John's early industrial growth has been discussed in T. W. Acheson's Saint John: The Making of a Colonial Urban Community (Toronto: University of Toronto Press, 1985). For an examination of the city's late 19th and early 20th century industrial development see: T. W. Acheson, "The National Policy and the Industrialization of the Maritimes, 1880-1910," Acadiensis 1, 2 (Spring 1972): pp. 3-28 and Robert H. Babcock's three articles, "Labour and Industrial Capitalist Development in the North Atlantic

labour in the 19th century ignored the child labour issue.⁵ Scholars of the region have also neglected this subject. In fact, to date Robert McIntosh's work on Nova Scotia's boy miners represents the only detailed study of child labour in the Maritimes.⁶

Similarly, historians in other parts of the country have devoted little attention to the issue of child labour. Historical writing on children and childhood has focused primarily upon the topics of child welfare and education⁷

Region, 1880-1920;" "Economic Development in Portland (Me.) and Saint John (N.B.) During the Age of Iron and Steam, 1850-1914," American Review of Canadian Studies 9-10 (Spring 1979): pp. 3-37 and "Private vs. Public Enterprise: A Comparison of Two Atlantic Seaboard Cities, 1850-1925," Power and Place: Canadian Urban Development in the North American Context, eds. Gilbert A. Stelter and Alan F. J. Artibise (Vancouver: University of British Columbia Press, 1986), pp. 51-81. See also: Elizabeth W. McGahan, The Port of Saint John Volume 1: From Confederation to Nationalization 1867-1927 (Saint John: National Harbours Board, 1982).

⁵ James Richard Rice, "A History of Organized Labour in Saint John, New Brunswick, 1813-1890." M.A. thesis, University of New Brunswick, 1968.

⁶ Robert McIntosh, "The Boys in the Nova Scotian Coal Mines: 1873 to 1923," Acadiensis XVI, 2 (Spring 1987): pp. 35-50.

⁷ The primary study of children and childhood in English Canada is Neil Sutherland's Children in English-Canadian Society: Framing the Twentieth-Century Consensus (Toronto: University of Toronto Press, 1976). Joy Parr has edited a collection of essays which deals with such subjects as juvenile delinquency, the institutionalization of destitute children, child emigration, education and child labourers: Childhood and Family in Canadian History, ed. Joy Parr (1982; Toronto: McClelland & Stewart, 1990). Both Craig Heron and John Bullen have published useful review essays on the subject of child welfare. See: Craig Heron, "Saving the Children," Acadiensis XIII, 1 (Autumn 1983):

while general studies of Canadian workers have often dealt with the growth and decline of the labour movement.⁸ With

pp. 168-175 and John Bullen, "Orphans, Idiots, Lunatics, and Historians: Recent Approaches to the History of Child Welfare in Canada," Histoire sociale/Social History XVIII, 35 (May 1985): pp. 133-145. See also: Patricia T. Rooke and R. L. Schnell, Discarding the Asylum: From Child Rescue to the Welfare State in English-Canada (1800-1950) (Landham: University Press of America, 1983); their edited collection of essays, Studies in Childhood History: A Canadian Perspective (Calgary: Detselig Enterprises, 1982) and their two essays: "The Rise and Decline of British North American Protestant Orphans' Homes as Woman's Domain, 1850-1930," Atlantis 7, 2 (Spring 1982): pp. 21-35 and "Childhood and Charity in Nineteenth-Century British North America," Histoire sociale/Social History XV, 29 (May 1982): pp. 157-79; Andrew Jones and Leonard Rutman, In the Children's Aid: J. J. Kelso and Child Welfare in Ontario (Toronto: University of Toronto Press, 1981) and Terry Copp, "The Child Welfare Movement in Montreal to 1920," Social Welfare, 1850-1950: Australia, Argentina and Canada Compared, ed. D.C.M. Platt (Basingstoke: MacMillan, 1989), pp. 45-59. The education of children has been dealt with in Family, School and Society in Nineteenth-Century Canada, eds. Alison Prentice and Susan E. Houston (Toronto: Oxford University Press, 1975); Alison Prentice, The School Promoters: Education and Social Class in Mid-Nineteenth Century Upper Canada (1977; Toronto: McClelland and Stewart, 1988); Ian Davey, "The Rhythm of Work and the Rhythm of School," Egerton Ryerson and His Times, eds. Neil McDonald and Alf Chaiton (Toronto: MacMillan, 1978): pp. 221-153 and Susan E. Houston's article, "School Reform and Education: The Issue of Compulsory Schooling, Toronto, 1851-71," pp. 254-276 in the same volume; Education and Social Change: Themes from Ontario's Past, eds. Michael B. Katz and Paul H. Mattingly (New York: New York University Press, 1975); and Robert Nicholas Berard, "Moral Education in Nova Scotia, 1880-1920," Acadiensis XIV, 1 (Autumn 1984): pp. 49-63. See also: Chad Gaffield's review article, "Back to School: Towards a New Agenda for the History of Education," Acadiensis XV, 2 (Spring 1986): pp. 169-190.

⁸ See: Eugene Forsey, Trade Unions in Canada, 1812-1902 (Toronto: University of Toronto Press, 1982); Craig Heron, The Canadian Labour Movement A Short History (Toronto: James Lorimer, 1989); Bryan D. Palmer, Working-Class Experience: The Rise and Reconstitution of Canadian Labour, 1800-1980 (Toronto: Butterworth, 1983); and Desmond Morton, Working People (1980; Toronto: Summerhill Press,

the possible exception of Gregory Kealey's edited version of the report of the dominion Royal Commission on the Relations of Capital and Labor,⁹ these works have contributed minimally, if at all, to our understanding of child labour in Saint John.

Only a handful of specialized studies dealing with child labourers have appeared over the past several decades. Such research has been confined largely to Quebec, Ontario and the eastern United States.¹⁰ Joy Parr, John Bullen and Neil Sutherland have examined the world of the pre-

1990).

⁹ Gregory S. Kealey, ed., Canada Investigates Industrialism: The Royal Commission on the Relations of Labor and Capital, 1889 (Toronto: University of Toronto Press, 1973).

¹⁰ For studies relating to industrial child workers see: Fernand Harvey, "Children of the Industrial Revolution in Quebec," Readings in Canadian History: Post-Confederation, pp. 195-204 and Gregory S. Kealey, "Hogtown: Working Class Toronto at the Turn of the Century," pp. 175-195 in the same volume; Terry Copp, The Anatomy of Poverty: The Condition of the Working Class in Montreal 1897-1929 (1974; Toronto: McClelland and Stewart, 1986), Chapter 3; Michael J. Piva, The Condition of the Working Class in Toronto, 1900-1921 (Ottawa: University of Ottawa Press, 1979), Chapter 4; Constance Backhouse, Petticoats and Prejudice: Women and Law in Nineteenth-Century Canada (Toronto: Osgoode Society, 1991), Chapter 9; John Bullen, "Children of the Industrial Age: Children, Work and Welfare in Late Nineteenth Century Ontario," Ph.D. thesis, University of Ottawa, 1989; Bettina Bradbury, "The Family Economy and Work in an Industrializing City: Montreal in the 1870s," Historical Papers (1979): pp. 71-96; and Tamara K. Hareven, Family Time and Industrial Time: The Relationship Between the Family and Work in a New England Industrial Community (Cambridge: Cambridge University Press, 1982).

industrial child worker,¹¹ and Bettina Bradbury, Tamara Hareven, Lorna Hurl and also Bullen have discussed the changing need for child labour in the industrial setting both by working-class families and employers.¹² These among other historians have outlined the changes which occurred both in the home and workplace as a result of industrialization and the effects that such developments had upon the lives and work experiences of children.¹³ In a

¹¹ Joy Parr, Labouring Children: British Immigrant Apprentices to Canada, 1869-1924 (London: Croom Helm, 1980); John Bullen, "Children of the Industrial Age," and his article, "Hidden Workers: Child Labour and the Family Economy in Late Nineteenth Century Urban Ontario," Labour/Le Travail 18 (Fall 1986): pp. 163-187; and Neil Sutherland, Children in English-Canadian Society, particularly Chapter 1.

¹² Bettina Bradbury, "The Family Economy and Work in an Industrializing City," and her "Gender at Work at Home: Family Decisions, the Labour Market, and Girls' Contributions to the Family Economy," Canadian Family History, ed. Bettina Bradbury (Toronto: Copp Clark Pitman, 1992): pp. 177-198; Tamara Hareven, Family Time and Industrial Time and her articles, "Family Time and Industrial Time: Family and Work in a Planned Corporation Town, 1900-1924," Family and Kin in Urban Communities, 1700-1930, ed. Tamara K. Hareven (New York: New Viewpoints, 1977): pp. 187-207 and "Family Time and Historical Time," The Family, eds. Alice S. Rossi, Jerome Kagan et al (New York: W. W. Norton & Company, 1977): pp. 57-70; Lorna F. Hurl, "Restricting Child Factory Labour in Late Nineteenth Century Ontario," Labour/Le Travail 21 (Spring 1988): pp. 87-121; and John Bullen, "Children of the Industrial Age."

¹³ In addition to the studies previously mentioned see: David Montgomery, The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865-1925 (1987; Cambridge: Cambridge University Press, 1989), particularly Chapter 3. For the British context see: Michael Anderson, Family Structure in Nineteenth Century Lancashire (Cambridge: Cambridge University Press, 1971); Neil J. Smelser, Social Change in the Industrial Revolution, An Application of Theory to the British Cotton Industry

slightly different vein, Lorna Hurl offered an explanation for the decline of child factory labour in Ontario, attributing the drop in numbers primarily to technological changes in the workplace.¹⁴ Recently, historians have begun to explore the work experiences of 20th century working-class and middle class children.¹⁵

This study is intended to fill an obvious void in

(Chicago: University of Chicago Press, 1959); Clark Nardinelli, Child Labor and The Industrial Revolution (Bloomington: Indiana University Press, 1990); and Marjorie Cruickshank, Children and Industry: Child Health and Welfare in North-West Textile Towns During the Nineteenth Century (Manchester: Manchester University Press, 1981).

¹⁴ Hurl, "Restricting Child Factory Labour," pp. 110-119. Hurl points to a "remarkable 51.1 per cent" decrease in the absolute numbers of child industrial workers in Ontario between 1890 and 1900 (or a 41.9 per cent drop in the proportion of child workers within that decade). Although the fact that child labour declined in the last decade of the 19th century is not in dispute, Hurl's figures are seriously flawed. She failed to take into consideration the fact that the method which census-takers employed when reporting the number of employees working in industrial establishments in 1900 differed from the method used in 1890. In the later year workers in all industrial establishments were purportedly listed by census-takers; however, in 1900 only establishments employing five or more employees were included in the count. Consequently, those children employed in small workshops were not tabulated. Therefore, the perceived substantial drop in the number of boys and girls employed in Ontario industry in 1900 may be partially attributed to this fact.

¹⁵ Neil Sutherland, "'We always had things to do': The Paid and Unpaid Work of Anglophone Children Between the 1920s and the 1960s," Labour/Le Travail 25 (Spring 1990): pp. 105-141 and his "'I can't recall when I didn't help': the Working Lives of Pioneering Children in Twentieth-Century British Columbia," Histoire sociale/Social History XXIV, 48 (November 1991): pp. 263-288; and Rebecca Coulter, "The Working Young of Edmonton, 1921-1931," Childhood and Family in Canadian History, pp. 143-159.

Maritime historiography and to round out the general picture of child labour in 19th century industrial Canada. Saint John was a logical choice for study since it held the distinction of being one of the 'Maritimes', in fact one of Canada's largest industrial centres during the second half of the century. An examination of child labour in Saint John not only provides information respecting the hardships, difficulties, problems and dangers which that city's young workers encountered daily, but also allows us to piece together a picture of working-class life in a late Victorian Maritime community. Furthermore, such a study highlights factors which pushed and pulled boys and girls into the workforce. But perhaps most importantly, it suggests the contributions which teenaged children made to Saint John's economic development.

In the first half of the 19th century Saint John rose to commercial prominence as a consequence of the timber trade. A protected British market for colonial timber encouraged local entrepreneurs to invest in the lucrative lumber industry. From far up the Saint John River and its tributaries hundreds of tons of squared timber reached the Port City yearly for shipment to British markets. A portion of the annual harvest found its way to local sawmills for processing into shooks, laths, shingles and deals. Milling operations in the city and surrounding area provided

seasonal employment for several hundred men and boys.¹⁶ Furthermore, a "small army" was needed to transport timber to the waterfront and load sailing vessels bound for overseas ports. Despite fluctuating markets and removal of imperial tariffs, the lumber industry remained central to Saint John's economy. Sawmilling alone provided work for no less than 427 boys and 1,830 men in 1871.¹⁷ Likewise, the shipbuilding industry offered economic opportunities. T. W. Acheson suggested that probably 20 per cent of the total value of goods produced at Saint John and neighbouring Portland in the 1850s was derived from the production of wooden sailing ships and that perhaps ten to 15 per cent of male workers depended upon that industry for their livelihood.¹⁸

The decline of the age of sail freed up capital which might otherwise have gone into shipbuilding for investment in manufacturing, and in the mid-19th century Saint John developed into a leading manufacturing centre. New Brunswick's population rose dramatically over the first half of the century, from approximately 74,000 inhabitants in 1824 to an estimated 250,000 by 1861, thereby creating a sizable market for manufactured goods. Saint John became a

¹⁶ Acheson, Saint John, pp. 10-14; Babcock, "Capitalist Development" p. 24.

¹⁷ Census of Canada, 1871, Volume III, Table LIV, p. 454.

¹⁸ Acheson, Saint John, p. 14.

"hive of industry" as local craftsmen turned out a variety of products for local consumption. Added to the shipbuilding, shipping and sawmilling operations were a number of workshops producing leather and metal goods, clothing, flour, furniture, carriages, soap, beer and paper.¹⁹ The opening of the New Brunswick Cotton Mill built by Saint John shipper William Parks and his son, John H. Parks, in 1861,²⁰ gave the manufacturing sector of the local economy an added boost. The rise of manufactories created employment for men, women and children and attracted hundreds of workers to the Saint John labour market.

Although the community's population rose from an estimated 5,000 to 38,000 residents between 1815 and 1861²¹, it stagnated over the next several decades, reaching a high of 41,353 in 1880 and declining to 39,179 by 1890.²² A world-wide economic depression and a major fire which destroyed much of the city in 1877 retarded Saint John's industrial growth. Hundreds of workers and their families left the city, many for the "Boston States".²³ However, the

¹⁹ Acheson, Saint John, pp. 21, 24.

²⁰ Acheson, "National Policy," p. 8.

²¹ Acheson, Saint John, p. 5

²² Babcock, "Capitalist Development," Table 1, p. 39. The figures were drawn from Canadian Census data.

²³ For a discussion of the outward flow of Maritime residents during the last half of the nineteenth century see, Alan A. Brookes, "Out-migration from the Maritime Provinces, 1860-1900: Some Preliminary Considerations,"

outward flow of urban dwellers was countered by an influx of rural residents drawn to the city looking for work, particularly in the building trades where hands were needed in reconstruction efforts.²⁴ After 1879 the industrial sector of the urban economy rapidly expanded largely in response to the implementation of John A. Macdonald's National Policy.

Macdonald's economic programme of western settlement, railway construction and protective tariffs, was embraced by many Canadian manufacturers and entrepreneurs. Members of the Maritime business community responded to the National Policy by expanding existing manufactories and raising new establishments. In the early 1880s, the region's industrial growth rate remained competitive with, and at times even surpassed, that of Central Canada. By 1885, the Maritimes had become the envy of Quebec and Ontario business interests for, as Acheson has pointed out, the region housed "eight of the twenty-three Canadian cotton mills...three of five sugar refineries, two of seven rope factories, one of three gas works, both of the Canadian steel mills, and six of the nation's twelve rolling mills."²⁵ New Brunswick

Acadiensis V, 2 (Spring 1976): pp. 26-55.

²⁴ Babcock, "Economic Development," pp. 15, 27.

²⁵ Acheson, "National Policy," pp. 34, 14. Acheson noted that between 1880-1890, "The relative increase in industrial capital, average wages, and output" at St. John was higher than that of Hamilton. For example, the increase in industrial capital in St. John and Hamilton for the

entrepreneurs invested capital not only in cotton, rope, iron and steel, but also in confectionery, soap and tobacco factories and in saw and woollen mills.²⁶

The City of Saint John, with its numerous forges, foundries, mills, shops and retail establishments, emerged as the province's leading industrial centre. In 1881 the city's 204 industrial establishments employed 2,690 people, but ten years later the number of establishments had risen to 773 and the industrial workforce had increased to 5,888.²⁷ Urban residents found work in foundries, cotton mills and sawmills as well as in manufacturing establishments producing clothing, rope, boots and shoes, cigars, earthenware and brushes for a national market. Boys and girls comprised a significant segment of Saint John's industrial workforce in these decades. Census-takers recorded 745 children working for wages in Saint John City and County in 1881 and 601 so employed in 1891.²⁸

However, child labour was not simply a by-product of late 19th century industrialization and urbanization. In pre-industrial Maritime society children worked in the fields and forests and within the household alongside

period was 125 per cent and 69 per cent respectively, p. 4.

²⁶ Acheson, "National Policy," p. 178.

²⁷ Census of Canada, 1901, Volume III, Table XX, p. 326.

²⁸ Census of Canada, 1891, Volume III, industrial tables and 1881, Volume III, industrial tables.

parents and older siblings, making a valuable, if not essential contribution to the family's maintenance. Besides labouring as farm and mill hands, boys and girls also worked in settled communities as chimney sweeps, newsboys, stable boys and house servants and were apprenticed to craftsmen and tradesmen. In pre-industrial society, the family constituted an economic unit. The labour of all household members was deemed essential to its economic survival.²⁹

Society considered work to be the natural state for both children and adults and an essential component of the character-building process.³⁰ "Man was made to work," the Reverend James Bennett informed a Saint John congregation in 1861, "He is as much made for it as his lungs are for breathing....The child toils as hard as the man. Toil is our normal state."³¹ Most 19th century parents considered schooling boys and girls in the "habits of industry" an important part of their education and an essential step in the production of responsible, industrious adults. Given long-standing customs, social attitudes, economic need and the opportunities for employment opening up in Saint John

²⁹ Hurl, "Restricting Child Factory Labour," p. 90; Bradbury, "Family Economy and Work in an Industrializing City," p. 14.

³⁰ Bradbury, "Family Economy and Work in an Industrializing City," p. 15.

³¹ James Bennett, "Sermon on labour, its rights and duties," delivered in the Saint John Presbyterian Church on Sabbath, 1861, CIHM.

during the last decades of the 19th century, it is not surprising that many children joined the city's industrial workforce.

John Bullen stressed that the presence of a substantial number of children in factories and mills may be explained partly by examining the colonial apprenticeship system and the changes it underwent as a result of the onset of industrialization.³² In early 19th century society, binding apprentices to their masters by legal agreement was intended to provide the former with a recognized skill and the latter with additional hands to assist with production. Under New Brunswick law, parents and legal guardians could bind out children under 14 years of age and those above the specified age could bind themselves.³³ Often parents placed their offspring under the care of family members or close friends who were engaged in the same craft or one similar to that of the children's father.³⁴ Artisanal workshops were small, usually employing no more than five craftsmen. In these surroundings, apprentices worked from 12 to 14 hours per day, six days a week, until they reached the age of 21 at which time they usually attained journeyman status.³⁵

³² John Bullen, "Children of the Industrial Age," p. 43.

³³ Consolidated Statutes of New Brunswick, 1877, c. 70, p. 678.

³⁴ Acheson, Saint John, p. 70.

³⁵ Bullen, "Children of the Industrial Age," pp. 43-44.

Apprenticeship agreements stipulated the rights and obligations of both masters and their charges. The terms of indenture of Henry Forrester, apprenticed to Lewis Durant, a Saint John printer in 1837, were standard for the time.³⁶ Forrester agreed to keep his master's secrets, obey his commands, protect his property, to remain single and sober and to abstain from gaming, dicing and fornicating during the term of his apprenticeship. In return Durant promised to ensure that Henry receive instruction in the "Art, Trade or Mystery" of a printer and to provide him with food, drink, clothing and shelter, sufficient to meet his needs. Upon termination of the contract, Henry would receive "a complete set of clothes...."³⁷ Indentures could make provision "for teaching children to read and write and to cypher...for religious and other instruction...and in the case of illness for medical attendance, board and care." If either masters or servants failed to fulfil their obligation, the delinquent party could be brought before

³⁶ In their 1983 study of child rescue in Canada, Patricia T. Rooke and R. L. Schnell noted that in 1837, at the age of five years and four months, Henry Forrester was apprenticed to a Saint John printer. My reading of the Forrester apprenticeship agreement suggests that five years and four months constituted the term of the contract and that the boy's age upon the signing of the document is unknown. Patricia T. Rooke and R. L. Schnell, Discarding the Asylum, pp. 169-170 and Henry Forrester's apprenticeship agreement, Forrester Family Papers, New Brunswick Museum [NBM] (Saint John).

³⁷ Henry Forrester's apprenticeship agreement, Forrester Family Papers, NBM.

court officials who could rule on the grievances.³⁸

The nature of the master-servant relationship began to change after 1830 as the face of the workplace altered. The advent of steam power allowed for mechanization and the expansion of small shops into larger enterprises. Increasingly, workers found themselves in large establishments surrounded by dozens of other employees. For example, by 1851 both James C. Harris and Thomas Barlow had expanded their small iron foundries and employed 70 and 65 male hands respectively.³⁹

This process continued over several decades. Consequently, by 1880 24 per cent of the city's industrial workforce or 1,610 workers laboured in 12 factories each of which employed a minimum of 100 hands. Another 24 per cent or 1,464 people worked in 24 firms each with between 40 and 99 employees on the company payroll, and approximately seven per cent of the total industrial workforce or 519 workers

³⁸ Consolidated Statutes of New Brunswick, 1877, c. 70. p. 679. However, it was uncommon for apprentices to take their masters to court for non-compliance with the provisions of an apprenticeship contract. Such contracts did not protect young apprentices from abuse by their masters. In fact, in 1839 Henry Forrester's mother, Emma, wrote to Lewis Durant complaining about the ill-treatment her son had received at Durant's hand. There was no indication that either she or Henry prosecuted the printer. Emma Forrester to Mr. Lewis Durant, letter dated 22 July 1839, Forrester Family Papers, NBM.

³⁹ Acheson, Saint John, p. 73. In 1850, 300 journeymen worked in the city's foundries. By 1873 the New Brunswick Foundry, owned by Harris, alone employed 300 men and boys. Acheson, Saint John, p. 76.

earned their livelihood in 16 firms each with between 30 and 39 employees.⁴⁰ By the early 1880s, Harris had increased his workforce to approximately 300 men and boys who turned out water wheels, agricultural implements, steam engines, railway cars and other iron products.⁴¹ The city's two cotton mills, both owned by John Parks, together employed an estimated 500 operatives.⁴² The mechanization of industry had facilitated the breakdown of the production process into a number of simple, repetitive tasks, some of which could be performed by young hands. Consequently, boys and girls who would have been apprenticed to artisans and householders now competed with artisans for low-paying, unskilled or semi-skilled factory jobs.⁴³

As a result of these developments, the apprenticeship system had been eroded by the 1880s. Saint John rope manufacturer P.L. Connor testified to this fact while explaining how the industrial revolution had altered his perceptions of labour and hiring practices: "We do not look upon" the young boys in our employ as "apprentices," he advised the Royal Commission on the Relations of Capital and Labor in Canada which toured New Brunswick, Nova Scotia,

⁴⁰ Babcock, "Capitalist Development," pp. 27-28.

⁴¹ Babcock, "Economic Development," p. 17.

⁴² Report of the Royal Commission on the Relations of Capital and Labor in Canada (hereafter Royal Commission on Capital and Labor), New Brunswick Evidence, 1888, p. 32.

⁴³ Hurl, "Restricting Child Factory Labour," p. 91.

Quebec and Ontario in 1888. "The improvements made in machinery within the last few years have done away with the necessity, to a large extent, of skilled labour," he went on. "We do not, in our factory require more than six to eight skilled labourers." Of the approximately 110 hands in Connor's employ in 1888 more than one-half, he estimated, were boys and girls.⁴⁴ James Pender and George McAvity among other Saint John manufacturers adopted a similar outlook and hired teenaged boys and girls to fill semi- and unskilled positions.⁴⁵

Unlike Connor, furniture maker John D. Howe, saw manufacturer William Greig and several other employers continued to view their youthful employees as "apprentices," requiring them to serve a term of between three and five years before achieving "journeyman status".⁴⁶ However, generally these terms were devoid of their former meaning. No contract was actually signed, and employers were under no obligation to instruct boys in all aspects of the trade, to educate, feed and clothe them or to hire them on permanently

⁴⁴ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 32-33. George McAvity expressed similar sentiments concerning the deskilling of labour: "There are so many machines used in our business now that we do not require so much skilled labour as we did years ago." p. 28.

⁴⁵ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 1-2, 28-29.

⁴⁶ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 7-9.

once the training period ended.⁴⁷ On the other hand, apprentices were free to sell their labour in the marketplace or to set off for the "Boston States" in search of more promising employment prospects. Both John Howe and Richard O'Brien, a Saint John printer, approved of this arrangement. "I believe that both the boys and the employers have a right to do as they like," O'Brien opined: "if a boy wants to go he should be allowed to go, and if the employer wants to discharge him he should have a right to."⁴⁸ A few establishments continued to indenture apprentices, but for the most part, by the late 1880s Saint John business owners generally had abandoned the formal apprenticeship system and adopted this more relaxed employment policy.

Working-class boys and girls found employment in a variety of industrial enterprises. Table One sets out industries located in the City and County of Saint John which employed children under 16 years of age in the census years 1881 and 1891. It indicates the total number of boys and girls and the total number of hands (including children) employed in each of those industries.

⁴⁷ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888. See the testimony of Adam H. Bell, p. 10; J. Lordly, p. 13; Nevil Shaw, pp. 18-19; S. L. T. Burnham, p. 17 and William Kane, p. 35.

⁴⁸ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 8, 120.

TABLE ONE Industries in Saint John City and
County Employing Children
in 1881 and 1891

| Industry | Children under 16 - 1881 | | All Hands | Children under 16 - 1891 | | All Hands |
|------------------------------------|-----------------------------|----|--------------|-----------------------------|----|--------------|
| | M | F | | M | F | |
| Cotton | 38 | 56 | 344 | 40 | 44 | 464 |
| Sawmills | 349 | 0 | 2,141 | 148 | 0 | 1,912 |
| Boot & Shoe | 48 | 39 | 390 | 11 | 2 | 181 |
| Printing | 30 | 0 | 171 | 39 | 0 | 276 |
| Rope & Twine | 6 | 0 | 24 | 20 | 10 | 76 |
| Brush & Broom | 20 | 10 | 45 | 18 | 0 | 81 |
| Cigar | 6 | 0 | 13 | 4 | 7 | 91 |
| Wood Products | 33 | 0 | 319 | 44 | 0 | 489 |
| Needle Trades | 4 | 13 | 385 | 28 | 41 | 1,072 |
| Bakeries & Breweries | 10 | 0 | 104 | 21 | 0 | 199 |
| Metal Working & Metal Goods | 21 | 0 | 272 | 38 | 0 | 328 |
| Foundries, Mills & Cars | 31 | 0 | 491 | 13 | 0 | 570 |
| Brick & Tile, Stone & Marble | 11 | 0 | 185 | 15 | 0 | 217 |
| Pottery | 12 | 1 | 37 | 2 | 0 | 35 |
| Wool Cloth | 2 | 0 | 17 | - | - | - |
| Meat & Fish Curing | - | - | - | 20 | 0 | 154 |
| Shipyards | - | - | - | 6 | 0 | 193 |
| Harness, Tent & Awning | - | - | - | 4 | 0 | 36 |

| | | | | | | |
|-----------------------------|-----|-----|-----|-----------------------------|-----|-----|
| Watch & Jewellery | - | - | - | 3 | 0 | 35 |
| Chemicals & Medicine | - | - | - | 5 | 0 | 48 |
| Construction | - | - | - | 11 | 0 | 218 |
| Miscellaneous | 5 | 0 | 128 | 7 | 0 | 392 |
| | --- | --- | | --- | --- | |
| Total Child Workers | 626 | 119 | | 497 | 104 | |
| Total Child Workers 1881 | | 745 | | Total Child Workers 1891 | 601 | |

Source Census of Canada, 1881 and Census of Canada, 1891.

Young hands contributed to the smooth running of the workplace and to its output. Sawmills and cotton factories employed the largest number of young workers in both census years. The 349 boys engaged in sawmilling in 1881 constituted approximately 16 per cent of all workers employed in that industry. Millboys made themselves useful bunching staves, oiling machinery, piling deal ends, lifting lumber and fetching water. In both 1881 and 1891 more than 80 boys and girls worked in the cotton industry. Young operatives employed in the Parks' mills worked as doffers, weavers, spinners, carders, twistors and winders. Mule spinners who kept watch over the gears, belts, bobbins and spindles which produced warping threads were assisted by back boys who helped repair broken threads and swept away dust and lint.⁴⁹

⁴⁹ David Montgomery, The Fall of the House of Labor, p. 57.

Nimbleness and small stature were valuable assets in factory work, particularly in cotton mills where employees ran between moving machinery, under and around work tables and operated spindles and carding machines or several looms simultaneously.

In 1881 the boot and shoe industry ranked third behind sawmilling and cotton as a major employer of child labour. Young hands were set to work sewing on buttons and pasting in linings. Compared to the lumber industry, boot and shoe manufacture was light work. This fact might help to explain the presence of several dozen girls working in such establishments. The decline in the number of children in boot and shoe manufacture by 1891 reflects an overall decline of that industry in Saint John and its environs.⁵⁰

Boys and girls comprised a significant proportion of the total number of hands employed in the production of cigars, pottery, rope and twine and brushes and brooms. Of the 76 workers engaged in the manufacture of rope and twine in 1891, 30 or 40 per cent were children. Census-takers recorded in 1881 that six of a total of 13 cigar factory workers, 13 of 37 pottery hands and 30 of 45 brush and broom makers were under age 16. Brush manufacturer T.S. Simms hired boys and girls, some as young as 12, to work as

⁵⁰ Babcock, "Economic Development," pp. 20-23, especially Table 5, p. 21.

drawers and pitchers.⁵¹ In these establishments, among others hiring children, employers required that their young workers demonstrate manual dexterity not physical strength in order to keep their positions.

Children could be found labouring at a number of other occupations. Approximately ten per cent of all male workers engaged in the production of cabinets, furniture, carriages, barrels, boxes and other wood products in both census years were 15 years of age or younger. Boys aided in the production of nails and tacks, boilers, nuts and bolts, brick and tile, railway cars and baked goods. They also worked at tinsmithing, meat curing and blacksmithing and ran printing presses. Beyond census data, employers reported that teenaged children made biscuits and matches, tended fires, ran errands, swept floors, cleaned machinery and packed, labelled and stencilled boxes.⁵²

Generally, boys and girls were engaged directly by manufacturing concerns and worked within the factory environs. Clothing establishments were notable exceptions. The 1881 census reported only four boys and 13 girls working at dressmaking, millinery, tailoring and other clothing manufacture. Ten years later census-takers noted 28 boys and 41 girls labouring at such work.

⁵¹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 3-4.

⁵² Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 58, 68.

The actual number of young hands engaged in the needle trades would probably be higher. Joseph Allison of Manchester, Robertson & Allison, a dry goods establishment specializing in the manufacture of ladies' undergarments, millinery and straw goods, informed government commissioners in 1888 that he employed approximately 160 hands "on the premises" and an unspecified number of women and girls outside the shop sewing "check shirts" intended for workingmen.⁵³ It is doubtful whether all outside workers employed by Allison and other clothing manufacturers would be included in the census count. In addition, many young girls who derived earnings from sewing at home for neighbours and friends would probably also be missed.

Census figures contain other inaccuracies. Children under age 16 working as newsboys, bootblacks, domestic servants, retail clerks, market carrier boys and at other similar types of non-industrial employment were not tabulated. Boys subcontracted by factory or sawmill hands to work as their assistants and young part-time workers were probably also not included. On any census day, many individuals either intentionally or unintentionally eluded census-takers. Obviously, census data represent neither a complete nor accurate accounting of child labour. In addition to the previously noted problems, the census failed

⁵³ Royal Commission of Capital and Labor, New Brunswick Evidence, 1888, pp. 159-161.

to capture fluctuations in the industrial workforce resulting from downturns or upswings in the economy or due to seasonal employment. The latter difficulty is important when discussing child labour since boys and girls frequently worked during the spring and summer seasons and returned to school in the fall. At best, such statistics offer an estimate of the number of children employed in the city's industrial establishments at a set moment in time. The total number of children labouring in the city's workforce during any given year would be considerably higher.

Factory owners and managers engaged children because they were productive workers, but employers also found the economic advantages to be gained in hiring boys and girls attractive. Competition with local and central Canadian business interests promoted the hiring of cheap, young labour. Moulds, introduced into cigar factories in the 1860s, could be worked by small hands, allowing for the hiring of boys and girls.⁵⁴ "The great trouble down here is, that we have to compete against this child labour of Montreal," Adam H. Bell, a cigar manufacturer, informed the Dominion government commissioners in 1888. "With child labour," he said, "they can turn out cigars for \$1.65 per thousand which cost us \$4.00 for the making by adults.... [Down here]...Such cigars would cost us \$4.00 to \$4.50...." As a cost-cutting measure, Bell employed a number

⁵⁴ Bullen, "Children of the Industrial Age," p. 58.

of boys and girls in his factory. More than one-half of his 40 employees at the time of the hearings were children.⁵⁵

In Bell's establishment apprentices were taken on at approximately age 14 and served three years, but, he observed, after "a year and a half at the business" a boy "is pretty well up in the trade and can work to his boss' interest."⁵⁶ Despite the acquisition of skills, an apprentice's pay packet was considerably smaller than that of his or her adult co-worker. Both children and adults were paid by the piece, the former earning somewhere between \$1.00 and \$3.50 per week for the first year. William Hamilton, who began his apprenticeship with Bell about age 13, took home nothing for the first two weeks, 50 cents for each of the next two weeks, and \$1.00 weekly thereafter. As his skill improved he received pay increments. At one year and four months into his time William turned out on average 850 cigars weekly and collected \$3.50 for his labour. Skilled workers took home on average between \$8.00 and \$20.00 weekly.⁵⁷ By employing a number of children to strip, mould, pack and wrap cigars, Bell managed to reduce his production costs and compete in the domestic market.

⁵⁵ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 10-12.

⁵⁶ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 10-11, 73.

⁵⁷ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 11, 77.

James Pender, manufacturer of horseshoe nails, adopted a hiring policy similar to that of Bell's. In 1888 he had 15 hands on the payroll, five or six of whom he estimated to be boys. Wages paid to the lads ranged between 60 cents to \$1.00 per day while Pender's principal journeymen earned between \$2.50 and \$3.25.⁵⁸ Likewise, the high proportion of children working in the rope and twine, brush and broom, boot and shoe, pottery and sawmilling industries helped keep operating expenses down.

Although a strong desire to increase profits probably prompted Bell and others to hire children, the cigarmaker did pay his young hands while they learned their trade. Other employers failed to do so. Apprentices employed by W. Robert May in the manufacture of custom-made clothing had their pay withheld for the first year of their apprenticeship. During the second year they received wages as low as \$1.00 weekly. May justified this policy on the grounds that apprentices were "not supposed to be in the trade."⁵⁹ The practice of taking boys "on trial" for several months in order to determine their worth likewise served to reduce

⁵⁸ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 1.

⁵⁹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 117-118. See also: Andrew Gilmour, merchant tailor, p. 128 and Robert Allison, p. 159.

company expenditures.⁶⁰ Overall, children earned approximately one-third to one-half of an adult worker's wage, a welcome saving for employers. Arguably, the presence of a substantial number of low-paid boys and girls in the urban labour force would serve to depress wages for all workers.⁶¹

Besides being cheap and able workers, children were available for hire. When queried about any difficulties encountered in finding enough children to work in his brush and broom factory, T. S. Simms responded: "We could fill our factory with them if we wanted to."⁶² Employers acknowledged that they turned boys and girls away at the factory door for want of work.⁶³ When considering children for positions, employers expressed considerable interest in their prospective employees' size,⁶⁴ strength and mental capabilities and concerned themselves less with their ages. This becomes apparent from studying advertisements published

⁶⁰ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, Levy H. Young, manager, nut and bolt works, p. 281.

⁶¹ Bullen, "Children of the Industrial Age," p. 59.

⁶² Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 3-4.

⁶³ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 13, 260; [Factory Commission] Transcript of Evidence, Factory Legislation Records (1905), RG30, RS250B, Provincial Archives of New Brunswick [PANB] (Fredericton) [hereafter "Factory Commission Evidence, 1905"], pp. 40-41.

⁶⁴ Bullen, "Children of the Industrial Age," p. 95.

in the local press. "Smart," "responsible," "stout," "clever," "strong, active and intelligent" youths were in demand.⁶⁵ In some instances, manufacturers and managers indicated that they tried to avoid bringing very young children into the factory. Albert Sutcliffe, overseer of the spinning room at one of Parks' two cotton mills, acknowledged that it was company policy not to employ children under 12 years of age. Despite this claim, a female cotton operative reported that she had known nine-year-old girls to work in the company's reeling room. However, Sutcliffe himself admitted that he generally assessed children's suitability for work by looking primarily at their physical appearance.⁶⁶

Other employers adopted the practice of questioning directly either the children or their parents as to the former's ages.⁶⁷ The fact that employees were not required to furnish employers with proof of age, if such could be produced, and that manufacturers were not legally obligated to document their hands' ages, hampered attempts, feeble or otherwise, to reduce the number of child factory workers.

⁶⁵ The Daily Telegraph (St. John) [hereafter Telegraph], 5 July 1872, p. 2 and 19 July 1872, p. 2; Globe, 5 October 1901 and 26 February 1903, p. 6; Star 2 February 1901.

⁶⁶ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 189, 264.

⁶⁷ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 256; "Factory Commission Evidence, 1905," pp. 40-41.

Employers generally wasted little time on the matter and hired teenaged children who appeared to be strong, large and intelligent enough to perform the task at hand. In sum, since boys and girls worked more cheaply than adults and because they were willing to labour at simple, repetitive tasks nine or 11 hours a day, many manufacturers found them suitable for factory work.

Working-class parents sought out employment options for their offspring not out of greed, but because of poverty.⁶⁸ Within the household children made valuable contributions to the family maintenance by performing routine chores. Tending garden plots, minding children, carrying coal, washing clothes and dishes, scrubbing floors and assisting with meal preparations were tasks that adolescent children could do.⁶⁹ However, for the labouring poor an inability to balance the household budget, as a consequence of low wages, family misfortunes or fluctuating market conditions, often meant that young children entered the paid workforce.

Invariably, children from poor families were the most likely to join the urban workforce. Labourers, low-paid factory hands, seasonal workers and parents whose incomes had been reduced because of illness, injury or lay-off

⁶⁸ For an informative discussion on this issue see Bettina Bradbury's article, "The Family Economy and Work in an Industrializing City."

⁶⁹ For a detailed discussion of the work which urban children performed in the home see: John Bullen, "Hidden Workers."

relied upon the wages of young family members to make ends meet. In 1888 general labourers, journeyman carpenters, sawmill hands, stone and marble cutters, blacksmith's helpers, stablemen and street car drivers among other urban workers earned on average between \$1.00 and \$2.00 per day.⁷⁰ The cost of a respectable rent alone could amount to approximately \$10.00 to \$12.00 per month.⁷¹ Pondering how a working-class family could survive on \$7.00 a week, John Brophy, foreman at Harris' machine shop, commented, "I do not know how one-half of them can live; it is not living that one-half of them do, it is only staying."⁷² Patrick Kennedy, a Saint John labourer, suggested how families could subsist: "...a girl or boy of fourteen may be bringing in \$1.50 or \$2.00, and that may help meet some of these demands."⁷³

In large households it was particularly necessary to send young adolescents out to work. Labourer William Whipple applied the contributions which wage-earning sons Frederick and William, aged 15 and 13 respectively, made to

⁷⁰ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 239, 258, 274, 288, 293-294.

⁷¹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 10.

⁷² Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 287. Soap-maker Charles Engle expressed similar sentiments before the commission. p. 75.

⁷³ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 265.

the family purse towards the support of their mother and five younger siblings.⁷⁴ Unexpected family misfortunes aside, many families would be unable to survive on a single worker's wage.

Waterfront workers, sawmill hands and building tradesmen found themselves unemployed or their pay packets reduced during the winter months. In 1881 five of Saint John's 12 largest manufacturing establishments operated seasonally.⁷⁵ Many workers looked for other types of employment in the off-season, but during lean years, when winter port trade was down or businesses were suffering from the effects of a trade recession, alternate employment could be difficult to find. The problem was compounded by the fact that fuel and food prices rose during the winter season.⁷⁶ Fortunately for house carpenter Robert Brown, his three young teenaged sons who worked as cotton factory labourers could provide additional financial support for their eight-member household.⁷⁷ When economic resources were strained to the limit, parents who had a number of mouths to feed had little choice but to send their children out to work.

⁷⁴ Census of Canada, (Manuscript), 1891, Saint John, Prince Ward, Division 2, p. 29.

⁷⁵ Babcock, "Capitalist Development," pp. 27-28.

⁷⁶ Bradbury, "The Family Economy and Work in an Industrializing City," p. 6.

⁷⁷ Census of Canada, (Manuscript), 1891, Saint John, Prince Ward, Division 2, p. 22.

This was especially true in households where the primary breadwinner was permanently unemployed because of illness, accident or death. Depending upon personal circumstances, poor widows might place their young children in one of the city's several orphanages.⁷⁸ By the late 19th century most if not all of Saint John's orphan asylums admitted fatherless children.⁷⁹ Orphans and semi-orphans often joined the workforce before reaching their sixteenth birthday. Charitable institutions usually reserved the legal right to hire out children as domestic servants, farm hands or industrial workers once their charges had reached early adolescence. The president and directors of the Saint

⁷⁸ For a discussion on this form of charity see: Bettina Bradbury, "The Fragmented Family: Family Strategies in the Face of Death, Illness, and Poverty, Montreal, 1860-1885," Childhood and Family in Canadian History, ed. Joy Parr (1982: Toronto: McClelland & Stewart, 1990). pp. 109-128. An examination of admissions applications received by Saint John's Wiggins Male Orphan Home between 1891 and 1895 would suggest that widows often had to resort to this form of charity. Most, if not all, of the applications processed by that institution during these years were submitted by widows. Wiggins Orphan Home Admissions Applications, 1891-1895, NBM.

⁷⁹ Rooke and Schnell, "Childhood and Charity," p. 169. The Protestant Orphan Homes took in semi-orphans among other classifications of children. According to Rooke and Schnell, orphaned children "were generally in the minority" in these institutions. At Saint John, a number of institutions were in operation. St. Vincent's Orphan Asylum and St. Patrick's Industrial School cared for Roman Catholic girls and boys respectively. The Protestant Orphan Asylum took in boys and girls of that faith and the Wiggins Home catered to the needs of "destitute male orphan and destitute male fatherless children" with special preference given to "the children of Mariners." Statutes of New Brunswick, 1867, c. 9, pp. 19-21. The almshouse was also available for the destitute.

John Protestant Orphan Asylum claimed the "full and exclusive custody and control" of children committed to their care, including the right to apprentice them as they saw fit.⁸⁰ Likewise, the Wiggins Male Orphan Institution often indentured their charges. When the Wiggins' boys were formally discharged, managers of the Home usually found them permanent situations. Recognizing that 15-year-old boys would be unable to provide adequately for their own needs on \$1.50 per week, in 1884 the governors of the Wiggins institution raised the age of demission from 15 to 17 years, obviously holding to the arguable notion that older children would receive higher rates of pay.⁸¹

Failing a resort to such charitable institutions, mothers who shouldered the full responsibility of supporting their family could ill afford to keep potential wage-earners at home. Widows faced the difficult choice of attempting to supply their children's basic needs on a meagre wage, of

⁸⁰ Statutes of New Brunswick, 1893, c. 68, pp. 215-216. The right of the Protestant Orphan Asylum to apprentice children was not new to the 1890s. Boys and girls had been "boarded out" of that institution from its inception. Rooke and Schnell, "Childhood and Charity," p. 175.

⁸¹ Statutes of New Brunswick, 1867, c. 9, p. 22; Statutes of New Brunswick, 1884, c. 29, p. 82. In 1891 board members, still wrestling with this issue, resolved to allow 17-year-olds to board at the institution or to find them a "respectable" boarding house with the institution meeting any "deficiencies in wages." Minutes of Meeting held 13 July 1891, Board of Governors Wiggins Male Orphan Home, Minute Book, 1891-1901, pp. 4-6, NBM. The members of the governing board of the Boys' Industrial Home also reserved the right to apprentice boys' under their care. Statutes of New Brunswick, 1893, c. 16, pp. 108-109.

boarding them in a charitable institution or of sending them out to work. For 41-year-old Mary Ewart of Lancaster Parish, the latter appeared to be the best option. Left alone to raise six children, ranging in age from three to 14 years, Mary depended upon the earnings of her eldest boy, a sawmill hand, to keep her family out of the poorhouse.⁸² Likewise, Marie Hendeny, a cook, and Eliza Hayes, a laundress, both residents of Wellington Ward in 1891, no doubt welcomed the financial contributions which their 14-year-old daughters made to the support of their families. The girls worked as nurses, and in both of these widows' households census-takers recorded no co-resident adult wage earners.⁸³

The unexpected death of a young worker could turn a poor family into an object of public charity. For Mrs. Josselyn, a widow and mother of two, this fact was brought home when her 15-year-old son, employed as a delivery boy for a city butcher, died after being thrown from his express wagon. Suffering from ill health and unable to support her seven-year old daughter on a housecleaner's wage, Mrs. Josselyn was forced by circumstances to take refuge at the

⁸² Census of Canada (Manuscript), 1891, Saint John, Lancaster Parish, p. 51.

⁸³ Census of Canada, (Manuscript), 1891, Saint John, Wellington Ward, p. 22.

local almshouse.⁸⁴ For many poor families, children's earnings served to bridge the gap between subsistence and destitution.

In both single-parent and two-parent households decisions about which child or children would join the workforce were based upon a variety of factors. Bettina Bradbury suggested that family needs and employment opportunities as well as a child's age, gender and earning potential played important roles in the decision-making process.⁸⁵ Generally, teenaged boys were the first to find work. The fact that boys had more employment options than girls facilitated their early entrance into the labour market. Both the need for physical strength in many employment situations and notions of what was appropriate work for males and females helped determine the types of jobs each would pursue.

As Table One indicates, in Saint John boys were particularly prominent in the sawmilling, wood, metal working, construction and cotton industries and they also worked in rolling mills and printing offices. Piling lumber, carrying water, hammering metals and lifting heavy boxes and supplies demanded physical strength. Girls, on

⁸⁴ Sun, "Fatal Accident," 21 September 1903, p. 8.; Globe, "Destitute Family," 17 December 1903, p. 7 and "Acknowledgement--Josselyn Case," 18 December 1903, p. 8.

⁸⁵ The following discussion has benefited from insights in the work of Bettina Bradbury, "Gender at Work at Home", pp. 177-198.

the other hand, found employment in the cotton, boot and shoe, brush and broom, cigar and clothing industries, jobs which were related to domestic work and which required more manual dexterity than muscle. Therefore, these types of employment would be considered suitable for young females. Moreover, boys had a greater variety of non-industrial employment options than girls. Hundreds of boys worked as errand and delivery boys, newsboys, labourers, servants, teamsters, stable boys and market carrier boys. Jobs as domestic servants, nurses, retail clerks and seamstresses, in particular, were open to girls. The number and variety of jobs for boys made it more likely that they would find work.

As Bradbury noted, boys usually earned higher wages than girls in the urban labour market. Experienced boy workers employed in James Pender's nail factory, earned as much as \$1.00 per day while young female cotton mill operatives might take home \$3.50 weekly.⁸⁶ Since most child factory workers lived at home, their earnings directly assisted the family budget. Boarding created a serious problem for girls who received the lowest rates of pay. At Saint John, "good respectable board" cost approximately \$2.00 per week while female cotton mill operatives took home on average \$3.50 for the same period.⁸⁷ Consequently, young

⁸⁶ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 1, 192.

⁸⁷ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 189-195, 257.

girls would be unable to support themselves solely on their own earnings. This situation created dependency on male wage earners and helped enhance the idea of marriage in the minds of young girls.⁸⁸

Obviously, parents would take the wage factor into consideration when determining which of their children would stay home and which would go to work. Since young females usually earned lower wages than their brothers and because housework was demanding, teenaged girls often remained at home to assist with routine chores. They did laundry, cooked, cleaned, shopped, tended gardens and animals and cared for infant, aged and infirmed family members -- tasks which were designated "woman's work". While at home adolescent girls could earn a few coins for the family purse by taking in laundry and sewing and by babysitting neighbours' children. Contract workers employed by clothing manufacturer Joseph Allison earned 75 cents for turning out a dozen workshirts.⁸⁹

Keeping teenaged girls at home not only allowed them to contribute to the smooth running of the household, but also protected them from the moral and physical dangers of the workplace and from its harsh routine. Given all the above considerations, it is not surprising to find Saint John

⁸⁸ Montgomery, Fall of the House of Labor, p. 137.

⁸⁹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 161.

households in which daughters stayed at home while their younger brothers went out to work. Thirteen-year-old Henry Brown helped his mother, a retail store clerk, provide for his two older sisters and three younger siblings by working full time as a back boy at one of the Parks' mills.⁹⁰

Similarly, 17-year-old Kate O'Bryan, the daughter of a carpenter's labourer, worked at home while two of her three younger brothers, aged 15 and 13 years, earned wages.⁹¹

Although some working-class families could forego sending their daughters to work the poorest could not. Jennie Charlton joined sister Julia, aged 19, at the cigar-making bench before she had reached age 15. The girls' widowed mother who laboured, probably at home, as a pantmaker, needed her daughters' wages to raise her five children.

Jennie along with Elizabeth, Annie and John McCallum, aged 15, 13 and 11 years respectively, were among the hundreds of Saint John school-age children who abandoned their lessons to earn wages.⁹² Many working-class parents

⁹⁰ Census of Canada (Manuscript), 1891, Saint John, Prince Ward, Division 2, p. 64.

⁹¹ Census of Canada, (Manuscript), 1891, Saint John, Prince Ward, Division 2, p. 9. Also see the household of John Clarke, 1891, Prince Ward, Division 2, p. 14; Thomas McGuiggan, 1891, Sydney Ward, p. 84 and John McCathran, 1891, Wellington Ward, p. 22.

⁹² Census of Canada (Manuscript), 1891, Saint John, Dufferin Ward, p. 75 and 1891, Saint John, Wellington Ward, p. 35. The eight-member McCallum household was headed by William, a street maker. The three employed children were

considered attending school a luxury once children had reached their fourteenth birthday. Educators commonly reported that dozens of children left school to go to work or help out at home.⁹³ Outfitting boys and girls with clothes and supplies for school was an expense which many parents could not afford. As well, some parents maintained that working experience rather than schooling went further towards securing their children's economic futures.⁹⁴ Boys and girls reportedly refused to go to school, claiming that they found it too confining. For some children working for wages was a seasonal activity. Employers reported that boys and girls sometimes worked in sawmills and cotton factories during the summer months and returned to school in the fall. But economic necessity forced many parents to keep their children contributing to the family income.

Boys and girls moved in and out of the workforce and changed jobs as family needs and employment opportunities dictated. The early work histories of William, Janet and Margaret, three of five children raised by David and Jane

the family's eldest.

⁹³ See: "City of Saint John, Report of the Secretary and Superintendent of the City Schools for the Year 1886" [dated January 1887], Journals of the House of Assembly of the Province of New Brunswick (hereafter Journals), 1887, pp. 65-67; and "Report of the Board of School Trustees of St. John for the Year Ended 31st December 1888," Journals, 1889, pp. 92-98.

⁹⁴ Hurl, "Restricting Child Factory Labour," p. 91; Ian Davey, "The Rhythm of Work and the Rhythm of School," pp. 239-247.

Alexander, testify to this fact.⁹⁵ A member of Saint John's business community, David Alexander operated a grocery, feed and stable business at Haymarket Square. Prior to his father's death in 1877, 13-year-old William worked around the stable, feeding and caring for the animals and cleaning out the barn. He attended school sporadically. In 1879 the lad left home to live with his uncle, and he later worked about the county as a labourer. The year 1882 found him employed on the steamboat "Empress."

Janet's early work history was more colourful than her elder brother's. Like William, she attended school irregularly prior to entering the workforce. Janet also helped her father with his business by collecting accounts on Saturdays. In early 1880 she worked for about two weeks at Mitchell's bakery on Brussels Street, taking home a little more than 50 cents. Just prior to her thirteenth birthday in February of the same year, she found employment in the spinning room of the St. John Cotton Mill and initially earned 90 to 96 cents weekly. She worked there for two to three months and then took a summer break. In November she returned to the cotton mill and worked in the reeling room. Except for a three-month interlude in 1884 when the mill shut down and a five-week period when she was

⁹⁵ Saint John County Probate Records (David Alexander), 1888, RG7, RS71A, PANB. Testimony given before the Probate Court by the Alexander children provides the source for this account.

ill, Janet was on the Parks Company payroll until April 1885. When the mill was closed in 1884, she took a job at Vincent & McFate's boot and shoe factory where she earned \$2.50 per week. The move proved economically unfavourable. In the reeling room she had taken home on average \$3.50 weekly, and when the mill ran at night, her pay packet had been larger, between \$4.00 and \$5.00. Janet left the Parks mill in April 1885 to help care for her sister, Margaret, who was ill with consumption. Following Margaret's death in June 1885, Janet moved to Rothesay to work for a Mrs. Ward, probably as a domestic, at a wage of \$6.00 per month plus board.

When her father died in 1877, Margaret was 16-years-old. She had helped him run the grocery and feed store and had kept the books. She also tended the Victoria Street store that Jane Alexander opened and operated briefly after David's demise. In 1879 Margaret took up dressmaking, and later she helped Jane with her tailoring work. Margaret suffered from ill-health, and when her eyes became weak in 1881, she gave up much of her needle work. Until she took seriously ill in 1885, she had helped with household chores. Janet Alexander's youngest sister, Isabel and her step-sister, Ella Jane, had also worked at the Parks mill.

The Alexander children had laboured at variety of jobs during their teenage years. Family needs and employment opportunities guided their movements in and out of the

workforce. There is no reason to assume that the mobility and flexibility that characterized their early working lives differed greatly from the nature of their peers' work experiences.⁹⁶

Parents, brothers and sisters among other family members often helped solicit work for their kin. Employers reported that mothers brought young children to the factory door in hopes of getting them hired on.⁹⁷ Older employed relatives used their influence with managers and employers to secure work for younger family members. William Bramhall, a foreman at the cotton mill, probably requested that the company hire his 14-year-old son who worked as a brusher at the mill.⁹⁸ Moreover, tile and brick manufacturer James Lee and foundryman Walter Allan acknowledged that they sometimes hired on employees' children at the formers' request.⁹⁹ Siblings could also put in a good word for their younger brothers and sisters.

⁹⁶ Apparently, the grouping of siblings in the Parks mill was common. Judith Fingard noted that of the 115 female cotton workers employed by Parks in 1891, half had sisters working for the company. Moreover, approximately one-sixth of these 115 worked with their brothers. Judith Fingard, "Paradoxes of Progress," pp. 86-87. She also determined that most of the girls' fathers were unskilled workers.

⁹⁷ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 175.

⁹⁸ Census of Canada, (Manuscript), 1891, Saint John, Prince Ward, Division 2, p. 21.

⁹⁹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 57, 174.

Thirteen-year-old Carrie Hurder, employed as a candymaker in 1891, probably obtained her job on the recommendation of her 17-year-old sister who also worked at the confectionery factory.¹⁰⁰

Consequently, several members of one household could often be found working at the same occupation or in the same establishment. At Saint John, this was especially true of the lumber and textile industries.¹⁰¹ Widow Jane Hunter, a laundress, saw five of her six children, the youngest a boy of 14, off to work at the cotton mill each morning.¹⁰² Similarly, Irish-born John McGaghny and his five sons, ranging in age from 12 to 22, all worked as sawmill labourers.¹⁰³ However, economic reliance upon a single industry or operation could pose serious problems.¹⁰⁴ Seasonal lay-offs, production slow-downs and unexpected factory closures brought financial hardships.

Such was the case in 1901 when the Saint John and New

¹⁰⁰ Census of Canada, (Manuscript), 1891, Saint John, Dufferin Ward.

¹⁰¹ See: Census of Canada, (Manuscript), 1891, Saint John, Lancaster, South Lancaster and Prince Ward, Division 2.

¹⁰² Census of Canada (Manuscript), 1891, Saint John, Wellington Ward, p. 33.

¹⁰³ Census of Canada, (Manuscript), 1891, Saint John, Dufferin Ward, pp. 46-47.

¹⁰⁴ See: Tamara K. Hareven, "Family Time and Industrial Time: Family and Work in a Planned Corporation Town, 1900-1924," p. 201.

Brunswick Cotton Mills, together employing approximately 500 operatives, closed their doors in February not to reopen for almost a year.¹⁰⁵ The Parks' closure left some families in serious financial difficulty and others destitute, especially those households in which several members worked in these mills. The fact that fuel prices soared higher than usual and that winter port traffic was down in the early months of 1901, reducing opportunities for alternate employment, heightened the misery. As savings drained away and merchants withheld credit, families were forced to seek charitable assistance. Private charities and churches provided food and clothing to those in need, and the Glad Tidings Mission, operated by the Methodist Church, ran a dining room on Brussels Street and helped unemployed hands find work.¹⁰⁶ But since most operatives were trained to perform a single task, adjusting to another factory position, provided one could be found, would be difficult and probably would result in a reduction in earnings.¹⁰⁷ However, given the circumstances, many unemployed workers

¹⁰⁵ Star, "The Cotton Mills," 1 February 1901, p. 2; The Mill reopened as the Cornwall and York Cotton Mills Co. Ltd. under new ownership; Globe, "The Cotton Mills," 31 October, 1901, p. 8; Star, "The Cotton Mills,": 3 January 1902, p. 4 and "Now Employes 350 Operatives Today," 17 January 1902, p.4 and Telegraph, "Charitable Institutions Find Much to do this Winter in St. John," 2 February 1901, p. 5.

¹⁰⁶ Star, "Poverty Increasing," 7 February 1901, p. 3 and 8 February 1901, pp. 2, 4.

¹⁰⁷ Star, "The Cotton Mills," 1 February 1901, p. 2.

would welcome whatever type of employment was offered.

Upon entering the factory system, children soon discovered that the working environment they shared with adult co-workers could be unpleasant and dangerous. Both the physical structure and conditions of the workplace served to increase work-related stress and fatigue, endanger children's health and even threaten their lives. Workrooms were crowded with machinery, benches and bodies, which along with oppressive heat, dust and noise from whirring bobbins, clanging metals and buzzing saws made the working atmosphere tense and uninviting. Employees of bakeries, laundries and foundries and some cotton mill operatives worked in oppressive heat year round. In textile mills, spinning and weaving rooms used steam to keep threads moist and prevent breakage.¹⁰⁸ The carding and spinning processes filled workroom air with cotton dust. High humidity, dust, fumes and poor ventilation obviously increased health risks. Since most establishments were devoid of lunchrooms, child and adult workers usually ate their meals either in these unhealthy surroundings or out of doors, weather permitting.¹⁰⁹

Washroom facilities were often less than adequate for the number of employees. Low sanitation standards

¹⁰⁸ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 17, 190, 194.

¹⁰⁹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 257.

contributed to the spread of disease. In Bell's cigar factory 40 employees had access to a single washroom,¹¹⁰ and in the cotton mill, the facilities reportedly emitted "strong" odours,¹¹¹ adding to the other atmospheric problems of the workplace.

Working environments were not only unpleasant and unhealthy, but also dangerous. Crowded workrooms, long hours, unguarded machinery and youthful inexperience all contributed to work related accidents.¹¹² Long hair and loose clothing could easily become entangled in machinery, resulting in serious or fatal injuries to young workers. Hand injuries were common in factory work.¹¹³ A 13-year-old lad had his right hand crushed between two cog wheels while working at the Connor rope factory, necessitating the amputation of his thumb and two fingers.¹¹⁴ Sawmills, which employed approximately 145 boys under 16 years age in Saint John City and County in 1891,¹¹⁵ were especially fraught with danger. Boys lost fingers and limbs to circular saws,

¹¹⁰ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 11.

¹¹¹ "Factory Commission Evidence, 1905," p. 20.

¹¹² Tucker, Administering Danger in the Workplace, pp. 35-37.

¹¹³ See: Sun, 20 October 1898, p. 2 and 6 November 1905, p. 8; and Telegraph, 25 July 1872, p. 3.

¹¹⁴ Globe, "Accident," 23 November 1888, p. 2.

¹¹⁵ Census of Canada, 1891, Volume III, Table I, p. 291.

planes and other mechanical devices.¹¹⁶ Accidents frequently occurred when young mill hands were working around unguarded, moving machinery. Fourteen-year-old Robbie Wilson, a four-year veteran of the sawmills and an employee of Murray & Gregory's Mill, had three of his fingers amputated as a result of injuries he suffered when his right hand became caught in a circular saw. At the time of the accident, Robbie was oiling the stave jointer while the saw was running, a standard practice in the milling industry.¹¹⁷

Some millboys even lost their lives. Eleven-year-old Willie Coyle, the son of a poor widow and an employee of Barnhill's mill, died in November 1889 after becoming entangled in the mill shafting. The force of the machinery hurled the lad through the air, resulting in multiple and fatal injuries.¹¹⁸

In cotton mills small workers could move easily between, under and behind machinery, and therefore, they were called upon to clean machinery parts. Performing such

¹¹⁶ "Factory Commission Evidence, 1905," pp. 168-9, 426, 440-443.

¹¹⁷ "Factory Commission Evidence, 1905," p. 436; Sun, "Boy Badly Hurt," 18, August 1904, p. 8; Globe, "Minor Local Matters," 18 August 1904, p. 2.

¹¹⁸ Saint John Burial Permits (William Coyle), Saint John Board of Health Records, p. 8, RG15, RS315, PANB; Globe, "In a Precarious Condition," 15 November 1889, pp. 2-3; Telegraph, "Life is so Frail a Thing," 16 November 1889, p. 3.

tasks placed them at physical risk. A young employee of the Parks' mill had several of his ribs broken when an inattentive adult worker started up a mule while the boy was still amid the machinery wiping it down.¹¹⁹ Teenaged workers also lost their lives when emery wheels burst¹²⁰ and boilers exploded,¹²¹ or when they fell upon moving belts, leaned outside a moving elevator¹²² or fell down a shaft. Assigning children to dangerous tasks in general and to those requiring adult judgement, strength and experience in particular accounted for personal injuries.

Worker fatigue and structural hazards were also contributing factors. In the 1880s the Parks mill commenced its operations at 6:30 in the morning, which necessitated that employees leave home shortly after six o'clock in order to arrive on time for work. The factory bell sounded at 6:15 in the evening, announcing the end of the working day.¹²³ The standard nine or 11 hour working day would tire

¹¹⁹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 261.

¹²⁰ Sun, "Boy Killed in City Foundry," 23 October 1903. p. 2.

¹²¹ Sun, "Five Killed!" 26 November 1890, p. 3.

¹²² Inquests, Saint John City and County Records (1907), NBM. In 1907, a 15-year-old employee of White's Candy Factory "was killed by leaning over bar of elevator while elevator was in motion". Also see Sun, "Horrible Moncton Accident" 9 June 1893, p. 1.

¹²³ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 31.

even an experienced adult worker. Extending the daily hours of labour to 12 or 14 three days in a week for a 12-week period, a practice followed by the Connor rope factory,¹²⁴ placed both young machinery operators and adult workers at serious risk. Inadequate fire and safety features presented additional problems. An absence or insufficient number of fire escapes and extinguishers and workroom doors which opened inward, hampering quick exit in case of emergency, also endangered workers' lives, especially those of children labouring in multi-storey factories. The 19th century factory was neither a pleasant nor safe place in which to spend most of one's waking hours. Dangerous machinery, cramped quarters and low health and safety standards jeopardized children's physical well-being.

Strict regulations and workplace discipline combined to make factory life difficult. To maintain production levels and prevent tardiness and absenteeism, employers paid workers by the piece. Many Saint John establishments including Simms' brush and broom factory, Pender's nail works, Parks' mills and Bell's cigar factory placed all or some of their workers on piece work, paying them a specified amount for each unit produced. Employers argued operatives benefited more from a piece rate than a fixed rate system since experienced hands who presumably could produce more

¹²⁴ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 33.

units than inexperienced workers were monetarily rewarded for their efforts. However, factory owners controlled their workers' earnings since management established the piece rate, setting it relative to the output of the most productive workers. If the situation warranted, it could be adjusted downward to reduce costs or motivate operatives to increase their production rate. Situations beyond the workers' control, such as trade recessions, mechanical failures, an insufficient supply of materials and unexpected illnesses which resulted in lost time from work meant a corresponding drop in earnings. Such a system obviously increased worker stress and fatigue.¹²⁵

To maintain a disciplined workforce and high production levels management imposed fines or threatened workers with dismissal or other forms of punishment. When queried by government-appointed commissioners if he had ever been "compelled to punish any [of his] young people," a Saint John cigar manufacturer responded, "I have threatened at times to do so when they didn't do their task...when the work was not very hard I may have said to them, 'I will keep you in till you get your work done.'" ¹²⁶ Levy H. Young, a nut and bolt manufacturer, who hired boys as young as 14,

¹²⁵ For an informative discussion on the piece rate system see: David Montgomery, The Fall of the House of Labor, pp. 113, 148-154

¹²⁶ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 12.

advised that he "hardly ever" fined his young employees. However, Young went on to explain that "The boys sometimes throw bolts around at the men, and sometimes they are careless, and then we have to impose fines upon them; but," he insisted, "it is very rarely we do so."¹²⁷ Children lacked bargaining power in the workplace, not only because of their youth, but also by virtue of the fact that they were non-unionized, inexperienced and easily replaceable.¹²⁸

Management fined workers for tardiness and for failing to meet a set standard of workmanship. Of course, children, relative to adult employees, would be less likely to protest a reduction in wage for failing to live up to their factory foremen's expectations. P. L. Connor stated that he did not fine the boys and girls working in his rope factory "as a rule," but continued, "We usually caution them several times, and finally dismiss them if their work is not satisfactory."¹²⁹ In the cotton mills, company policy allowed for the fining of workers for "lateness and inferior work." As John Parks explained, "Where a large number of people are employed in a mill you must have strict

¹²⁷ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 281.

¹²⁸ Tucker, Administering Danger in the Workplace.

¹²⁹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 33.

discipline."¹³⁰ The superintendent of the New Brunswick Cotton Mill stated that he did not fine weavers for what management perceived to be sub-standard work. However, he conceded that employees' wages were docked if they arrived late for work.¹³¹ Generally, manufacturers, factory foremen and overseers were reluctant to acknowledge that they fined young employees, undoubtedly due to the fact that boys and girls received such low rates of pay in the first place.

Like their friends labouring in factories, boys and girls working in the non-industrial sector of the economy confronted problems in the workplace. The increase in the number of urban dwellers and growth of manufacturing industries stimulated growth in the retail and service trades. Stores, shops and other businesses opened to sell produce, manufactured items and a variety of services to a growing number of customers. Advertisements appeared in the local press for "smart boys" to stable horses, "good strong boys" to deliver parcels and do odd jobs around retail shops, and for "capable girls" to serve as house servants. As well, teenaged children worked as general labourers, barbers, butchers, retail and grocery clerks, messengers, bootblacks, plumbers, telegraph operators, railroad

¹³⁰ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 30.

¹³¹ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, pp. 254-255.

dispatchers, newsboys, market carrier boys and teamsters.¹³² The fact that a number of small boys earned their livelihood as teamsters came to the attention of civic officials in the early 1900s when citizens, concerned for the welfare of animals, complained the young lads drove recklessly through city streets, flogging their horses unmercifully.¹³³

Street trades kept a number of boys employed, most notably newsboys. In the 1890s, upwards of 150 "cryers" roamed the streets of Saint John on a business day, early in the morning and late in the evening, selling the daily news. Owing to the publication of morning and evening papers, young lads could find both full-time and part-time employment in the trade. Employers offered prizes, suits of clothes, watches, pairs of mittens and mufflers to boys disposing of large numbers of copies, thereby creating rivalries among their sellers. The boys' efforts received commendation at the newsboys' dinners, sponsored by publishing offices, women's groups or private individuals and held either at thanksgiving or during the Christmas season. At such gatherings newsboys and market carrier boys were treated to music, speeches, readings and phonograph recordings and great quantities of turkey, fruit and

¹³² Census of Canada (Manuscript), 1881 and 1891, Saint John, a survey of various wards.

¹³³ Star, "The S.P.C.A.," 19 February 1901, p. 2.

confectionery were consumed.¹³⁴

The life of a newsboy, however, was not always enjoyable, and it could even be dangerous. The press reported boys being struck and knocked down by horses and carriages and their papers sent flying "in different directions over the street."¹³⁵ Occupational hazards aside, standing for hours on the streets of Saint John in the fog, wind and rain hustling newspapers would give few pleasures and would, at best, offer boys a few coins for their efforts. For many boys, news-selling marked their initiation into the world of work and served as a form of "stop gap" employment until they joined their older friends and siblings in the factory workroom.

Working conditions could be difficult for the boys and girls employed in drug, clothing and grocery stores, book and butcher shops, and in other retail establishments. They lifted heavy boxes and barrels and waited on demanding customers under the critical eye of shop owners. Saint John's large retail stores required employees to be at work usually between 7:00 and 8:30 a.m., and they closed their

¹³⁴ The Daily Gleaner (Fredericton), "Newsboys Competition," 30 November 1902, p.8; Progress (St. John), "The Boys are Getting Rich," 19 May 1888, p. 1; Sun, "Record Newsboys' Treat," 2 January 1894, p. 5, "The Newsboys' Dinner," 3 January, 1882, p. 3, 4 January 1889, p.3 and 28 November 1898, p. 8; Telegraph, "Four Hundred Boys," 2 January, 1901, p. 2.

¹³⁵ Sun, 23 September 1903, p. 8 and Globe, 1 December 1888, p. 1.

doors at 6:00 p.m.,¹³⁶ rush periods excepted. Such long hours made for a tiring day. At Manchester, Robertson and Allison a fine was imposed for workers' inattentiveness to duty.¹³⁷ Children whose parents operated retail businesses would most likely be expected to lend a hand. In such cases, it was the children's labour, not their wages, which were important to the family economy.¹³⁸ Both William and Margaret Alexander helped their father with his grocery, feed and stable business located at Haymarket Square. At age 16 Margaret tended the store and kept the books. Thirteen-year old William cared for the horses, cleaned out the barn and fed his father's cows. Neither of the children received wages.¹³⁹

Delivery and errand boys, like retail clerks, worked long hours, but had greater freedom from employer supervision than their friends working on the premises.¹⁴⁰ Errand boys and express drivers faced street dangers as they carried out their duties. Horse and wagon collisions, not an uncommon occurrence, resulted in the death or serious

¹³⁶ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 160.

¹³⁷ Royal Commission on Capital and Labor, New Brunswick Evidence, 1888, p. 160.

¹³⁸ Bradbury, "Gender at Work at Home," p. 180.

¹³⁹ Saint John County Probate Records (David Alexander), 1888, PANB.

¹⁴⁰ Bullen, "Children of the Industrial Age," p. 109.

injury of young teamsters.¹⁴¹ Fifteen-year-old Myers Josselyn, employed as a delivery boy for a city butcher, was fatally injured when the express wagon he was driving collided with another team.¹⁴² On another occasion, a young hotel porter was thrown from a carriage when the team he was driving to the stable bolted.¹⁴³ Boys and girls working in shops, street trades and factories confronted similar but also different occupational problems depending upon their assigned tasks, but with one notable exception -- the small pay they received for their labours.

By the turn of the 20th century, child labour was in decline in Saint John.¹⁴⁴ Technological advances in

¹⁴¹ Sun, "Fatal Accident," 21 September 1903, p. 8.

¹⁴² Sun, "Fatal Accident," 21 September 1903, p. 8.

¹⁴³ Sun, 6 July 1885, p. 2.

¹⁴⁴ In 1901, census-takers noted only 901 boys and girls under 16 years of age employed in the province's industrial establishments. Since the child labour figures for Saint John were not given separately, it is impossible to estimate accurately how many of the city's youths worked in manufacturing at the turn of the century. However, given that 745 and 601 children laboured in Saint John's industrial workforce in 1881 and 1891 respectively, the provincial figure of 901 for 1901 suggests a downward trend in the hiring of children under 16. It should be noted that the method of tabulating industrial employee figures for 1901 differed from that used in the two previous censuses. Whereas industrial workers employed in all manufacturing establishments in the province were purportedly included in the 1881 and 1891 census count, only employees working in establishments with five or more hands were tabulated in 1901. Consequently, it is impossible to estimate accurately the percentage of the drop in the hiring of children over the last decade of the 19th century. Census of Canada, 1891, Volume III, Table II, p. 382.

the workplace rendered the hiring of young workers obsolete. Employers maintained that they had no use for "small help" since young children did not have the skill or physical strength to perform assigned tasks. In addition, in the early decades of the 20th century the federal government poured money into railway construction and harbour front development¹⁴⁵ -- work which demanded muscle power and therefore was unsuitable for small hands. Furthermore, as business leaders recognized the necessity of a highly trained workforce, they began to call for the introduction of manual training in public schools and for the establishment of technical training institutions for youths.

The rise of unionism in the early years of the century also discouraged the employment of children. Saint John's labour leaders called for employers to pay a "living wage," and they exerted pressure to keep non-unionized workers out of the workplace. Moreover, census statistics suggest that industrial wages in Saint John rose between 1881 and 1901 and that family size declined during the same period.¹⁴⁶ Consequently, by 1901 perhaps fewer families needed to send

¹⁴⁵ Babcock, "Capitalist Development," p. 30.

¹⁴⁶ Census of Canada, 1901, Vol. III, Table XX, p. 326. According to the statistics the average yearly salary of industrial workers stood at \$278.57 in 1881, \$316.81 in 1891 and \$348.56 in 1901. During the same period the average size of Saint John families decreased from 5.02 persons in 1881, 4.90 persons in 1891 to 4.88 in 1901. Babcock, "Economic Development," p. 26. This fact may be partly explained by the tendency of young people to postpone marriage in the late 19th century.

their youngest children out to work. Finally, the early years of the 20th century witnessed the rise of public concern over the employment of children, their conditions of labour and the need for compulsory education. The first decade of the new century, therefore, was an opportune time to commence a reform campaign for factory and child labour laws.

In sum, by virtue of their numbers and their labours, child workers became a recognizable and important feature of Saint John's industrial life during the late 19th century. Although some boys and girls chose to spend their days in the factories, mills and shops rather than in the classroom, many had the matter decided for them. Manufacturers and shop owners in competition with local and Central Canadian business interests required cheap labour. Since children were available and willing to work long hours for low wages, employers found them attractive. But in the main, working class poverty placed teenaged children in Saint John's industrial and non-industrial labour force. Unable to maintain a household on a single worker's wage, parents sent their children out to work. In some instances, a child's meagre earnings meant the difference between subsistence and abject poverty. Child workers confronted numerous hardships in the workplace. Long hours, demanding employers, crowded workrooms and work discipline combined to make the working day stressful and physically tiring. Unguarded machinery,

low sanitation standards and a lack or absence of fire and safety features placed child factory workers' physical well-being in jeopardy. At the turn of the century, the practice of child labour began to decline. It was at this time that Saint John's reform-minded citizens began to press for the enactment of child labour laws which would remove the city's youngest workers from the industrial workforce.

Chapter Two
The Saint John Reformers and the Origins of the
the Campaign for Child Factory Legislation,
1890-1904

On 12 February 1904 a delegation comprised of representatives of the Saint John Trades and Labour Council, the Fabian League and the Saint John Local Council of Women appeared before members of Lemuel J. Tweedie's government at Saint John. On their behalf the Fabian and labour organizer Peter C. Sharkey presented the joint committee's investigative report. He urged Premier Tweedie to enact a factory law similar to Ontario and New Zealand statutes. It was the reformers' expressed desire that the proposed legislation restrict child labour.¹ For the Saint John progressives, this meeting represented the culmination of a long campaign. Convinced of the need for factory legislation and child labour laws, reformers had gathered information respecting industrial conditions. They also had held public meetings and campaigned in the press to raise public awareness. With substantial public backing, the Saint John progressives now stood before the provincial government requesting the enactment of a factory law.

¹ Peter C. Sharkey to Hon. L. J. Tweedie, 5 February 1904 and Provincial Secretary to Peter Sharkey, 8 February 1904, Executive Council: Cabinet Meeting Records (hereafter Cabinet Meeting Records), 2 March 1904, RG2, RS9 Provincial Archives of New Brunswick [PANB] (Fredericton); Saint John Globe (hereafter Globe), "The Provincial Government," 13 February 1904, p. 22 and The St. John Daily Sun (hereafter Sun), "Provincial Government," 13 February 1904, p. 1.

For the Saint John reformers, factory legislation was one of a number of reforms deemed essential to combat evils arising from late 19th century urbanization and industrialization. These men and women held memberships in a variety of organizations dedicated to social betterment. In their view, urban problems of crime, poverty, disease, overcrowding, juvenile delinquency, prostitution and intemperance were the unwelcome by-products of industrial progress. Yet they maintained optimistically that these social ills could be eradicated and that government legislation was the most effective means by which this goal might be achieved. Consequently, progressive-minded men and women joined reform societies and mounted campaigns which had as their ultimate goal the creation of a stable and peaceable society. In this they belonged to a broader national, even international, movement for social reform which was gaining momentum at the turn of the 20th century.²

² For a discussion of activities undertaken by progressives in other parts of Canada see: Richard Allen, The Social Passion: Religion and Social Reform in Canada 1914-1928 (1971; Toronto: University of Toronto Press, 1990); Mariana Valverde, The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925 (Toronto: McClelland & Stewart, 1991); Paul Rutherford, "Tomorrow's Metropolis: The Urban Reform Movement in Canada, 1880-1920," The Canadian City: Essays in Urban and Social History, eds. Gilbert A. Stelter and Alan F. J. Artibise (Ottawa: Carleton University Press, 1984), pp. 435-455 and Veronica Strong-Boag, The Parliament of Women: The National Council of Women of Canada 1893-1929 (Ottawa: National Museums of Canada, 1976). The movement in the United States has been discussed in: Harold Underwood Faulkner, The Quest for Social Justice 1898-1914 (1931; New York: MacMillan, 1939); Robert H. Wiebe, The Search for Order 1877-1920

Social problems could be easily identified; however, the root cause of human misery was more difficult to explain. A variety of responses to this question resulted in a proliferation of reform organizations³ and activities at Saint John as elsewhere. Temperance supporters, convinced that alcohol caused poverty, crime, disease and a host of other social vices, petitioned government for prohibitory legislation. Members of the Women's Christian Temperance Union, King's Daughters and other women's societies claimed that child-centred reforms aimed at improving the social environment held the key to societal betterment. Labouring men pointed to capitalist greed as the underlying cause of social problems. To improve their condition, Saint John workers formed unions and struck for higher wages. They also joined socialistic organizations such as the Fabian League to press government for labour reforms. Emma S. Fiske, among other members of the local Women's Enfranchisement Association, concluded that a lack of political power was the source of social inequality and social injustice. Suffragists pressured legislators to grant women the vote.

(1967; New York: Hill and Wang, 1968); Richard Hofstadter, The Age of Reform: From Bryan to F.D.R. (1955; New York: Alfred A. Knopf, 1969); and Ken Fones-Wolf, Trade Union Gospel: Christianity and Labor in Industrial Philadelphia, 1865-1915 (Philadelphia: Temple University Press, 1989).

³ Wendy Mitchinson discusses this point in "Aspects of Reform: Four Women's Organizations in Nineteenth Century Canada," Ph.D. thesis, York University, 1977.

By 1904 Saint John progressives with wide-ranging reform interests agreed that regulatory factory legislation and restrictive child labour laws were needed. The task of rallying progressive forces to the common cause of factory reform fell to W. Franklin Hatheway, a well-known local businessman, supporter of labour and social reformer. As might be expected, the degree of commitment to the campaign varied among its participants. Those individuals who spearheaded the reform movement, notably Hatheway and Sharkey, and to a lesser extent Fiske, had been steeped in socialist ideas. It was largely due to the efforts of these individuals and their closest supporters that a consensus emerged among the reformers around the issue of child labour.

The formal campaign for child factory legislation began in the fall of 1903, but the roots of the movement date back to at least the mid-1890s. The first Saint John organization to concern itself with the issue of child factory labour was the Saint John Trades and Labour Council. Organized in May 1890 during labour's push for the nine hour day and dominated by the building and waterfront trades, the labour council served as a forum where representatives from affiliate locals could meet, air grievances and devise strategies to improve their wages and working conditions.⁴

⁴ James Richard Rice, "A History of Organized Labour in Saint John, New Brunswick, 1813-1890," MA thesis, University of New Brunswick, 1968, pp. 115-118.

At their 3 January 1894 meeting the issue of child factory labour came under discussion. A three-member committee was appointed to visit local industrial establishments for the purpose of determining "how many, if any, children" were "at work under fifteen years of age."⁵

No investigative committee report subsequently appeared in the minutes; however, the fact that the issue resurfaced at a labour meeting held a year and a half later suggests that labour council members continued to have concerns over the number of boys and girls employed in the industrial workforce. In fact, by July 1895 labour leaders seemed convinced that child labour legislation would be the most effective means of dealing with the problem. A second committee was nominated to ascertain if there were any laws in force "prohibiting employers hiring children under any certain age." Committee members directed their inquiry to J. D. Hazen, Member of Parliament for Saint John, who informed them that the Ontario legislature had passed a law "prohibiting child labor," but that no such law had been enacted by the Dominion government.⁶ Consequently, New Brunswick manufacturers were at liberty to hire whomever they chose, including children.

⁵ Minutes of meeting held 3 January 1894, Saint John Trades and Labour Council Minute Book (hereafter Labour Council Minute Book), 1893-1898, New Brunswick Museum [NBM] (Saint John).

⁶ Minutes of meetings held 3 July 1895 and 17 July 1895, Labour Council Minute Book, NBM.

In several respects the 1884 Ontario statute represented a landmark in Canadian labour legislation. Enacted by Oliver Mowat's Liberal administration following a series of unsuccessful parliamentary battles over the passage of a Dominion factory law,⁷ the Ontario Factories' Act of 1884 contained a number of provisions relating to child workers. Section 6(1) limited the age at which boys and girls could enter the industrial workforce to 12 and 14 years respectively. Furthermore, the act set ten hours a day and 60 hours a week as the maximum hours of labour "for a child, young girl or woman" and placed restrictions on the cleaning of machinery by children and female workers. General provisions relating to "ventilation, sanitation and safety" were also included. To oversee the workings of the legislation, factory inspectors were to be appointed.⁸ Although the 1884 Act ostensibly recognized that Ontario factory hands had a right to a safe and healthy working environment and established guidelines respecting child factory employment, it fell short of labour's expectations.

⁷ For a discussion of the parliamentary battle over factory legislation see: Eugene Forsey, "A Note on the Dominion Factory Bills of the Eighteen-Eighties," The Canadian Journal of Economics and Political Science, XIII (1947): pp. 580-583 and Eric Tucker, Administering Danger in the Workplace: The Law and Politics of Occupational Health and Safety Regulation in Ontario, 1850-1914 (Toronto: University of Toronto Press, 1990), Chapter 4.

⁸ Lorna Hurl, "Restricting Child Factory Labour in Late Nineteenth Century Ontario," Labour/Le Travail 21 (Spring 1988): pp. 95-96; Statutes of Ontario, 1884, c. 39, pp. 146-161.

The lieutenant-governor's signature was barely dry before an amendment was passed permitting fruit and vegetable processing establishments which relied heavily upon child labour to hire underaged boys and girls during the peak summer season.⁹ Moreover, the original statute provided that the maximum hours of work for children and women could be lengthened owing to "breakdowns" and "exigencies of the trade." Most importantly, the legislation applied only to operations employing 20 or more hands which used "steam, water or other mechanical power...to move or work" machinery, a condition that left many children without protection.¹⁰ Although exemptions, qualifying clauses, vagueness in statutory drafting and the hesitancy of inspectors to enforce regulatory provisions limited its effectiveness, the Ontario Factories' Act established a legislative precedent and worked toward improving working conditions for Ontario factory hands.¹¹

Cognizant of both local labour conditions and the Ontario precedent, during the early 1890s Saint John union

⁹ Hurl, "Restricting Child Factory Labour, p. 97.

¹⁰ Hurl, "Restricting Child Factory Labour," pp. 95-96; Statutes of Ontario, 1884, c. 39.

¹¹ For a discussion on the workings of the Ontario Workmen's Compensation legislation see: Michael J. Piva, "The Workmen's Compensation Movement in Ontario, Ontario History LXVII (1975): pp. 39-56 and Eric Tucker, "Making the Workplace 'Safe' In Capitalism: The Enforcement of Factory Legislation in Nineteenth-Century Ontario," Labour/Le Travail 21 (Spring 1988): pp. 45-85 and his book, Administering Danger in the Workplace.

men contemplated pressing New Brunswick politicians to pass child factory legislation. While the evidence is sketchy, they apparently took no firm action on the matter in 1895. But in February 1899 the labour council considered the "advisability of having a bill prepared to present to the local legislature," modelled upon the Ontario law, "asking that a factory inspector be appointed" to oversee all the province's manufacturing establishments and "prevent the employment of children."¹²

From the outset labour leaders at Saint John focused their attention in the area of factory reform upon reducing the number of young children employed in industrial establishments. In adopting this strategy, they followed the example set by organized labour in Ontario and elsewhere. During the 1870s and 1880s, the Canadian Labour Union, the Knights of Labor and the Trades and Labor Congress of Canada had all called for restrictions on child factory labour as a means of reducing employment competition between adults and children. In 1898 the labour congress became more forceful in its demands, insisting upon the "abolition of all child labour by children under 14 years of age." Confusion as to whether provincial or federal politicians had the authority to regulate the workplace kept labour busy lobbying both levels of government during this

¹² Sun, 9 February 1899, p. 8.

period.¹³

The condition of the Maritime economy may partially account for Saint John labour's expressed interest in child factory legislation during the late 19th century. After 1879, the manufacturing sector of the Maritime economy had rapidly expanded under the aegis of John A. Macdonald's National Policy.¹⁴ In the mid-1890s, however, Saint John's business community underwent a difficult period of readjustment, a consequence of a regional economic recession and a world-wide trade depression. The shipbuilding industry, once one of the mainstays of the local economy, was in decline following the advent of the iron-bottomed steamship. Moreover, the loss of British markets in lumber and ships, a reduction in shipping business and the onset of "de-industrialization" all contributed to the economic malaise.¹⁵ Since boys and girls worked cheaply, earning

¹³ Hurl, "Restricting Child Factory Labour," pp. 92-93; Tucker, Administering Danger in the Workplace, Chapter 4. At the turn of the 20th century the labour congress included in its "Platform of Principles": No. 11. "Abolition of child labor by children under fourteen years of age: and of female labor in all branches of industrial life such as mines, workshops, factories, etc. "Report of the Proceedings of the 17th Annual Convention of the Trades and Labor Congress of Canada (September 1901), (Toronto: Trades and Labor Congress of Canada. [hereafter "TLC Proceedings"].

¹⁴ T. W. Acheson, "The National Policy and the Industrialization of the Maritimes, 1880-1910," Acadiensis 1, 2 (Spring 1972): pp. 3-28.

¹⁵ Gerald Henry Allaby, "New Brunswick Prophets of Radicalism: 1890-1914," MA thesis, University of New Brunswick, 1972, p. 6; Rice, "Organized Labour in Saint John," p. 103.

approximately one-half to one-third of an adult worker's wage, they competed with adults for employment. Thus, child labour presented organized labour with a paradox. While economic hardships often forced children to seek paid employment in support of the family income, their presence in the workplace kept adult workers unemployed and helped reduce wage rates for all workers. Given that in 1891 no fewer than 600 children under age 16 worked in manufacturing establishments in the city and county of Saint John,¹⁶ the instability of the economy and local union activity, not surprisingly Saint John labour raised the issue of child factory employment during the closing years of the 19th century.

Labour leaders also had knowledge of the difficult conditions under which factory children worked. To some extent the Royal Commission on the Relations of Capital and Labor probably helped draw New Brunswick workers' attention to the question of child labour.¹⁷ Appointed in 1886 by John A. Macdonald's government, the 15-member commission was

¹⁶ Census of Canada, 1891, Vol. III, Table II, pp. 382-383.

¹⁷ Sun, "The Labor Commission in St. John," 13 March, 1888, p. 2. This article suggested that the commission evidence was prominent in the minds of Saint John residents in early 1888: "Readers of The Sun have not forgotten the statement of the operatives in the cigar works and cotton factories. So strong a feeling was aroused by the Montreal investigation that the chairman of the commission, Judge Armstrong, has been sued for libel by some of the parties who deemed themselves injured by the reflections made on their treatment of employes."

empowered to investigate all aspects of the relationship between capital and labour. Between November 1887 and May 1888 commission members visited a number of industrial communities in Ontario, Quebec, New Brunswick and Nova Scotia, hearing testimony from approximately 1,800 witnesses, including workers, manufacturers, educators, clergymen, bankers and government officials on such subjects as wages, hours of labour, factory conditions, apprenticeships, strikes, housing and immigration.

The issue of child labour, however, aroused the most concern.¹⁸ Evidence taken from a number of cigarmakers employed at the Fortier factory in Montreal revealed the inhumane treatment of young workers and apprentices. Factory hands informed the commissioners that children were brutally beaten and kicked by foremen and that sometimes youths were imprisoned in a "blackhole" located in the factory basement. These reports of "gross immorality" raised an uproar in the press. The St. John Daily Sun printed the witnesses' testimony, detailing the "shocking

¹⁸ Gregory S. Kealey, "Introduction," Canada Investigates Industrialism: The Royal Commission on the Relations of Labor and Capital, 1889, ed. Gregory S. Kealey (Toronto: University of Toronto Press, 1973), pp. ix-xi; Susan Mann Trofimenkoff, "One Hundred and Two Muffled Voices: Canada's Industrial Women in the 1880s," Rethinking Canada: The Promise of Women's History, eds. Veronica Strong-Boag and Anita Clair Fellman (Toronto: Copp Clark Pitman, 1986), pp. 82-84.

treatment" of children and apprentices in Montreal.¹⁹

Testimony taken at Saint John in March 1888 allayed any fears that local manufacturers used such brutal methods to ensure a disciplined workforce.²⁰ The commission evidence revealed, however, that local establishments employed a number of children under 16 years of age and that their working conditions were at times unpleasant, unhealthy and dangerous. Generally, children along with their adult co-workers laboured between nine and 11 hours per day. During rush periods, working hours could be extended to 14 per day, with such arrangements continuing for several weeks. Moreover, fines were occasionally imposed for tardiness, mischievous behaviour and for what overseers described as imperfect work. In some establishments, boys and girls were exposed to dust, fumes and dangerous machinery which jeopardized their physical well-being. Accounts of workplace accidents involving children were reported routinely in Saint John newspapers. Teenaged boys and girls at Saint John and elsewhere suffered serious and sometimes fatal injuries when boilers exploded, when they became caught by or between operating machinery and from being exposed to

¹⁹ Sun, "White Slavery in Montreal," 11 February 1888, p. 1; Sun, "Gross Immorality," 7 February 1888, p. 3.

²⁰ In New Brunswick the commissioners visited several industrial centres besides Saint John: Moncton, Chatham, Newcastle, Fredericton, Marysville, St. Stephen, and St. George.

other workplace hazards.²¹ From direct observation, press reports and commission evidence, Saint John workers knew the problems and dangers encountered by child factory workers. Understandably, union men would object to children, possibly their own or those of neighbours or kin, working in unpleasant and dangerous conditions.

The Royal Commission submitted two final reports in 1889, both of which condemned the practice of employing children under 14 years of age.²² In addition, it recommended that children should receive some formal schooling and that legislative restrictions should be imposed upon the hiring of boys and girls in mills, factories and shops.²³ The Dominion government failed to act on the committee's recommendations,²⁴ leaving labour bodies to lobby provincial governments for desired factory reforms.

In the 1890s labour leaders at Saint John were in no position to launch a major provincial campaign to restrict

²¹ Sun, "Five Killed!," 26 November 1890, p. 3; "Fatal Accident," 16 November 1889, p. 5; "Horrible Moncton Accident," 9 June 1893, p. 1 and 20 October 1898, p. 2.

²² See Kealey, Canada Investigates Industrialism, "Freed Report", p. 13, Appendix E, pp. 22-23 and "Armstrong Report," pp. 30-31, 57.

²³ Hurl, "Restricting Child Factory Labour," pp. 96-97; Kealey, Canada Investigates Industrialism, pp. xvix.

²⁴ The only recommendation implemented by the Dominion government was the creation of Labour Day in 1894: Kealey, "Introduction," Canada Investigates Industrialism, pp. xix-xx.

child factory labour. Organizational problems along with various labour issues kept council members preoccupied. A serious internal dispute between longshoremen over hiring practices split the trades council's largest affiliate local into two separate factions,²⁵ weakening the association and forcing the child labour issue into the background. Pressures from within contributed to the labour council's eventual collapse.

The early years of the 20th century were marked by a revitalization of the local economy which helped renew interest in unionism. Building construction, the opening of several factories and railway and waterfront expansion and improvements kept hundreds of tradesmen, labourers and factory hands employed. In 1902, Saint John labour leader, William H. Coates could report to the Dominion Trades and Labor Congress delegates that in his community labour had recently "made rapid strides."²⁶

The efforts of both local and visiting union organizers had resulted in a wave of union activity in Saint John. In the fall of 1901, J. A. Flett of Hamilton, Ontario, Canadian organizer of the American Federation of Labor (AFL), visited

²⁵ Elizabeth W. McGahan, The Port of Saint John Volume 1: From Confederation to Nationalization 1867-1927 (Saint John: National Harbours Board, 1982), p. 181.

²⁶ Report of the Executive Committee, Province of New Brunswick (1901), TLC Proceedings (1901), p. 40 and Report of the Executive Committee, Province of New Brunswick (1902), TLC Proceedings (1902), p. 43.

Saint John along with other Maritime centres as part of the AFL's northern expansionist drive.²⁷ Between September 1901 and December 1901 longshoremen, cigarmakers, freight handlers, scowmen, machinists, painters and decorators, carpenters, bartenders and journeymen tailors organized.²⁸ By 1904 workers could count 33 locals at the Port City, an increase of 14 from the 1902 total.²⁹ In addition, the local trades and labour council reorganized in December 1901. Twenty-seven delegates representing moulders, machinists, printers, cigarmakers, bartenders, freight handlers and building tradesmen claimed affiliation with that body. Two years later the council received its charter from the Trades and Labor Congress of Canada.³⁰

Saint John native Peter C. Sharkey, a labour congress delegate, actively promoted union organization in his home community. A Roman Catholic and son of a merchant tailor, Sharkey had worked at this trade prior to accepting a

²⁷ Robert H. Babcock, Gompers in Canada: A Study in American Continentalism Before the First World War (Toronto: University of Toronto Press, 1974), pp. 41 and 46.

²⁸ American Federationist, VIII (October 1901) p. 413; VIII (November 1901) p. 462; and VIII (December 1901) p. 552.

²⁹ Robert Babcock, "Labour and Industrial Capitalist Development in the North Atlantic Region, 1880-1920," Class Community and the Labour Movement: Wales and Canada, 1850-1930, eds. Deian R. Hopkins and Gregory S. Kealey (St. John's, 1989), p. 35 and Babcock, Gompers, p. 53.

³⁰ The Labour Gazette, January 1902, p. 382; Star, 25 January 1902, p. 2; McGahan, Port of Saint John, p. 181.

clerking position in the freight department of the Intercolonial Railway. An active member of both the local trades and labour council and the freight handlers' union, 44-year-old Sharkey was elected recording secretary of the latter body in 1903.³¹ In the same year he also became a local volunteer organizer for the AFL. Over the next 12 months he helped charter a dozen international local unions and two federal labour unions.³² Owing partially to the mediation efforts of Sharkey and other trades council members, the city's waterfront workers resolved their differences in May 1903, reuniting to form the Saint John local of the International Longshoremen's Association.³³

Sharkey claimed that, for the most part, government and business leaders ignored workers' interests. "All classes of citizens should be treated alike," he insisted.³⁴ His convictions led him to join the Saint John Fabian League, a socialistic organization with a mandate to improve working-class conditions. Moreover, he supported labour's bid to run candidates in municipal and provincial elections and worked to organize local labour groups. Through their

³¹ Sun, 16 November 1903, p. 8; Census of Canada (Manuscript), 1871, Saint John, Prince Ward, Division 2, p. 2 and 1881, Saint John, Prince Ward, Division 1, pp. 21, 33.

³² Report of the Executive Committee, Province of New Brunswick (1903), TLC Proceedings (1903), p. 22.

³³ McGahan, Port of Saint John, p. 181; Globe, 27 May 1903, p. 2

³⁴ Sun, "The Fabian League," 23 October 1903, p. 8.

affiliations with American and Canadian labour bodies, Saint John workers became better acquainted with the broad issue of labour reform, with labour struggles occurring elsewhere as well as with possible strategies by which their own reform goals might be accomplished.

Convinced of the power of collective action, Saint John workers endeavoured to improve their wages and working conditions. Between 1901 and 1903, some of the demands for higher wages made by millmen, labourers, hod carriers and mortarmen, haypressers, teamsters, dock workers and carpenters met with success.³⁵ However, in other instances, strikers not only failed to accomplish their goal but also found themselves out of work, their positions being filled by strikebreakers. In addition to wages, strikes were fought over such issues as union recognition and workplace control. At Saint John, the year 1905 was characterized by much labour unrest. Upwards of 18 strikes were fought during this 12-month period.³⁶

Labour's renewed strength manifested itself in other types of activity. In July 1901, Saint John grocery clerks launched the early closing movement. Their efforts were

³⁵ On several occasions such disputes involved dozens of workers. The 193 civic labourers and 54 street railway construction workers who, in July 1903, struck separately for higher wages partially realized their objections. See: The Labour Gazette, "New Brunswick Report," a survey of issues between January 1901 and December 1903.

³⁶ Ian McKay, "Strikes in the Maritimes, 1901-1914," Acadiensis XIII, 1 (Autumn 1983): pp. 17-19.

successful. Most of the city's grocery store owners agreed to close at 7:00 p.m., Saturdays excepted. Clothiers, tailors, butchers, drug store clerks and barbers also agitated for shorter hours.³⁷ The labour council, working in conjunction with the Fabian League, fought for and won the enactment of a provincial employers' liability act which conditionally offered financial compensation to specified New Brunswick workers in the event that they sustained serious and fatal injuries resulting from their employment.³⁸

Labour also made forays into municipal and provincial politics. In 1904 labouring men whose civic taxes were no more than two years in arrears won the right to vote in municipal elections.³⁹ In the same year, longshoreman William Daley received enough voters' support to enable him to sit on Common Council for a one year term.⁴⁰ Furthermore, Fabian Frank Hatheway and George V. McInerney, a lawyer and former Member of Parliament for Kent County, ran on a labour ticket in the 1903 provincial election with the

³⁷ Report of the Executive Committee, Province of New Brunswick, TLC Proceedings (1901), p. 40 and The Labour Gazette, August 1901, p. 71.

³⁸ Allaby, "Prophets of Radicalism," p. 109 and Statutes of New Brunswick, c. 11, pp. 35-45.

³⁹ Statutes of New Brunswick, 1904, c. 36, p. 132. Previously, individuals whose municipal taxes were in arrears were disenfranchised.

⁴⁰ McGahan, Port of Saint John, p. 182.

backing of the trades council.⁴¹ Although both candidates met defeat at the polls, their presence on the hustings indicated to politicians that government leaders would have to address labour's concerns if they hoped to win working-class support.

In the 1890s and early 1900s, Saint John labour was also gaining the support of some of Saint John's religious leaders. News reports kept readers informed of the growing tensions between capital and labour, both at home and in other parts of the globe. Several Saint John churchmen spoke publicly on this issue. Reverend G. M. Campbell of Centenary Methodist Church expressed concern that "at present" capital and labour seemed "to be arrayed against each other." Still, he insisted, "there is nothing to fear if the labor union and the capitalist are imbued with the spirit of Christ." Campbell, however, had several misgivings. "Great as commerce is," he told his congregation, "it regards man and his labor as mere commodities to be bought and sold. This will never bring about the brotherhood of man."⁴²

The Reverend George Bruce, pastor of St. David's Presbyterian Church, went even further. Ministers of the gospel sometimes fell into "a grave mistake," he told members of the local Evangelical Alliance, when they label

⁴¹ Allaby, "Prophets of Radicalism," p. 97.

⁴² Globe, "Centenary Church," 4 July 1904, p. 5.

"all those who claim they have grievances and agitate for their removal" an "anarchist or its equivalent." The consolidation of capital results in "less humanity," he went on. "The individual becomes part of a machine....The object of the machine is to make money." It is "in self-defence," Bruce insisted, that "labor has been forced to combine."⁴³ Rabbi Samuel Rabbinowitz addressed the latter issue more directly when he spoke before an April 1903 meeting of the Fabian League. "Labourers had several rights," he informed his audience -- "the right to combine, to limit the labor market, and to lay down their tools, but," he added, "they had not the right to resort to violence."⁴⁴ Saint John's religious leaders were thus inclined towards cooperative and non-violent solutions to labour problems. Several of them would support the cause of factory reform, thereby lending legitimacy to the campaign. Overall, the churchmen's public statements on labour issues testified to the growing strength of the Saint John labour movement.

The vitality of Saint John labour at the turn of the century was evidenced by the large 1902 Labour Day parade. Members of 14 unions marched under banners proclaiming, "No Tax on Small Incomes" and "We Want a Workmen's Compensation Act and a Factory law."⁴⁵ Thus by 1903 Saint John labour

⁴³ Sun, "Capital and Labor," 3 December 1889, p. 3.

⁴⁴ Sun, "The Rights of the Laborer," 1 May 1903, p. 8.

⁴⁵ Allaby, "Prophets of Radicalism," p. 97.

was in a much stronger position than it had been previously to take up the cause of factory reform. It would be individuals such as Hatheway and Sharkey, those committed to the cause of labour, who would initiate the factory act campaign.

In 1899, when the labour council considered pressing provincial legislators to enact a child factory law, they signified their intent to solicit support from the Saint John Local Council of Women.⁴⁶ Although the reform drive failed to materialize at that time, when it did commence later, in the fall of 1903, the Fabian League executive also called upon the women's council to aid their efforts.⁴⁷ Members of both groups were convinced that having the Local Council of Women endorse the campaign offered greater possibilities of its success. Given the women's interest in child welfare and their reform experience, this reasoning was well-founded.

Formed in 1894, the Saint John Local Council of Women, like its parent body The National Council of Women of Canada (NCW), was a federation of reform organizations. Delegates from associate societies met regularly to discuss common

⁴⁶ Sun, 9 February 1899, p. 8.

⁴⁷ Minutes of meeting, 13 November 1903, Woman's Christian Temperance Union Minutes, North End Branch, NBM.

problems, define goals and devise reform strategies.⁴⁸ The birth of the local women's council and its member associations can be linked to the women's club movement.⁴⁹ During the last quarter of the 19th century, the number of women's organizations mushroomed in Canada in response to the needs of industrial society. Middle class women contended that industrial progress had created an unhealthy urban environment which gave rise to social ills of intemperance, overcrowding, crime, disease, prostitution, wife abuse and child labour. Reformers argued that these problems threatened the welfare of the family, the very institution upon which society rested. However, they also insisted that through united social action such evils could be eliminated. Religion was also a powerful motivation for reform. Imbued with social gospel theology, many women believed it was their Christian responsibility to save society.⁵⁰ Maintaining that as Christians and guardians of the home they had a public role to play in societal redemption, women mobilized and pressed politicians to

⁴⁸ A brief, popular history of the Saint John Local Council of Women can be found in R. Philip Campbell's Challenging Years 1894-1979, 85 Years of the Council of Women in Saint John (Lingley Printing Company Limited, n.d.)

⁴⁹ For a discussion on the woman's club movement see Strong-Boag, The Parliament of Women, pp. 1-43.

⁵⁰ Wendy Mitchinson, "Early Women's Organizations and Social Reform: Prelude to the Welfare State," The 'Benevolent' State: The Growth of Welfare in Canada, eds. Allan Moscovitch and Jim Albert (Toronto: Garamond Press, 1987), pp. 78-82.

legislate reforms.

Dozens of Saint John women responded to the urban crisis by joining reform organizations. In the 1890s local residents could count no fewer than 14 associations in which women participated, an increase of 11 from the number reported in the mid-1880s.⁵¹ Many of these groups-- including the Women's Christian Temperance Union (WCTU), the Dominion Order of King's Daughters, the Girls' Friendly Society and the ladies' auxiliaries of both the Society for the Prevention of Cruelty to Animals (SPCA) and the Young Men's Christian Association (YMCA) affiliated with the Local Council of Women.⁵² In 1902 more than 20 societies sent

⁵¹ Mary Eileen Clarke, "The Saint John Women's Enfranchisement Association 1894-1919," MA thesis, University of New Brunswick, 1979, p. 31.

⁵² Groups holding membership in the Saint John Local Council of Women included: the Women's Christian Temperance Union, the Dominion Order of King's Daughters, Women's Enfranchisement Association, ladies' auxiliaries of the Young Men's Christian Association, Protestant Orphans Asylum, Natural History Society, Society for the Prevention of Cruelty to Animals, Home for Aged Females, Seamen's Mission and Little Girls Home; the Wednesday Evening Club (literary); Baptist Missionary Society along with other church societies. In 1870, Canada's first known Young Women's Christian Association was formed at Saint John. However, due to lack of leadership and financial difficulties, the association disbanded, not to re-organize until 1917. Wendy L. Mitchinson, "Aspects of Reform: Four Women's Organizations in Nineteenth Century Canada." Ph.D. thesis, York University, 1977, p. 109. Through their ladies' auxiliary, Saint John Women interested in the goals and objectives of the "Y" movement continued their efforts on behalf of the local YMCA. They were especially active in raising money.

representatives to council.⁵³

Technological and attitudinal changes facilitated women's increased participation in the public sphere. In the early part of the century, women had come together locally to participate in social, religious and charitable activities. Still, society designated the private or domestic sphere women's domain. With the advent of industrialization and the accompanying separation of work and home, women became increasingly isolated in the domestic sphere. Consequently, an idealized social concept of women's role as wife and mother emerged. Designated overseers of the home and caretakers of the future generation, women were entrusted with the responsibility of keeping the family together, protecting children from harm and of training them in the virtues of good citizenship.⁵⁴

The problems of industrial society, crime, disease and intemperance impinged on home life and the well-being of children. It was imperative, therefore, that women extend their influence in the public sphere. As Edith Archibald, President of the Maritime WCTU argued:

If we hear not this call to 'mother,'
not in our own homes, but in the social
and national life of our country, it may
be that it will be our own children who
will feel the results of our turning a

⁵³ Globe, "Council of Women," 30 January 1902, p. 5.

⁵⁴ Mitchinson, "Aspects of Reform," pp. 28-49

deaf ear to it.⁵⁵

Consequently, women mobilized for the sake of "God, Home and Native Land."

Improved transportation and communication links and advances in domestic technology, facilitated the formation of women's reform and social organizations both at the domestic and national levels. Women spent less time on domestic tasks and they could travel by rail to regional and national conferences. The fact that middle class women as a group were better educated in the 1890s owing to the removal of university entrance restrictions and that some women held professional and semi-professional positions in the community as teachers, doctors and businesswomen also heightened their awareness about the need for societal reforms.⁵⁶

At Saint John council members were drawn largely from the households of the city's social elite. Several of these women held memberships in two or more social reform organizations. The fact that council women were the wives, sisters and daughters of local businessmen, doctors,

⁵⁵ Edith Archibald's address delivered before the twelfth annual convention of the Maritime Woman's Christian Temperance Union, "Report of the Twelfth Annual Convention," *The Maritime Woman's Christian Temperance Union*, 20-25 October 1894, p. 58, MG 20, Vol. 357, No. 2, Public Archives of Nova Scotia [PANS] (Halifax).

⁵⁶ Mitchinson, "Aspects of Reform," pp. 1, 9, 28-54.

lawyers, judges, politicians and clergymen⁵⁷ may partially explain their cautious approach to reform.

During the first decade of its existence, the women's council successfully promoted a variety of moral and social reforms. The Saint John branch of the Victorian Order of Nurses was established in 1899. A municipal by-law that prohibited expectorating on city streets was also secured. In addition, council women pressed city fathers for a patrol wagon and supported the WCTU's bid for the appointment of a jail matron to oversee female prisoners.⁵⁸ They steered away from contentious issues, however, and refused to support woman's suffrage until 1910. In that year, following the lead of the NCW, they formally endorsed the measure.

The Local Council of Women supported a variety of reforms, but the organization focused its efforts upon women and children. In this regard much of its work, like that of the NCW's, was directed towards the working class. Yet many reform causes that Saint John women promoted, including temperance, social purity, physical fitness and public morality, presented middle class children with guidelines for behaviour. The reformers' focus on women and children

⁵⁷ See the reports of the Council's annual meetings published in the Globe.

⁵⁸ Globe, "Local Council of Women," 24 January 1899, p. 2 and "Council of Women," 30 January 1902, p. 5; Sun, "Women's Council," 27 January 1900, p. 6.

can be readily explained. As the overseers of the home and nurturers of the next generation, women's social condition demanded improvement. Since boys and girls grew up to become the nation's future citizens, it was essential that they be strong, and healthy and inculcated early with the values of good citizenship. "The battle of life begins...in the school, on the playground, and on the street," Miss Hanselacker informed her WCTU sisters at Saint John in 1904. "It is line upon line, precept upon precept, woven into the warp and woof of the little mind in its earlier years," she insisted, "that will lay the foundation firm and strong on which to build the character that will meet and resist temptation...."⁵⁹ Removing children from a corrupt environment and teaching them the virtues of sobriety, morality and industry were considered important steps on the road to social regeneration.

The widespread adoption of this philosophy resulted in a flurry of child-centred reform activity at Saint John as elsewhere. In particular, attention was directed at the problem of juvenile delinquency. Press accounts of teenage vagrancy, street gang activities and of boys and girls being charged with, and prosecuted for, crimes of theft, public mischief, assault and drunkenness raised public concerns.⁶⁰

⁵⁹ Sun, "W.C.T.U." 27 February 1904, p. 2.

⁶⁰ See: Sun, "Tanyard Gang Once More," 2 December, 1903, p. 8; Sun, "The Junior Tanyards," 12 December 1903, p.7; Sun, "Small Boys," 8 November 1893, p. 4; Sun, 12

Saint John women proposed that a curfew bell be instituted and campaigned for compulsory education, temperance laws and a municipal playground. All of these efforts were at least partly aimed at keeping boys and girls off city streets and out of crime -- the hallmark of a responsible citizen.

Women also intervened directly in the judicial system. In 1893, just prior to the local council's founding, a group of women headed by Lady Alice Tilley, the council's first president and wife of Lieutenant-Governor S. Leonard Tilley, successfully pressed the provincial government for establishment of a boys' reformatory at Saint John.⁶¹ Reformers argued that committing youths to remedial institutions specially created for their care facilitated their moral transformation.⁶² As Lady Tilley explained, the

November 1898, p. 2; Sun, "St. John Police," 17 March 1899, p. 8; Globe, "City Police Court," 20 April 1899, p. 3; Sun, "Four Little Boys," 28 July 1904, p. 2; Globe, "A Truant Boy and the Police," 6 June 1901, p. 8; Globe, "Police Court," 8 November 1904, p. 1; and St. John Star, "Letters from the People," 24 January 1902, p. 4.

⁶¹ Sun, "The Industrial Home," 3 July 1893, p. 7. Provincial legislators had been pressured on other occasions to establish a reformatory for juveniles. Both the Women's Christian Temperance Union of the Maritime Provinces and the Evangelical Alliance of Saint John had taken up this cause. See: Journals of the House of Assembly of the Province of New Brunswick (hereafter Journals), 1887, p. 66 and Sun, "The Reformatory Question," 21 December 1882, p. 2. A thank you is extended to D. G. Bell for sharing the latter reference.

⁶² A similar institution was opened for young Roman Catholic girls. The Good Shepherd Reformatory and Industrial Refuge, located in Saint John, was established by the Sisters of the Good Shepherd "for the purpose of reforming women and girls who have lapsed from virtue" or

aim of the newly-established Boys' Industrial Home was "to reclaim youthful offenders by giving them a comfortable happy home, under Christian influences." The boys would also be educated and taught a trade, and their new environment would be free of unsavoury influences from adult offenders. At the expiration of their terms, it was hoped, these children would become responsible citizens.⁶³

The concept of a boys' reformatory was based on the philosophy that the public had a responsibility to intervene in the private sphere if society's welfare were at stake. Lady Tilley emphasized this fact in her address given at the Home's opening: The lives of the boys committed to the home

have been like weeds, uncherished and uncared for. We know that nearly all the vagabondage in the world begins in neglected childhood, and what we are anxious now to do is to teach them what home life really is, and what their own defective homes have not taught them.⁶⁴

Tilley's statements reflect the fact that some Saint John reformers had accepted the new concept of childhood which Neil Sutherland contends was gaining popularity in English-Canada by the late 19th century. Previously children had been viewed as sinful beings who needed strict

had been found guilty of criminal offenses or were in danger of "falling into dissolute or vicious habits." The institution was in operation in the city in the 1890s. Statutes of New Brunswick, 1896, c. 83, p. 405.

⁶³ Sun, "The Industrial Home," 3 July 1893, p. 7.

⁶⁴ Sun, "The Industrial Home," 3 July 1893, p. 7.

discipline and hard work to become responsible adults. By the 1890s, children were increasingly viewed as innocent plants which required individual care, proper training and professional nurturing. It was deemed essential that the mental, moral and physical aspects of a child's nature be well and harmoniously developed.⁶⁵ These new ideas about children and childhood filtered through many of the child-centred reforms undertaken by late 19th century reformers.

The Local Council of Women adopted a number of children's causes, but much of this work was carried out by associate members. By the 1890s the WCTU, the King's Daughters, the Girls' Friendly Society, the YMCA and the SPCA, among other organizations, devoted considerable time to promoting child welfare.⁶⁶ Frequently, groups of women worked with men's organizations to improve boys' and girls' mental, moral, spiritual and physical well-being. Activities were often directed towards winning enactment of regulatory laws. Several of the reformers' early child protection campaigns met with success. Both the reform drives and their outcome helped generate increased public support for children's causes and impressed upon provincial legislators that the state was partly responsible for child

⁶⁵ Sutherland, Children in English-Canadian Society, pp. 4, 8 and Chapter 2.

⁶⁶ For a discussion of the background of these organizations in Canada see Strong-Boag, The Parliament of Women, pp. 60-71, 96-99.

welfare.

Although formed in 1881 for the purpose of preventing cruelty to "dumb animals,"⁶⁷ the New Brunswick SPCA, headquartered at Saint John, quickly became involved in investigating incidents of neglect and ill-treatment of women and children.⁶⁸ The number of reported cases appeared to be on the rise in the province during the last decade of the 19th century.⁶⁹ In the mid-1880s, the Ladies' Humane Educational Auxiliary was created to assist with this work and to educate boys and girls about humane treatment of animals.⁷⁰ Recognizing the seriousness of the problems of wife and child abuse, the SPCA executive repeatedly appealed to provincial politicians for a "more effective way of looking after children."⁷¹ In 1889 legislation was passed allowing for the removal of children under age 16 from the "care or custody" of a parent or guardian who had been

⁶⁷ Statutes of New Brunswick, 1881, c. 58.

⁶⁸ Sun, "S.P.C.A.," 21 February 1883, p. 4 and Sun, "S.P.C.A.," 17 February 1886, p. 1.

⁶⁹ Approximately 107 cases of wife and child abuse were reported to the New Brunswick SPCA in 1899 alone. Sun, "SPCA," 22 February 1899, p. 7. To chart the increased number of reported incidents of neglect and ill-treatment of women and children see the annual reports of the Society published in the Globe and Sun.

⁷⁰ Sun, "S.P.C.A.," 21 February 1883, p. 4 and 17 February 1886, p. 1.

⁷¹ Globe, "Doing Good Work," 21 February 1899, p. 1; Sun, "S.P.C.A.," 19 February 1890, p. 1; Sun, "S.P.C.A.," 22 February 1893, p. 2; Sun, "S.P.C.A.," 22 February 1899, p. 7; Sun, "The S.P.C.A.," 19 February 1896, p. 7.

convicted of ill-treating or neglecting that child.⁷² An SPCA investigation into the alleged ill-treatment of an orphan placed with a Musquash family resulted in the child's return to the Protestant Orphans' Home.⁷³ It was not until 1913, however, that a comprehensive child protection act was passed in the province.⁷⁴

The WCTU, YMCA, Girls' Friendly Society and King's Daughters adopted a moral and religious approach to reform. To protect newcomers to the city from street dangers, particularly prostitution, in 1899 the King's Daughters opened a boarding house on Chipman Hill for working women and girls.⁷⁵ The Daughters also established an employment office to assist women and girls in finding domestic work, and they conducted night classes in English, reading and writing for female wage earners. They justified offering the latter service on the ground that education was the "first step" towards material betterment.⁷⁶

Organized by the Church of England, the Girls' Friendly Society, a national organization with international

⁷² Statutes of New Brunswick, 1889, c. 24, s. 10, pp. 129-130.

⁷³ Sun, "The S.P.C.A.," 16 February 1898, p. 2.

⁷⁴ Statutes of New Brunswick, 1913, c. 27, pp. 237-255.

⁷⁵ Sun, "House for Working Women," 7 February 1899, p. 8.

⁷⁶ Sun, "The King's Daughters," 13 November 1893, p. 5; Globe, "The King's Daughters," 15 March 1902, p. 2; and Star, "King's Daughters," 8 January 1902, p. 4.

connections, was open to "all girls of good character." In Saint John the organization offered Bible classes and courses in dressmaking, sewing, knitting and embroidery.⁷⁷ Such activities reflected the values of society organizers, who deemed religious commitment and domestic proficiency essential qualities of domestic servants and of good wives and mothers.

Many of the services offered by these organizations were duplicated for boys by the YMCA.⁷⁸ Dedicated to elevating "the physical, mental, moral and spiritual condition of young men,"⁷⁹ the YMCA combined religious training with secular education and physical activity. In 1867 a branch of the YMCA opened at Saint John, and in 1890 the Ladies' Auxiliary was formed to assist male directors with fund-raising and day-to-day activities.⁸⁰ Lectures delivered before "Y" gatherings counselled young men about ever-present social dangers. Every year "tons" of obscene literature "are issued from the press," the Reverend George Bruce informed his young listeners in 1893. These pages are calculated "to kindle the impure passions of the human heart." Such "mental and moral poison" should be avoided at

⁷⁷ Sun, "Annual Meeting," 27 November 1889, p. 3.

⁷⁸ For a detailed discussion on the activities of the YMCA in Canada see: Murray G. Ross, The Y.M.C.A. In Canada: The Chronicle of a Century (Toronto: Ryerson Press, 1951).

⁷⁹ Sun, "Y.M.C.A.", 15 February 1888, p. 3

⁸⁰ Sun, "Y.M.C.A." 29 November 1890, p. 5.

all cost, he warned.⁸¹ In addition to morality and religious training, the YMCA offered a variety of services: a reading room, sleeping accommodations, gymnasium facilities and night classes in bookkeeping, shorthand and other subjects. In sum, the YMCA aimed to "win young men for Christ"⁸² who, in turn, would become responsible, God-fearing citizens.

One of the city's largest and most active women's organizations, the WCTU took a keen interest in child welfare. In 1893 temperance women opened a Little Girls' Home in Saint John "to save girls before they fall and to receive such as are not eligible to the Orphan Asylums because of their shadowed birth." The young residents were taught basic domestic skills which would enable them to "earn an honest livelihood."⁸³ Furthermore, temperance women stressed the need for compulsory education, children's access to pure reading material and for a curfew bell to keep youths off city streets after dark. Alternating responsibility with other women's clubs, the WCTU helped organize the annual newsboys' dinner, taking advantage of such an occasion to ensure that the virtues of good

⁸¹ "An Address to Young Men, delivered in the Young Men's Christian Association, St. John, N. B., Sunday Afternoon, Nov. 5, 1893 by Rev. G. Bruce, B.A.," CIHM.

⁸² Sun, "Y.M.C.A.," 15 February 1888, p. 3.

⁸³ "Report of the Twelfth Annual Convention," The Maritime Woman's Christian Temperance Union, 20-25 October 1894, p. 84-85, PANS.

citizenship and the evils of drink were impressed upon youthful minds.⁸⁴

Temperance women upheld a variety of reform aims, but their ultimate goal and that of the Sons of Temperance, was the "eradication of alcohol from the land." In the 1890s temperance supporters singled out children for special attention when campaigning against the "deadly poison," alcohol, and its "twin sister," tobacco. They were convinced that only by educating youths about the dangers of drink and nicotine to their mental, moral and physical well-being would their use be eliminated. Consequently, the sons and daughters of temperance urged legislators, teachers and clergymen to instruct children in these matters.⁸⁵ Many of the city's Protestant Sunday Schools complied with their requests. Under pressure from the Sons and several church bodies, in 1888 the New Brunswick Board of Education approved Dr. A. B. Palmer's The Temperance Teachings of Science for use in public schools.⁸⁶ In addition leaflets

⁸⁴ See Sun, "The Newsboys' Dinner," 3 January 1882, p. 3.

⁸⁵ Minutes of meetings held 2 December 1887 and 8 November 1904, Records of the Board of Education, General Board Records, RG11, RS113, PANB, pp. 151 and 85.

⁸⁶ Journals, 1891, pp. 96 and 122; Minutes of a meeting held 9 November 1888, Records of the Board of Education, General Board Records, RG11, RS113, PANB, p. 172. Palmer's discourse outlined a close link between alcohol consumption, physical degeneracy, imbecility, pauperism and crime. See A. B. Palmer, The Temperance Teachings of Science (St. John: J. & A. McMillan, 1889), CIHM.

on narcotic abuse were distributed to public school teachers for use in the classroom. Temperance supporters also worked to remove children from the direct influence of alcohol and tobacco.

These wars were fought at both the federal and provincial government levels, and in the 1890s local victories were achieved. In 1892 New Brunswick legislators passed an act prohibiting minors under age 16 from patronizing dance halls, billiard rooms and establishments where liquor was present unless accompanied by a parent or guardian.⁸⁷ Legislation enacted between 1894 and 1896 went further. It became illegal for licensed persons in New Brunswick to allow minors to sell, buy or acquire liquor in their establishments.⁸⁸ Spurred on by these successes, in 1904 the Sons urged that minors be prohibited from working in bottling establishments.⁸⁹

Cigarette and tobacco dealers also came under fire. In 1893 New Brunswick could be counted one among several Canadian provinces that had passed regulatory legislation barring anyone from selling or giving "cigarettes, cigars or tobacco in any form" to a minor under age 18 without a

⁸⁷ Statutes of New Brunswick, 1892, c. 62. This statute also prohibited children from being present in a "house of ill fame, under any circumstances whatever."

⁸⁸ Statutes of New Brunswick, 1894, c. XVI, p. 72 and Statutes of New Brunswick, 1896, c. 5, p. 18.

⁸⁹ Sun, "Reforms Asked are Radical," 29 March 1904, p. 2.

"written request or order of the parent or guardian."⁹⁰ Once the act was proclaimed, municipal authorities appeared hesitant to enforce its provisions, despite constant encouragement from the WCTU.⁹¹ A November 1904 police crack-down on Saint John shopkeepers resulted in several convictions and fines being imposed.⁹²

In their crusading efforts, WCTU'ers claimed that they were Christ's soldiers working for the good of the home and the state. Their efforts along with those of other women's societies were supplemented by the church. Sunday schools, youth groups, boys' clubs and sermons all played a part in impressing upon youthful minds the dangers associated with insobriety and immorality and the rewards of religious piety and social purity. But perhaps the WCTU, along with the Sons of Temperance and the SPCA, more than other reform groups, were responsible for drawing public and political attention to the issue of child welfare legislation. Formerly, legislators had hesitated to interfere in matters affecting family life. By the 1890s and through the efforts of reform-minded men and women, New Brunswick politicians had reassessed their position and passed precedent-setting

⁹⁰ Statutes of New Brunswick, 1893, c. 36, p. 137.

⁹¹ Minutes of a meeting held 3 October 1904, Saint John Municipal Records, RG18, RS427, PANB.

⁹² Globe, "Minors and Tobacco," 4 November 1904, p. 7; "Police Court," 5 November 1904, p. 1 and "Police Court," 9 November 1904, p. 1.

legislation intended to protect children from the dangers of industrial society. In this regard, the reformers' efforts and early successes opened the door for the enactment of child labour laws.

Of Saint John's several dozen women's reform organizations, the Women's Enfranchisement Association (WEA) was one of the first to campaign for child factory laws.⁹³ Formed in March 1894, the WEA constituted a small but active reform group. Under the 16-year-leadership of Emma S. Fiske and her successors, the club waged a persistent battle to secure the provincial franchise for New Brunswick women.⁹⁴ Fiske also took an active role in the factory act campaign. A Saint John native and reported Unitarian, she was a member of a prominent local family that had produced two probate court judges, a federal politician and several successful businessmen.⁹⁵ Fiske was well-known in the city's reform

⁹³ On 21 February 1899 Frank Hatheway discussed with WEA members "the movement of the SPCA appointing inspectors on the question of child labor in factories." Minutes of a meeting held 21 February 1899, Saint John Women's Enfranchisement Association Minute Book (hereafter WEAMB) No. I, NBM, pp. 106-107. Research has failed to uncover any information on such a movement.

⁹⁴ Clarke, *The Saint John Women's Enfranchisement Association*, p. 63-64. It was not until 1919 that group members partly realized their goal. In that year New Brunswick women received the franchise.

⁹⁵ Brothers R. Chipman Skinner and Charles N. Skinner held the post of probate judge for Saint John City and County consecutively. Charles had run successfully for Saint John's seat in the House of Commons, and Chipman had held a seat on Saint John Common Council. Fiske's father, Samuel Skinner, had been a successful carriage builder.

and social circles. Along with the suffrage association, she was involved with the Art Club, the Ladies' Auxiliary of the Natural History Society, WCTU and Associated Charities. Widowed in 1877 when she was in her 20s, Fiske had developed a career as an educator. She gave instruction in French, German and Italian and for a time taught English literature and French in the local high school.⁹⁶ Her work as a teacher and her place of residence in the city's east end brought her into contact with working people. Fifty-one-years old in 1903, she would work tirelessly for both woman's suffrage and factory reform.

Although suffrage was the WEA's primary objective, as Mary Clarke pointed out, members perceived the organization as "an equal rights group." Association members held that women should be permitted to sit alongside men on the Board of School Trustees and that there should be "no discrimination in favour of sex regarding wages."⁹⁷ The fact that many of these women were either single or widowed and that several WEA members worked to support themselves might

Brothers Alfred O. Skinner and Frederick S. Skinner were local businessmen. Fiske may have changed her religious affiliation to the Church of England around the turn of the century.

⁹⁶ Census of Canada (Manuscript), 1891, Saint John, Prince Ward Division 1, p. 9; Globe, 29 October 1914, p. 3; The St. John Standard, 29 October 1914, p. 2; St. John News, 5 July 1877, p. 1; Clarke, "Saint John Women's Enfranchisement Association," p. 91.

⁹⁷ WEAMB No. I, NBM, pp. 53, 122-124.

explain their strong stand on the latter issue.⁹⁸ These women members were convinced that political inequality led to social inequality and social injustice. Not surprisingly, they were drawn to causes that upheld the rights of both workers and children since these groups also lacked a political voice.

Perhaps a strong sense of social inequality coupled with a growing interest in socialist theory stirred the society's interest in factory reform. Club meetings were structured to combine "suffrage conversation" with the reading of "Political Economy."⁹⁹ For these Saint John women, the latter phrase came to mean the works of social critics such as Edward Bellamy. The suffragists' interest in socialism was not unprecedented, for as Linda Kealey pointed out, at the turn of the 20th century a number of middle class female reformers drew upon socialist principles to explain social inequalities.¹⁰⁰

⁹⁸ Clarke stated that 49 of the society's 112 members were spinsters, 75 earned income and that many had university educations. See Clarke, "The Saint John Women's Enfranchisement Association," pp. 13, 26, 38-39.

⁹⁹ WEAMB No.1, NBM, p. 32.

¹⁰⁰ Linda Kealey, "Canadian Socialism and the Woman Question, 1900-1914," Labour/Le Travail 13 (Spring 1984), pp. 82-86. Kealey noted the link between socialism and suffragists. Prominent female middle class reformers from Ontario, including Augusta Stowe-Gullen, Agnes Murphy, M.E. Youmans and Clara Brett all indicated an interest in socialism. Kealey also demonstrated a connection "between socialism, the woman question and the labour movement" by examining the activities of May Darwin. Saint John women would become acquainted with these ideas and activities both

In January 1899 and probably at the urging of club secretary Ella Hatheway,¹⁰¹ the wife of Frank Hatheway, the group commenced studying Bellamy's novel Equality, the sequel to his earlier and more popular work Looking Backward. In Equality, the American social reformer emphasized that those who suffered most under the capitalist system were least able to defend themselves and work for their own betterment. For the next three years, club members immersed themselves in socialist theory. They read essays, wrote papers and held mock debates on socialist themes.¹⁰² In January 1899 Hatheway addressed the Local Council of Women on the subject of Bellamy's book.¹⁰³ WEA members had become so absorbed in socialist theory by March 1900 that they discussed the "advisability of making for the object of the association the study and promulgation of collectivism and changing the Ass [sic] into a Fabian society." Fiske and Hatheway were appointed to "act as a committee to advance the cause of collectivism."¹⁰⁴

through the press and their contacts with Ontario suffragists. WEAMB No.1, NBM, p. 4. An entry in the WEA's minute book for 4 April 1894 indicates that members of the Saint John group knew suffragists living in Toronto.

¹⁰¹ Clarke, "Saint John Women's Enfranchisement Association," p. 75.

¹⁰² WEAMB No. 1, NBM, pp. 126-129, 161.

¹⁰³ WEAMB No. 1, NBM, p. 105.

¹⁰⁴ WEAMB No. 1, NBM, p. 127. The record indicates that the women were to carry out their assigned duty "by arranging for some meetings to be held for the discussion of

Ultimately, however, the group remained a suffrage society.

The women's interest in socialism left them open to ridicule from the more conservative-minded members of the Local Council of Women.¹⁰⁵ Clearly, the reform outlook of the WEA and women's council differed. Although members of both groups desired to create a peaceable and stable society, WEA members more than their council sisters questioned what lay at the root of human suffering. Drawing on socialist theory, the suffragists concluded that corrupt social and economic systems caused social inequalities. They were willing to call attention to this fact in order to effect change. Mary Clarke suggested that it was partially due to ideological differences and to the local council's refusal to endorse the suffrage campaign that the WEA formally severed ties with the larger body in 1902.¹⁰⁶

By the spring of 1899 the WEA had broadened its reform outlook.¹⁰⁷ President Fiske testified to this fact in

the subject and that the Ass. help in any way possible." p. 129.

¹⁰⁵ WEAMB No. 1, NBM, p. 152.

¹⁰⁶ Clarke, "Saint John Women's Enfranchisement Association," pp. 80-81.

¹⁰⁷ This is not to say that the suffragists had previously concentrated all their efforts on their primary goal. In fact, the WEA had pressed for a police matron, a patrol wagon and ambulance and for care for children's eyes and teeth. WEAMB No. 1, NBM, pp. 26 and 57. However, about the spring of 1900 the suffragists' reform activities seemed to alter and they began to take a greater interest in various reform causes. At the 4 December 1900 meeting, WEA members voted "that the Ass. enlarge its scope, taking for

January 1901 when she informed the annual meeting of the Local Council of Women that the WEA had altered its original mandate and now "stood for social and political reform."¹⁰⁸ In March 1899 they launched a campaign for compulsory education,¹⁰⁹ a reform consistent with their interest in collectivism. According to suffragist Grace Murphy, formal education not only promoted happiness and produced responsible, industrious citizens, but also encouraged children "to yield the individual desire to what is for the general good."¹¹⁰ Fiske and suffragist Mabel Peters worked alongside Frank Hatheway and others on a citizens' committee

its study and consideration subjects on social and civic reform" as well as woman's suffrage. WEAMB No. 1, NBM, pp. 132-135. Since club members were concerned about the fact that conservative-minded women hesitated to join their association because of their stand on woman's rights, it might be argued that broadening the WEA mandate might draw more women into the suffrage society. The women may have felt, that this would strengthen the suffrage movement and increase the possibilities of its success. However, the fact that the suffragists, according to Clarke, had become infatuated with collectivist theory about this time would suggest that this interest played a role in the decision to expand the club's reform platform.

¹⁰⁸ Star, 9 February, 1901, p. 2.

¹⁰⁹ In March 1899 Fiske wrote to the New Brunswick Board of Education stating that the Association was "desirous of securing from [the] Provincial Legislature, compulsory education in New Brunswick." Board of Education Records (1899-1900), Letter Books, RG11, RS113, PANB; WEAMB No. 1, NBM, pp. 109-110, 115, 122.

¹¹⁰ Grace Murphy, "A Plea for Compulsory Education," Educational Review, (March 1899), Vol XII, pp. 218-219.

appointed to win the enactment of the desired legislation.¹¹¹ In addition, the WEA raised the issues of public sanitation, pure drinking water and the establishment of a children's aid society. Ella and her husband Frank, also a suffragist, worked to establish a free kindergarten for the benefit of "working mothers."¹¹² In 1901 Peters suggested to the women's council that a committee be appointed to inspect public institutions such as almshouses, asylums, hospitals and factories. Keeping such institutions "under careful surveillance," suffragists explained, worked "to prevent grave abuses, mismanagement and general laxity" of discipline.¹¹³ However, the women's council indicated little interest in Peters' recommendation, and the matter dropped.

In February 1899 Frank Hatheway approached the WEA on the subject of child factory labour.¹¹⁴ Since, at this time, the women were gearing-up for a compulsory education campaign, they would have been unable to devote their full

¹¹¹ Sun, "For the Children," 19 January 1900, p. 6. Star, 11 February 1901, p. 3.

¹¹² Clarke, "Saint John Women's Enfranchisement Association," pp. 68, 78.

¹¹³ An excerpt taken from a resolution placed by Fiske and Ella Hatheway before the quarterly meeting of the WCTU held at Fairville 4 June 1902. The suffragists hoped to win the WCTU's support "in securing the appointment of a committee of six persons" to visit and inspect public institutions. The WCTU did not act immediately on the resolution. Sun, "W.C.T.U.," 5 June 1902, p. 2

¹¹⁴ WEAMB No.1, NBM, 21 February 1899, pp. 106-107.

attention to factory reform. However, these women knew that if children were legally obligated to attend school they would less likely be able to work in factories.¹¹⁵ At the society's 24 January 1900 meeting, it was proposed that "the expediency of having women factory inspectors for factories where women and children are employed" be raised for discussion at the annual meeting of the Local Council of Women.¹¹⁶

The issues of factory inspection and child employment were familiar to council members for these matters had been discussed at NCW meetings.¹¹⁷ In fact, at the 1897 annual

¹¹⁵ Clarke, "Saint John Women's Enfranchisement Association," p. 68.

¹¹⁶ WEAMB No. 1, NBM, p. 124. Securing the appointment of a female factory inspector would also work to advance the WEA's cause of woman's rights since at this time many administrative positions were held by men.

¹¹⁷ Strong-Boag, The Parliament of Women, pp. 191, 196-199. At the NCW's 1894 annual meeting held at Ottawa local councils were encouraged to support a petition for female factory inspectors. Fiske travelled to Ottawa to attend the Dominion Women's Enfranchisement Association meetings in 1894 that were held in conjunction with the NCW annual meetings. In 1895 the Ontario legislature passed an act allowing for the appointment of a female inspector. In 1897, Ontario councils, working in conjunction with the Ontario WCTU and the Trades and Labor Congress, succeeded in their bid to have factory inspectors appointed by provincial rather than municipal government officials. The national council also debated the issue of whether women workers should be the subject of special legislation. Also see: Constance Backhouse, Petticoats and Prejudice: Women and Law in Nineteenth-Century Canada (Toronto: Osgoode Society, 1991) pp. 272-288. The Saint John Local Council of Women did not affiliate with the NCW until 1898. Clarke, "Saint John Women's Enfranchisement Association," p. 29. However from press reports and through their interaction with other women's societies that were affiliated with the national

gathering of the NCW, Agnes Dennis, President of the Halifax Local Council of Women, complained that no factory acts had been enacted in the Maritimes and emphasized the region's need for such legislation because there was "no limit to the number of hours which women or children may be required to work."¹¹⁸

By the end of 1900, the WEA's compulsory education drive had lost momentum, and the women devoted attention to other matters. In February 1901 they called a "conference of women voters of Saint John" to acquaint them with social welfare issues. In her address to the large gathering, President Fiske outlined legislative gains that had been made in New Zealand: women had been granted the vote, old age pensions and factory laws had been introduced and arbitration boards had been established to mediate disputes between capital and labour. "Reforms which had been successfully adopted" in New Zealand, Fiske noted, were "almost impossible to even get discussed here." Canada could benefit from such legislation, she maintained, and it was hoped that "the lady voters of St. John would help the Enfranchisement Society in keeping them before the eyes of

body, Saint John's female reformers would have become acquainted with factory reform issues.

¹¹⁸ Backhouse, Petticoats and Prejudice, p. 274.

the authorities."¹¹⁹

In his remarks, the Reverend W. L. Beers of the local Unitarian Church stressed the need for compulsory education, child labour laws and factory inspectors in New Brunswick. "There were but few cities in England or the States" which did not have such legislation, he commented. In Saint John, he maintained, factory inspectors were necessary to prevent child employment. Beers suggested to the women present that voters should elect aldermen who pledged themselves to securing these reforms.¹²⁰

The matter of child factory reform made little headway in 1901. Through their various activities, however, the WEA had helped raise public interest in this and other social welfare issues. By educating reform-minded women about the benefits of social welfare legislation and apprising them of gains made elsewhere, WEA members obviously hoped to encourage them to support reform drives aimed at having similar measures and woman's suffrage enacted in New Brunswick. Thus, by the early 1900s, middle class women at Saint John had become acquainted with the issue of factory reform. They had also demonstrated a widespread interest in child welfare and had successfully conducted a number of

¹¹⁹ Sun, "The Lady Voters," 19 February, 1901, p. 6. The Globe estimated that there were approximately 700 women who were eligible to vote in municipal elections in Saint John in 1901. Globe, "Women Voters to Meet," 14 February, 1901, p. 2.

¹²⁰ Sun, "The Lady Voters," 19 February 1901, p. 6.

reform campaigns. To support a bid for the enactment of child labour laws was a logical next step for them. By this time, the Saint John Trades and Labour Council was in a strong position to press for factory reform. It was left to Frank Hatheway and the Fabian League to bring these groups together and inaugurate the campaign.

The Saint John Fabian League, from its birth in April 1901 until its demise five years later, pledged itself to improving the conditions of the working class. Modelled upon the British Fabian Society organized in 1884 by Sidney and Beatrice Webb and other British social reformers, the Saint John League set as its overriding objective the study of "all social questions."¹²¹ Like their British counterparts, Saint John Fabians maintained that late Victorian society suffered from the ill effects of industrialization and individualism and that it must be reconstructed gradually around socialist principles and by legislative means.

Although the aims of the Saint John and British societies coincided, their social composition and approach noticeably differed. Members of the Webbs' group investigated social problems and drafted legislative solutions which would benefit the working class; however, according to E. J. Hobsbawm, British Fabians generally hesitated to associate closely with working people or to

¹²¹ Allaby, "Prophets of Radicalism," p. 95.

participate actively in social reform campaigns.¹²² By contrast, members of the Saint John League spearheaded labour reform drives, claiming among their membership representatives from professional, business and labour groups. At their organizational meeting in April 1901, representatives from all three categories were elected to the executive.¹²³ Initially, men from business and professional circles formed the bulk of the membership. Labour eventually played a larger role in the League which fact was evidenced by the elevation of union organizer Peter C. Sharkey to the president's chair in 1902.¹²⁴

At the League's early public meetings, group discussions revolved around working-class problems such as low wages, long hours and job-related injuries, and possible

¹²² E. J. Hobsbawm, Labouring Men: Studies in the History of Labour (1964; London: Weidenfeld and Nicholson, 1965), pp. 251-254.

¹²³ From the 20 men gathered at the Oddfellow Hall at Saint John on 23 April 1901 to establish a new society named the Fabian Society, W. Frank Hatheway, a wholesale grocer; R. G. Murray, a local barrister; H.E. Codner, a printer and Dr. H.G. Wetmore were selected to serve on the executive in the capacities of President, First Vice-President, Second Vice-President and Secretary-Treasurer respectively. Globe "A New Club", 24 April 1901, p. 1.

¹²⁴ Allaby, "Prophets of Radicalism," p. 96; Sun, 23 October 1903, p. 8. League membership was open to any male resident of the City or County of Saint John over 18 years of age. Globe, 24 April 1901, p. 1. Among those who attended the League's early meetings were a rabbi, a Roman Catholic priest and a Baptist minister.

legislative answers to those problems.¹²⁵ Possibly, some men from business and professional groups withdrew¹²⁶ upon realizing that labour reform was to be the League's primary objective. On the other hand, union men would be attracted to an organization placing high priority on their concerns. This fact might explain why a number of labouring men had joined the Society by 1902.

Although the number of businessmen and professionals active in the League gradually decreased, representatives from both of these groups held key positions in the organization during its short period of existence. In 1903-04, Dr. H.G. Wetmore, Frank Hatheway, a wholesale grocer and Robert G. Murray, a barrister, all founding members of the League, filled the positions of treasurer, chairman and first vice-president respectively. Along with Wetmore and Murray, Peter C. Sharkey, Michael J. Kelly and William Stanley -- all union men -- rounded out the club's officers, serving in the respective capacities of president, second vice-president and secretary.¹²⁷ Perhaps most importantly, Hatheway and Murray worked alongside Sharkey, Kelly and other labour council members in campaigns for employers' liability and factory legislation.

¹²⁵ Globe, 8 May, 1901, p. 2; 12 June 1901, p. 8; 10 July 1901, p. 5; 11 September 1901, p. 2.

¹²⁶ Allaby, "Prophets of Radicalism," p. 96.

¹²⁷ Sun, 23 October 1903, p. 8.

The Fabians' concern for the welfare of labouring people became evident at the League's early meetings. Between April and October 1901 such issues as old age pensions, municipal ownership of utilities and the need for protective labour legislation in the form of a minimum wage act, an employers' liability act and a working day act all came under discussion.¹²⁸ In July the League announced as its primary objectives:

The study of all questions arising between Capital and Labor, the free discussion of economic problems--such as old age pensions, Living wage legislation, civic ownership of public utilities, government ownership of railroads and telegraphs, and the propagation of all ideas that tend to lighten the toil, promote the welfare and elevate the social and moral conditions of people.¹²⁹

Old age pensions and a minimum wage act would help raise the standard of living of working-class families. Similarly, employers' liability legislation would provide monetary compensation to injured workers or their surviving spouses for wages lost as a result of workplace accidents. Because industrial machinery sped up the rate of production, the hours of labour could be reduced without inflicting hardships upon manufacturers. As a result, workers could

¹²⁸ Globe, "The Fabian League," 8 May 1901, p. 2; 6 June 1901, p. 8; 12 June 1901, p. 8; 10 July 1901, p. 5; 11 Sept. 1901, p. 2 and 8 October 1901, p. 8.

¹²⁹ Globe, "The Fabian League," 10 July 1901, p. 5; taken from a pamphlet setting out the League's objectives, H.H. Stuart Collection, File No. 14, Labour, Archives and Special Collections, Harriet Irving Library, University of New Brunswick [HIL] (Fredericton).

enjoy more leisure hours. As well, Fabians advocated civic ownership of public utilities and government ownership of railroads and communication links as a means of making these services more affordable to low wage earners¹³⁰. Lastly, it was hoped that by implementing a conciliation system whereby government-appointed committees mediated disputes, tensions between capital and labour would be reduced.

In devising their reform programme, Saint John Fabians looked to Britain, New Zealand, America and other Canadian provinces. By informing New Brunswick politicians and the public of legislative gains made elsewhere and of the need for such social measures in their own province, League members hoped that provincial legislators would enact the requested reforms. By 1903 factory legislation and child labour laws had been added to the list of reforms desired to "promote the welfare" of the people.

As the reform platform suggests, the Saint John Fabians had little in common with revolutionary socialists who awaited the collapse of the capitalist system. Instead, most League members appeared eager to work within the existing political order advocating what a contemporary observer described as a "one step-at-a-time" brand of socialism.¹³¹ Adopting Webb's doctrine of "gradualist

¹³⁰ Globe, "The Fabian League," 12 June 1901, p. 8.

¹³¹ Weekly People, "Socialism in Eastern Canada," 24 February, 1906; H. H. Stuart Collection, Series No.2, Scrapbook No. 1, 1895-1909, HIL.

collectivism" left Saint John Fabians open to criticism from other New Brunswick reformers, notably Henry Harvey Stuart and Martin Butler. Stuart, a school teacher and Methodist lay preacher, and Butler, editor of the reform-oriented newspaper Butler's Journal, co-founded the Fredericton Socialist League in 1902, whose ultimate objective was "the overthrow of capitalism and the establishment of the Cooperative Commonwealth." By 1905 they had formed a local of the Socialist Party of Canada, which did not become established in Saint John until 1909.¹³²

Given that Fabians had adopted the "gradualist" strategy of working within the existing political system and that the Fredericton socialists supported "revolutionary" socialist principles, it is not surprising that Hatheway and his followers received harsh criticism from Stuart and his supporters. According to Stuart, the Saint John organization was "socialistic, but scarcely socialist"¹³³ and their reform programme could bring about few permanent changes while a government controlled largely by business interests remained in power.¹³⁴ A socialist government, sympathetic to the needs of the working class, would be

¹³² See: David Frank and Nolan Reilly, "The Emergence of the Socialist Movement in the Maritimes, 1899-1916," Labour/Le Travailleur 4, (1979): pp. 89-91.

¹³³ Butler's Journal, "Capitalist Reforms," October 1904.

¹³⁴ Butler's Journal, "Capitalist Reforms," October 1904, noted in Frank and Reilly, p. 91.

inclined to pass and enforce laws intended to better the lives of working people, he maintained. On the other hand, a capitalist-influenced administration would be liable to "kill" or "deform" measures unfavourable to capital but supportive of labour in order to retain political power. For these reasons, legislation passed by existing non-socialist governments would, in Stuart's words, be "useless" to working people.¹³⁵ For the President of the Fredericton Socialist League, however, the problem remained how to persuade voters to elect a government favouring the labouring class. Despite criticism from the Fredericton socialists, the Saint John Fabians pressed New Brunswick politicians to pass labour reforms.

In the fall of 1901, the Fabian League commenced its first major labour reform drive. At League meetings held in early September, the need for an employers' liability act came under discussion.¹³⁶ The proposed campaign received a boost when American Federation of Labor organizer J. A. Flett, during a working visit to Saint John, addressed the League's public meeting on the subjects of socialism,

¹³⁵ Butler's Journal, "Capitalist Reforms," October 1904.

¹³⁶ The reformers used the terms "employers' liability act" and "workmen's compensation act" interchangeably. The province passed the Employers' Liability Act in 1903. At that time its alternate title was given as "The Workmen's Compensation for Injuries Act." Statutes of New Brunswick, 1903, c. 11, p. 35.

unionism and labour reform.¹³⁷ Within a few weeks the Fabians had firmly committed themselves to securing an employers' liability act. By early 1902 the campaign was in full swing. Hatheway and the printer H. E. Codner, a fellow Fabian, addressed gatherings of workers on that issue and requested their support.¹³⁸ More than one thousand local residents, primarily labouring men, indicated their approval of the campaign by signing petitions demanding the enactment of a workmen's compensation act similar to the one passed by the British Parliament. The Saint John Trades and Labour Council endorsed the campaign, presenting provincial leaders with a similarly worded petition signed by representatives of 11 different labour unions.¹³⁹ In February 1902 representatives of the Fabian League and Trades and Labour Council met with provincial leaders. At this time Hatheway produced evidence supporting his claim that a law which offered monetary compensation to injured workers was needed.¹⁴⁰

A year later, the provincial legislature passed an Employers' Liability Act. It offered specific categories of

¹³⁷ Globe, "The Fabian League," 11 September 1901, p. 2.

¹³⁸ Allaby, "Prophets of Radicalism," p. 96.

¹³⁹ Frank Hatheway to Hon. L. Tweedie, 23 January 1902, Cabinet Meeting Records, meeting 4 April 1902, PANB.

¹⁴⁰ James K. Chapman, Frank Hatheway's Highways and Byways: Tales from 19th Century Wanderings in New Brunswick, the Gaspé and Cape Breton (Fredericton: New Ireland Press, 1986), p. 45.

"workmen" or their estates monetary compensation in the event that employees sustained serious or fatal injuries in work-related accidents.¹⁴¹ The legislation was deficient in several respects. Miners, quarrymen, log drivers and sawmill hands -- workers engaged in the most dangerous occupations -- fell outside the purview of the act. Workers covered by the act were ineligible for monetary compensation if they were injured as a result of any known workplace hazard, or by the actions of another employee carrying out assigned duties, or in the event that they knew of "the defect or negligence" but failed to inform the employer.¹⁴²

Such provisions precluded many injured workers from collecting on any legal claims under the legislation. Employers could argue successfully that a worker's injuries resulted from the negligence of another employee or from his or her own negligence. The latter argument would carry weight if the claimant had proceeded to carry out his or her tasks knowing of the risk of injury.¹⁴³ The act, however,

¹⁴¹ The act applied specifically to railway workers, ship labourers, longshoremen and industrial workers. Domestic and farm servants among other workers were unable to claim benefits. The maximum amount of compensation payable under this piece of legislation was \$1,500. Allaby, "Prophets of Radicalism, p. 109; Statutes of New Brunswick, 1903, c. 11, p. 42.

¹⁴² Statutes of New Brunswick, 1903, c. 11, p. 41.

¹⁴³ See: Tucker, Administering Danger in the Workplace, pp. 46-50.

made no attempt to establish health and safety standards or to reduce the number of occupational injuries and health problems. Following this limited success, procuring a factory law that would establish minimum occupational health and safety standards and regulate child employment would be a logical next step for the cause of labour reform.

As one of the Saint John's most active and well-known social reformers, Hatheway took a leading role in the campaign for factory legislation and child labour laws.¹⁴⁴ Born at Saint John on 16 September 1850, Warren Franklin Hatheway was instrumental in organizing the Saint John Fabian League and served as its first president. He probably was also at least partly responsible for drafting the League's labour reform platform.¹⁴⁵ To some extent Hatheway's concern for the working poor can be traced to his personal experiences and education. In his youth, he learned what it was like to live in an unstable economic environment and how such situations affected the lives of children. To help support his mother and siblings following his father's death, the 14-year-old Hatheway abandoned

¹⁴⁴ For a brief biography of Warren Franklin Hatheway and a discussion of his philosophical views see: Chapman, Highways and Byways, pp. 41-50. This discussion of Hatheway is based partly upon Chapman's brief account of his life.

¹⁴⁵ Allaby, "Prophets of Radicalism," pp. 93-95.

school to go to work.¹⁴⁶ Later he taught himself several languages and familiarized himself with the works of classical writers, poets, philosophers and social critics. A practising Anglican, Hatheway was well-versed in the Old and New Testaments. In particular, the reformer was drawn to the writings of Charles Kingsley, Henry George, Edward Bellamy and Thomas Carlyle. From his reading and personal experiences, Hatheway came to agree with George and Carlyle that the capitalist system caused poverty and unhappiness and with Kingsley and Bellamy that the enlightened were obligated to improve the condition of the labouring class.

Hatheway's heart-felt interest in, and appreciation for, labour is evident in his writings. The widening gap between rich and poor caused him the most concern. In 1900 he published a pamphlet entitled "Poorhouse and Palace" which criticized the 19th century as being that of the "Almighty Dollar" and urged that "All works for the general public use," including railways, telegraph and telephone lines, be brought under government management and control. In Hatheway's view, such a move would prevent these services from falling prey to monopolization and, consequently, their cost from extending beyond the reach of low wage earners.¹⁴⁷

¹⁴⁶ Years later Hatheway acknowledged that working-class poverty forced families to send young children out to work. He referenced the fact that low wages were the primary cause of poverty.

¹⁴⁷ Allaby, "Prophets of Radicalism," pp. 90-92.

In his essay, "The Cry of Labour," published in 1906 as part of his collection, Canadian Nationality, The Cry of Labour and Other Essays, Hatheway exalted the efforts of workers, upon whose "intelligence" and "educated skill" Canada's economic prosperity rested.¹⁴⁸ Reminding his readers that "non-producers," professionals, officials and traders, existed by virtue of wealth created by the masses, Hatheway urged that working people "be well paid for their labor." Workers longed for "a clean, healthy and good social life, based on spiritual and physical needs," he insisted. Christ had pointed to this in the Sermon on the Mount. According to Hatheway, the extremes of poverty and wealth, the unwelcome by-products of capitalism, must be eradicated as the means of restoring to workers both their dignity and the necessities of life.

He backed up his views with practical measures in his own activities. To combat the unequal distribution of wealth and promote workplace co-operation and in recognition of labour's contribution to the success of his business, in 1890 Hatheway, a wholesale grocer and tea merchant, introduced his employees to the concept of profit-

¹⁴⁸ W. Frank Hatheway, "Introduction," The Mechanic and Laborer and The Cry of Labor (Toronto: William Briggs, 1906). The essay also appeared in Canadian Nationality: The Cry of Labour and Other Essays, which is the more popular of the two collections.

sharing.¹⁴⁹ In 1908 he expanded the programme by turning his operation into a limited liability company and offering several of his employees partnerships in the firm.¹⁵⁰

During the 1890s and early 1900s, a number of essays and letters written by Hatheway on variety of social issues, including "The Cry of Labour," appeared in the pages of Saint John newspapers.¹⁵¹ Through his published writings, the progressive drew public attention to both the problems confronting working people and the need for social reform.

The condition of the Saint John working class not only aroused Hatheway's sympathy, but also motivated him to action. In addition to the Fabians, he joined other reform and social organizations including the Sons of Temperance, the Fortnightly Club (literary), the SPCA and the YMCA. A woman's rights supporter, Hatheway held membership in the WEA and assisted these women in their bid for compulsory education of children. Well-known in the city's business circles, he was active in the Saint John Board of Trade, serving as its president in 1894 and 1895.¹⁵²

An outspoken supporter of labour, Hatheway endorsed

¹⁴⁹ In 1892 T. S. Simms, a Saint John brush and broom manufacturer, stated his plans to introduce his employees to the concept of profit-sharing. Whether or not he did so is unknown. See, Sun, "A Practical Address," 1 January 1892, p. 5.

¹⁵⁰ Chapman, Highways and Byways, p. 44.

¹⁵¹ Allaby, "Prophets of Radicalism," p. 92.

¹⁵² Chapman, Highways and Byways, p. 44.

unionism. He spoke publicly encouraging workers to organize.¹⁵³ Both he and George V. McInerney, a lawyer and defeated Member of Parliament for Kent County, offered themselves as labour candidates in the March 1903 provincial election. Despite the backing of the Trades and Labour Council and the longshoremen's union, they failed to win their seats.¹⁵⁴ Hatheway's links to the city's labour, business, social and political circles brought him into close contact with Saint John's leading citizens. This, in turn, provided opportunities for him to win public support for his various reform causes. Ultimately, it was the combined efforts of the Fabians, trade unionists and women reformers which resulted in the enactment of a provincial factory law.

In March 1903, while members of the Fabian League and labour council were agitating for the enactment of an employers' liability law, the Fabians publicly raised the issue of a provincial factory act.¹⁵⁵ At the Trades and Labor Congress annual meetings held at Berlin, Ontario the previous September, union representatives urged Peter Sharkey, vice-president of the New Brunswick Executive Committee, to work for the advancement of labour laws in his

¹⁵³ Globe, "Labor Matters," 22 May 1903, p. 2.

¹⁵⁴ Chapman, Highways and Byways, p. 45.

¹⁵⁵ Globe, "The Fabian League," 20 March 1903, p. 2 and Sun, "Fabian League, 14 March 1903, p. 2.

home province. In fact, they had specified pressuring New Brunswick legislators to pass a factory act.¹⁵⁶ In his address delivered at a Fabian League meeting held in March, Sharkey forcefully argued for the passage of provincial factory laws as a means of preventing capitalist exploitation of children: "In this age of greed and competition the labor of children is used to keep down the price in the labour market," the trade unionist informed his audience. "What does this really mean?" Sharkey continued:

It means that our own children are to be used as the means by which the manufacturer shall deprive us of our right to live. The lives of little children, the honor of little children, the souls of little children are to be given that Mr. Factory shall get a larger profit to keep up with his club members.

This situation had disadvantages for both child workers and labour, he maintained. Young children suffered from ill-health and mental stress as a consequence of early employment. The latter hardship, he suggested, resulted in their moral degeneracy. If labour received a fair wage, he maintained, children would not be obliged to work. The practice of child labor also worked hardships on adult workers, he explained:

Capital has taken to itself all improvements in machinery, improvements that enable the child in a short time to acquire the skill that would otherwise take years to master....[T]he manufacturer seeks by introducing

¹⁵⁶ Report of the Committee on President's Address and Executive Committee's Report, TLC Proceedings (1902), p. 72.

the cheapest possible help to cut down the cost of production to the lowest possible fraction. A man can't compete with this state. If it continues he will either be compelled to accept a like wage or remain idle and live on the earnings of his little ones.

There was a way in which this trend could be reversed, Sharkey pointed out: "See that the government of this province pass a factory act and place a good honorable man as inspector."¹⁵⁷ It was Sharkey's contention that the proposed act be patterned after the New Zealand Act and that it make provisions for licensing factories, restricting age of employment, limiting hours of labour, abolishing the sweating system and establishing a minimum wage rate as well as for fire escapes, proper workroom ventilation and lunchrooms.¹⁵⁸

Sharkey's address stimulated much discussion. Fabian William McLean, a school teacher, stated that he knew of a number of cases where children left school "to work in factories." A law which prevented such occurrences, he argued, "would be a great benefit."¹⁵⁹ By the turn of the 20th many citizens agreed with McLean, some perhaps cautiously, that young children would be better off at school than in the workplace.

These issues were debated in the press. An editorial

¹⁵⁷ Sun, "Fabian League," 20 March 1903, p. 8.

¹⁵⁸ Sun, "Fabian League," 20 March 1903, p. 8.

¹⁵⁹ Sun, "Fabian League," 20 March 1903, p. 8.

appearing in the 4 April 1903 edition of the Saint John Globe, undoubtedly prompted by the Fabians' public discussions, captured changing sentiments towards children and work. Boys and girls could perform "some kinds of labour" such as "feeding or guiding certain classes of machines" without inflicting upon themselves "a heavy physical strain," the editors maintained. And some work "may be more successfully carried on by young people who are quick of eye and deft of hand." But "whether it is fair to the young to compel them to work in their early youth is another matter," the writer stated. The editorial concluded "that youth is severely treated when it has to enter upon laborious occupations at a very early age, so early that the severe work must prevent education and suppress proper physical development." Delaying the employment of children and allowing them to attend school would make them "of greater benefit to their parents and to the state."¹⁶⁰ For those Saint John citizens unable to accept Sharkey's socialistic rationale for factory legislation, this explanation might prove an acceptable alternative.

In early 1903, the Fabians "thought it unwise to press" for a factory law while the employers' liability act was still before the House.¹⁶¹ By the fall the latter measure

¹⁶⁰ Globe, "Children at Work," 4 April 1903, p. 4.

¹⁶¹ Report of the Executive Committee, Province of New Brunswick (1903), TLC Proceedings (1903), p. 22.

had received royal assent. The way was now clear to commence the second phase of the League's labour reform drive. With their previous reform experience behind them, League members were now in a good position to launch their campaign. They planned a strategy similar to that followed in the earlier campaign for an employers' liability act. Accordingly, the social issue would be thoroughly investigated and evidence collected supporting the need for reform. Next, public meetings would be held to acquaint local citizens with the problem and the proposed legislative solution. Lastly, political leaders would be approached to enact the desired legislation. Because factory reform and child labour laws would touch, either directly or indirectly, the lives and livelihood of many local residents, campaign organizers knew that they had a better chance of achieving their objective if they first secured a broad base of support. In late October 1903 the League executive announced plans to hold a series of public gatherings to address "topics of interest."¹⁶²

About this time Peter Sharkey wrote to the Local Council of Women requesting their co-operation. He informed them that the Fabian League and labour council desired to secure legislation that would improve "sanitary conditions in factories and other places where women and children were employed" and prohibit "the employment of children in

¹⁶² Sun, "Fabian League," 30 October 1903, p. 8.

bottling liquors."¹⁶³ Given the council's reform mandate and the fact that the proposed legislation was reportedly intended to benefit women and children, Sharkey's appeal would receive the women's careful consideration. Temperance women, in particular, would be attracted to a campaign designed to remove teenagers from the "pernicious" influence of alcohol.

Perhaps most importantly, Sharkey's request was well-timed. In early November Mrs. Willoughby Cummings of Toronto, corresponding secretary of the NCW, attended a meeting of the Saint John Council at which Sharkey's letter was read. Addressing the gathering on the subject of factory legislation, Cummings recalled her visits to large Toronto factories, the conditions of labour and the difficulties reformers encountered in having factory inspection legislation passed in Ontario. In some factories where many girls worked there were no lunch rooms for employees, she informed the crowd. Consequently, the girls either took their meals at their looms or outside "in the back streets" whether or not it was raining. In conclusion, Cummings stressed the need for factory laws in New Brunswick and urged the Local Council of Women to "put forth its best endeavours to have both a factory and food inspection act

¹⁶³ Minutes of meeting 13 November 1903, Women's Christian Temperance Union Minutes, North End Branch, NBM.

passed for New Brunswick."¹⁶⁴ It was the visitor's hope that the legislation apply to "shops and offices as well as factories."¹⁶⁵

A couple of weeks later, the Fabians called a public meeting to discuss the issue of factory reform. In attendance were a large number of local citizens including politicians, union men and representatives from women's societies.¹⁶⁶ The crowd listened as Fabian R. G. Murray, a local barrister, discussed labour conditions and outlined the benefits of factory legislation. He stated that he knew of several sweatshops in the city where men and women worked "under deplorable conditions." Protective legislation would correct this state of affairs.¹⁶⁷ A factory act, modelled upon English law, Murray pointed out, would provide for "separate conveniences for men and women," ventilation in workrooms, guards for machinery and factory inspection and it would place restrictions on child employment.¹⁶⁸ "In some poor families," Murray acknowledged, "all hands had to work, but a child was not the chattel of his parents and must be protected for his own sake and that of the

¹⁶⁴ Globe, "Women's Council," 4 November 1903, p. 5.

¹⁶⁵ Globe "Fabian League," 20 November 1903, p. 5.

¹⁶⁶ Sun, "Fabian League," 20 November 1903, p. 8.

¹⁶⁷ The Daily Telegraph (Saint John) [hereafter Telegraph], "Sweat Shops in St. John," 20 November 1903, p. 1.

¹⁶⁸ Globe, "Fabian League," 20 November 1903, p. 5.

community." Suffragist Mabel Peters proposed that the New Zealand Act be considered before formulating the New Brunswick statute, and she also suggested that a compulsory education law should accompany a factory act.¹⁶⁹

Murray's discussion generated much interest, particularly with respect to the issue of child factory labour. Concerns were expressed that "a number of children under sixteen years of age" were employed "in mechanical and manufacturing establishments" in New Brunswick, that such children failed to receive a proper education and that factory workers were exposed to dust, fumes and insufficiently guarded machinery. Those in attendance agreed that something must be done to correct existing problems. It was resolved that since "in all enlightened countries factory and educational laws have long been in force," the New Brunswick government should follow suit and "enact factory and compulsory school legislation on the lines of the Ontario and English Acts." It was further resolved and unanimously carried that the Fabian League executive "be asked to wait upon the government on behalf of such legislation."¹⁷⁰

The Fabians subsequently set to work gathering evidence supporting their demands to present to government officials.

¹⁶⁹ Telegraph, "Sweat Shops in St. John," 20 November 1903, p. 1.

¹⁷⁰ Sun, "Fabian League," 20 November 1903, p. 8.

The League executive appointed Sharkey, Hatheway, Murray, Michael Kelly, William Stanley and others to investigate working conditions in local industrial establishments.¹⁷¹ On 3 December, they presented their preliminary findings at a public meeting. The investigative committee reported that while in some factories conditions were good, in others improvements were needed. Murray stated that in some of the establishments he visited, there were no fire escapes or fire hoses and in several cases machinery was insufficiently guarded. Hatheway reported that he had investigated two multi-storey cigar factories. In both he noted that outer doors opened inwards, "a very dangerous thing in the case of fire." In general, he added, some factories were dusty and sanitary arrangements were at times inadequate. Sharkey informed the meeting that he had attempted to inspect the Parks cotton mills, but "had been flatly refused admission." By indirect methods, he had determined "that little children were working eleven and one-quarter hours a day." Despite these concerns, Hatheway optimistically maintained that "the majority of factory owners would be perfectly willing" to correct existing problems if they were informed of them.¹⁷²

Early in 1904 the Fabians were almost ready to put out a direct call for factory legislation and child labour laws. By January 1904 both the women's council and the labour

¹⁷¹ Globe, 5 December 1903, p. 8.

¹⁷² Sun, "Fabian League," 4 December 1903, pp. 5 and 8.

council had formally endorsed their campaign.¹⁷³ Armed with their findings and with the backing of these two bodies, League members approached provincial legislators. In February Sharkey wrote to Premier Lemuel J. Tweedie on behalf of the Fabians, the women's council and the labour council requesting an opportunity to be heard on the question of factory reform.¹⁷⁴ One week later "a large delegation" comprised of representatives from these three groups appeared before members of Tweedie's government at Saint John. Sharkey, as chairman of the joint committee, presented the Fabians' investigative report and requested that factory legislation be enacted similar to the New Zealand Act. Representatives of the women's societies reiterated Sharkey's request and stressed the need for child labour laws. In response, Tweedie assured the delegation that Attorney-General William Pugsley would be instructed to draft a factory law and "submit it for consideration."¹⁷⁵ For the Saint John progressives, the first phase of the campaign was over. The second and perhaps more difficult phase was about to begin.

Leaders of the progressive reform movement in Saint

¹⁷³ Globe, 23 January, 1904,, p. 2 and "Council of Women," 30 January, 1904, p. 5.

¹⁷⁴ Peter Sharkey to Lemuel Tweedie, 5 February 1904, Cabinet Meeting Records, meeting held 2 March 1904, PANB.

¹⁷⁵ Globe, "The Provincial Government," 13 February 1904, p. 2.

John had attracted public attention to the issues of factory reform and child labour laws by much hard work. In the 1890s, the struggling Saint John Trades and Labour Council had raised these matters. It was not until 1903 that the Fabian League, with its mandate to improve working-class conditions, inaugurated the campaign. A reorganized labour council, owing its renewed strength partly to the efforts of Peter Sharkey, provided strong backing. Fabian Frank Hatheway was largely responsible for recruiting Emma Fiske, President of the WEA and a sympathetic reformer, to the cause. In turn, Fiske and her WEA sisters worked to educate Saint John women about social welfare issues. Because factory and child labour laws fit in well with the reform programmes drafted by Saint John women's societies, the Local Council of Women were drawn to the cause. Through the combined efforts of Hatheway, Sharkey and Fiske a consensus emerged among Saint John progressives that protective factory legislation was needed. Representing several hundred Saint John residents, the reformers would pressure provincial politicians until their legislative goal was accomplished.

Chapter Three

Progressivism and Politics: The Making of the
New Brunswick Factory Act, 1904-1905

On 3 February 1905, 14-year-old Robbie Wilson, an employee of Murray & Gregory's lumber mill, presented himself before the New Brunswick Factory Commission in Saint John. The four-year veteran of the sawmills explained how he had lost three fingers to an operating saw: "I was oiling up the stave jointer...and someone up at the lath machine hollered and I looked around and beared a little weight and it took off my fingers." Oiling moving machinery was a common practice in the industry, Wilson added. At the suggestion of Commissioner John Palmer, the lad agreed that the accident had resulted from his own carelessness.¹ In the short run, acceptance of this explanation, whether accurate or not, meant that the boy was ineligible for monetary compensation under the existing Employers' Liability Act of 1903. The long-term consequences of such an injury were more serious, as Wilson's earning potential as a labourer would be limited permanently by his injured hand.

The boy's testimony brought his audience, especially the members of the government-appointed commission, face to

¹ [Factory Commission] Transcript of Evidence, Factory Legislation Records (1905), RG30, RS250B, Provincial Archives of New Brunswick [PANB] (Fredericton) [hereafter "Factory Commission Evidence, 1905"], p. 436.

face with the problems of child labour and workplace safety. Created by Order-in-Council in June 1904, the New Brunswick Factory Commission was empowered to enquire into the working conditions of the province's manufacturing establishments and suggest amendments to a proposed bill "for the Protection of Persons Employed in Factories".² During the late summer, fall and winter of 1904-05, the five-member commission visited a number of industrial communities gathering evidence from manufacturers, workers and other interested parties. One of the main issues occupying the commissioners' attention was the question of child labour.

The call for legislation to regulate child factory labour had not been sounded by politicians, however; instead, it came from a progressive-minded group of Saint John men and women. Drawn from the Trades and Labour Council, the Fabian League and various women's organizations, the Saint John reformers succeeded in raising public and political awareness of the need for factory legislation. Not surprisingly, the reform movement encountered resistance from members of New Brunswick's business community who claimed that regulatory legislation would "clog" the wheels of industry.³ Nevertheless, the provincial government passed a Factories Act in 1905 that incorporated

² "Synoptic Report of the Proceedings of the Legislative Assembly of New Brunswick," (hereafter "Assembly Proceedings") 1904, pp. 48-49.

³ "Factory Commission Evidence, 1905," p. 387.

restrictions on child labour. Enactment of this legislation was due largely to the efforts of Frank Hatheway, Peter Sharkey, Emma Fiske and the social reform organizations associated with these key individuals.

Although the Saint John progressives successfully pressured provincial politicians to pass protective legislation for factory workers, the provisions of the 1905 Act fell short of the first legislative proposals. Initially, Attorney-General William Pugsley had drafted a bill which was sweeping in scope and generous in its treatment of factory hands. However, this progressive initiative was seriously diluted as a result of the political process. Consequently, the Factories Act of 1905 offered only limited benefits to adult and child factory workers. Despite this, the reformers' efforts should not be judged a failure, for the legislation established a precedent for child labour laws and occupational health and safety standards in New Brunswick. The liberal-minded reformers, by promoting these and other measures, contributed to the construction of the 20th century welfare state in Canada.

On 12 February 1904 a large Saint John delegation comprising representatives of the Fabian League, the Trades and Labour Council and the Local Council of Women met with members of Lemuel J. Tweedie's government. Peter Sharkey, the Fabian and veteran labour leader, had requested the

meeting on behalf of the progressives' joint committee to discuss "the need of a Factory Act" for New Brunswick, "particularly for the City and County of Saint John."⁴ The previous November the Fabian League had investigated working conditions in local manufacturing establishments. Although the investigators described conditions in some factories as good, they deemed those in other establishments unacceptable. It was noted that in several cases safety features were inadequate, workrooms hot and dusty and the number of washrooms insufficient for the number of employees. Also, because factories hired teenaged children, the Fabians reported that these boys and girls lost the benefit of public education. Sharkey presented these findings to Premier Tweedie and urged enactment of factory laws patterned on New Zealand legislation. Representatives of the Local Council of Women reiterated Sharkey's demand for a factory act to restrict child labour.⁵

The fact that Saint John reformers had studied New Zealand factory laws and deemed them worthy of replication is not surprising. At the turn of the century social scientists and labourites from around the world focused

⁴ Peter Sharkey to L. J. Tweedie, dated 5 February 1904, Executive Council: Cabinet Meeting Records (hereafter "Cabinet Meeting Records"), meeting held 2 March 1904, PANB.

⁵ Saint John Globe (hereafter Globe), "The Provincial Government," 13 February 1904, p. 2.

attention on social developments in New Zealand,⁶ particularly in the area of labour reform. That Dominion's Liberal-Labour government had enacted a series of measures in the 1890s, including an old age pension act, minimum wage legislation, universal suffrage, a compulsory arbitration act and factory laws. Social reformers hailed the passage of these measures as victories in the largely uncharted global campaign to improve working-class conditions.⁷

New Zealand's factory law was especially comprehensive. It applied to every workshop employing two or more persons - - and in some instances a single hand -- in the production of handicrafts or other articles for trade or sale. Child labour was regulated closely. Boys and girls under 14 years and youths who had failed to complete their basic education were prohibited from engaging in manufacturing. To aid enforcement, employers were obligated to record the names of employees and the ages of hands under 21 years. The act restricted young teenaged workers from labouring at tasks which presented health risks, such as melting glass and grinding metals. It also specified the hours of labour for women and youths and times of day during which female employees could work, and it granted most women and boys meal breaks, use of a factory lunchroom, paid state holidays

⁶ J. B. Condliffe, New Zealand in the Making: A Survey of Economic and Social Development (London: George Allen & Unwin Ltd., 1930) p. 161.

⁷ Condliffe, New Zealand in the Making, p. 161.

and a paid Saturday half-holiday. Provisions for improved sanitation facilities, fresh drinking water, workroom ventilation and factory inspection were included.⁸ Upholding New Zealand factory law as exemplary, Saint John reformers hoped that the proposed legislation would incorporate most of these provisions. At the close of the meeting, the Premier assured the delegation that the government would prepare a factory act and "submit it for consideration."⁹

The New Brunswick legislature opened the following March with the promise that a factory bill would be introduced for debate. As Premier Tweedie explained in the House, it was his government's intention "to make it such a measure as will be suitable to the conditions which exist in this province" which, he maintained, were "widely different from those which prevail" in large American cities.¹⁰ It was left to Attorney-General William Pugsley, the Liberal member for Kings County, to draft the bill and guide its passage through the House. Regarded by contemporaries as one of the "strongest men in the Government,"¹¹ 54-year-old

⁸ Statutes of New Zealand, 1891, 54 and 55 Victoria, pp. 146-164.

⁹ Globe, 13 February 1904, p. 2.

¹⁰ Miramichi Advance (Chatham), "The Local Legislature," 10 March 1904, p. 3.

¹¹ James Hannay, "The Honourable William Pugsley," The Canadian Magazine XXII (October 1904): p. 538.

Pugsley was a seasoned lawyer and politician. First elected to the legislature in 1885, he was appointed attorney-general in 1900 and gained experience in the area of labour reform, having been credited for drafting the New Brunswick Employers' Liability Act of 1903 and overseeing its enactment. Married to Frances Parks, daughter of Saint John merchant Thomas Parks, Pugsley had ties to Saint John's business community. For a time he practised law at Saint John¹² and held membership in the Saint John Board of Trade. With his years of political experience and connections to Saint John's industrial elites, the Attorney-General was an invaluable member of Tweedie's government.

Conservative member of the House for Northumberland County, 55-year-old Tweedie also held a law degree and could boast several decades of political experience. First elected to the legislature in 1874, the Chatham native was returned at several subsequent elections and sat continuously in the House after 1886. He became Premier in 1900 upon the resignation of H. R. Emmerson. His marriage to Agnes Loudoun, the daughter of Chatham merchant Alexander Loudoun¹³ and his ties to the Miramichi region, linked him to provincial lumbering and business circles. Cognizant of

¹² Hannay, "William Pugsley," pp. 536-538; "William Pugsley," Graves: New Brunswick Political Biography Records, MC1156, (hereafter Graves Papers) Set I, Volume II, PANB.

¹³ "Lemuel John Tweedie," Graves Papers, Set I, Volume XI, PANB.

Pugsley's legislative skills as a result of their lengthy political association, Tweedie often relied on his Kings County lieutenant to facilitate the smooth-running of provincial affairs. Both Tweedie and Pugsley would be called on to put their political savvy to the test over the issue of factory reform.

On 16 March Pugsley introduced a bill entitled "An Act for the Protection of Persons Employed in Factories."¹⁴ Modelled on Ontario and New Zealand statutes, the factory bill was wide in scope and liberality. It applied to "any building, office or place" employing five or more persons in the preparation or manufacture of goods for trade or sale, to all bakeries and laundries regardless of the number of employees and to "every building or place in which steam or other mechanical power or appliance is used" in the production and packaging processes.¹⁵ Consequently many, if not most, of the province's manufacturing concerns fell within the proposed act's purview.

The bill placed restrictions on child employment. "It has been felt throughout the Province" that the employment of young children "is a great evil which should be remedied," the Attorney-General commented in the House. "There is a great tendency for the parents to put their children to work at an early age," he added, "and it is felt

¹⁴ "Assembly Proceedings," 1904, p. 48-49.

¹⁵ Globe, "The Factory Act," 24 March 1904, p. 4.

that this is not in the public interests." The bill, Pugsley explained, provided that no boy or girl under age 14 was to be employed in a factory unless the child were "strong and healthy and the condition of its parents render it absolutely necessary" that the child should work "to help support the family." In such cases, he went on, "the inspector may give authority for the child to work."¹⁶ To curb regulatory non-compliance, employers would be required to record the names of all employees and the ages of hands under 21 years. Similarly, work contracted out to individuals working at home was to be recorded and labelled as a means of curbing the "sweating evil," which legislators reported was "getting a foothold" in the Province.¹⁷

The bill offered many benefits to factory workers. Drawing on New Zealand law, it stipulated that women and boys who worked in factories employing four or more hands receive lunch breaks and access to factory lunchrooms as well as paid statutory holidays and a paid Saturday half-holiday. Provisions were also made for improved fire, safety and sanitation standards and for factory inspections similar to those outlined in Ontario and New Zealand statutes.

Pugsley's bill constituted a direct and favourable

¹⁶ "Assembly Proceedings," 1904, p. 48.

¹⁷ "Assembly Proceedings," 1904, pp. 89, 48-49, 72-73; Globe, "The Factories Act," 23 March 1904 p. 4.

response to the reformers' demands, but many of its features invited criticism from the business community. Adopting a conciliatory role, Pugsley informed the House that he had no intention of rushing the bill through, but rather desired to allow time for careful consideration. Emphasizing that the Government sought to provide protection for employees "without working hardship on employers," the Attorney-General invited legislators, manufacturers and members of reform societies to suggest amendments.¹⁸

Pugsley's bill received predictably positive reviews in Saint John reform circles. Within five days of the bill being announced, members of the Fabian League, Trades and Labour Council and Local Council of Women met to discuss its provisions. Members of the women's council committee declared their overall support for the measure, being favourably impressed that it offered protection to women and children. Specifically, the women approved the 14-year age limit, insisting that exemptions should be allowed only in "very extenuating circumstances."¹⁹ They also recommended several amendments. They thought that "it would be wise to provide for a nine hour system."²⁰ Moreover, they maintained that factories should be subject to routine,

¹⁸ "Assembly Proceedings," pp. 48 and 71.

¹⁹ Sun, "Local Council of Women," 28 March 1904, p. 8; Globe, "The Women's Council," 28 March 1904, p. 2.

²⁰ The Daily Telegraph (Saint John) [hereafter Telegraph], "They Oppose the Factory Act," 28 March 1904.

rather than occasional inspection as was outlined in the proposed act, and they called for the appointment of a woman factory inspector,²¹ precedents for such action having been set previously in England, Ontario and Quebec. The council committee, however, opposed provisions granting women and boys, but not adult male workers, paid holidays,²² probably out of fear that economically-minded employers might refuse to hire females as a result.²³

Council women made several additional recommendations. Compulsory education and manual training, they maintained, should complement child labour laws.²⁴ These women knew that compulsory education would help keep children out of factories. Yet they also knew that restricting child employment could pose problems for the community since, in the absence of compulsory education, unemployed youths might

²¹ Globe, "Factory Act--The Women's Council," 26 March 1904, p. 12.

²² "Assembly Proceedings," 1904, p. 88.

²³ The Globe reported that when discussing this point the women's council committee argued that they "did not think it necessary to provide for special half or other holidays for women. It would raise the standard of labour performed by women not to give it exceptions, but to treat it on the broad principle that is labour which should have just rights and no privileges as such." Globe, "Factory Act--The women's Council, 26 March 1904, p. 12. The position taken by the women's council on this matter could be interpreted as a statement in support of equal rights for women or as a cloaked means of making female labour attractive to prospective employers or both.

²⁴ Telegraph, "They Oppose the Factory Act," 28 March 1904; Globe, "The Women's Council," 28 March 1904, p. 2.

be inclined to spend idle hours loafing on city streets. Truancy and juvenile delinquency had been long-standing concerns of Saint John's reform-minded women. In the council's view, the community's interest would best be served if legislators enacted both factory and compulsory education legislation. A factory act would remove young children from the workplace; compulsory education would place these boys and girls along with their idle street friends in the classroom where they would receive the benefits of moral and mental training.

Representatives of the Fabian League and the Saint John Trades and Labour Council also met to discuss the proposed factory bill. While they likewise generally welcomed the legislation, they proposed several amendments. The definition of "factory" should be expanded to include "bottling" establishments, they suggested. The latter insertion would work to remove children from participation in the liquor trade, a situation which caused both the WCTU and the Sons of Temperance grave concern. Remaining optimistic that their initiative would be successful, they proposed the incorporation of several additional clauses. Adult male workers as well as women and boys, they maintained, should have access to factory lunchrooms. This provision was to apply to establishments employing ten rather than four employees as originally proposed.²⁵ In

²⁵ Sun, "Changes Proposed," 2 April 1904, p. 12.

lieu of the half-holiday clause, a nine-hour day, set hours of employment and an overtime rate of not less than time and one-half were proposed.²⁶ With respect to child labour, the 14-year-old age limit was upheld and an 18-year limit was suggested with regard to the operation of machinery. To ensure compliance with regulatory provisions, they maintained that the government should appoint an inspector and a sub-inspector, the latter position to be filled by a woman.²⁷

Saint John manufacturers responded more slowly to Pugsley's invitation. However, once they realized that the bill could severely restrict their control over the workplace, business owners rallied and launched a counter-offensive. A meeting of the manufacturers' committee of the Saint John Board of Trade called for 26 March was reportedly "slimly attended" by committee members and other citizens.²⁸ At this meeting and at subsequent such gatherings, employers aired their objections to the proposed act, suggested amendments and devised a plan to delay its passage.

Overall, sections regarding sanitation were favourably

²⁶ Sun, "The Factory Act," 21 March 1904, p. 3. and Sun, "Changes Proposed," 2 April 1904 p. 12. The Fabians and trades council opposed the half-holiday clause as it did not stipulate a maximum number of hours of work per week. Hence, employees might be called upon to work overtime to make up for the half-day of rest.

²⁷ Sun, "The Factory Act," 21 March 1904, p. 3.

²⁸ Sun, "Factory Act," 28 March 1904, p. 1.

received by employers.²⁹ Other regulatory provisions drew harsh criticism. In particular, many employers objected to the broad definition of factory and suggested that the five-person limit be raised. Furthermore, restrictions on hours of labour and outside work and allowances for separate lunchrooms and paid holidays were deemed either unworkable or unnecessary. Paid holidays would impose great hardships upon local employers, a representative of the Cornwall and York Cotton Mill claimed, as New Brunswick factory owners, would be unable "to successfully compete with those in Quebec."³⁰

Likewise, the provision prohibiting the employment of boys and girls under age 14 "was not unanimously supported," the Daily Sun recorded. Some factory owners admitted that they employed under-age children and several of these men maintained "that they at time [sic] were almost unable to refuse work when mothers said that the assistance of the children was required for the support of the family." It was also noted that young boys sometimes refused "to attend school." "In such cases," it was thought that "it would be better for them to be at work than to spend their time on the streets." Many manufacturers, however, agreed that restricting child labour "would be advisable, but that it would be of little effect unless backed by an act for

²⁹ Sun, "Factory Act," 28 March 1904, p. 1.

³⁰ Sun, "Factory Act," 28 March 1904, p. 1.

compulsory education."³¹

After much discussion and debate, Saint John manufacturers proposed a plan of action. They would pressure government leaders to postpone the bill's passage for a year until both employers and employees had sufficient time "to carefully consider the subject." This action was necessary, they maintained, "in order that an act when finally framed may be made as perfect as possible and mutually beneficial."³² W. S. Fisher, James Pender and T. H. Estabrooks were appointed a committee to draft a resolution to this effect and present it to the council of the Board of Trade. Acting upon the committee's recommendations, the council of the Board of Trade resolved to contact legislators as well as employers throughout the province to solicit their support. On 29 March the council named among others W. S. Fisher, James Pender, T.S. Simms, Fraser Gregory, Charles McDonald and John Cudlip as a delegation to go to Fredericton and present the Board's views.³³

Both groups presented their views on the proposed bill to the government at the end of the month. On 29 March

³¹ Sun, "Factory Act," 28 March 1904, p. 1.

³² Minutes of meeting 26 March 1904, Manufacturers' Committee, Saint John Board of Trade Committee Reports, pp. 223-224, New Brunswick Museum [NBM] (Saint John).

³³ Minutes of meeting 29 March 1904, Saint John Board of Trade Council Minutes, pp. 387-388, NBM.

Saint John delegations comprising representatives of business, labour and reform groups arrived in Fredericton to argue their respective positions. Peter Sharkey, Frank Hatheway and Michael J. Kelly appeared before the government on behalf of the Fabian League and labour council. In defending the measure, Sharkey pressed for the adoption of previously discussed amendments. Suffragist and woman's right supporter Emma Fiske and temperance woman, Mrs. W. C. Matthews, both representing the women's council, offered their support. In particular, Fiske and Matthews stressed the need for "regulations for the better protection of women and children" and urged the appointment of a woman factory inspector to oversee establishments where they were employed.³⁴

On the other hand, Saint John manufacturers, headed by W. S. Fisher, raised numerous objections. Provisions regarding meal breaks, lunchrooms and paid holidays would increase operational costs, these men maintained. In their view, the Employers' Liability Act already provided protection for employees and the previously enacted health act had established sanitation standards. Indeed, if the regulatory provisions contained in these statutes were strictly enforced, manufacturers argued, a factory act would be unnecessary. There was no great urgency for the act at

³⁴ Globe, "The Factory Act," 30 March 1904, p. 8 and Sun, "The Factory Act," 31 March 1904, p. 4.

this time, they maintained, as relations between employee and employer were amicable. Unnecessary regulation "might seriously handicap the manufacturers in outside competition." It was thought best to defer passage of factory legislation for a year until a more acceptable and workable act could be framed.³⁵ Tweedie offered few comments at the close of these presentations other than to request that proposed amendments be set out in writing and submitted for further study.

While political leaders pondered these recommendations, manufacturers and mill owners from other industrial communities joined the Saint John Board of Trade in opposing the bill. On 5 April a "strong delegation" from Northumberland County comprised of Miramichi "lumber lords" J. P. Burchill, E. Hutchinson, J. C. Miller, W. K. Munroe, O. G. Anderson, Hubert Sinclair and Allan Ritchie appeared before the government at Fredericton. Claiming that the "North Shore" was "up in arms" against the measure, the delegates stated that the bill would "operate harshly against the saw mill and manufacturing interests." They demanded the withdrawal of the bill.³⁶ Similarly, Moncton factory and business owners voiced their displeasure. At a meeting of the Moncton Board of Trade, W. F. Humphrey, owner

³⁵ Telegraph, "Manufacturers on Factory Act," 1 April 1904; Globe, "The Factory Act," 30 March 1904, p. 8 and Sun, "The Factory Act," 31 March 1904, p. 4.

³⁶ Sun, "Oppose the Factory Act," 6 April 1904, p. 8.

of Humphrey's woollen mill, stated that he believed the bill had been "too hastily drawn." Board of Trade President, F. W. Sumner argued that it would better to "get the factories first before passing such legislation."³⁷ On 6 April a petition signed by the Moncton Board of Trade was presented in the House, requesting that the proposed factory bill "may not pass and become law."³⁸

Inside the legislature, the factory bill also generated discussion. Members of the House debated the issue at some length, which is understandable considering that a number of them were lumbermen, manufacturers and merchants.³⁹ William S. Loggie, Liberal member for Northumberland, stated that he approved of a number of sections, but that he objected to the broad definition of "factory." In the "northern counties," he explained, "there are numerous lobster factories which only run about two months in the year. Girls and boys are employed there," he went on, "and at the busy season each employ about thirty hands." Loggie who had personal business interests in the fishing and canning industries suggested that the limit of five hands be raised.

³⁷ The Daily Transcript (Moncton) [hereafter Transcript], "Moncton Board of Trade Criticizes Factory Bill," 5 April 1904, p. 1.

³⁸ Journals of the House of Assembly of the Province of New Brunswick (hereafter Journals), 1904, p. 75.

³⁹ Of the 46 members elected to the House in 1903 whose occupations could be determined, 23 fell into this category: four were lumbermen, five were engaged in some aspect of manufacturing or the fishing industry and 14 were merchants.

This recommendation received Opposition Leader J. D. Hazen's approbation.⁴⁰ Lawyer Hazen Grimmer, along with other legislators, objected to the holiday clauses: "No factory can successfully carry on its business if the employer has to pay a large amount of wages for holidays for which he receives no return," the Conservative member for Charlotte County contended. This was especially true, he continued, "when the competition is keen and the margin of profit small. It will finally mean a reduction of wages which would cause much discontent."⁴¹

The issue was also debated in the press. Editorials appearing in Saint John newspapers generally supported the principle of factory legislation, but objected to certain provisions on the grounds that they did not suit local conditions and that the imposition of overly burdensome regulations would result in lost profits. "There is much in this project of law that is debatable," the Globe editor informed readers: "From the point of view of the operative it may not seem to go sufficiently far, and yet as compared with existing conditions, it goes so far that it will impose difficulties, responsibilities and severe duties upon occupiers of factories." The fear of declining profits notwithstanding, the Globe editor conceded that "A factory act which will protect the lives and limbs of employes

⁴⁰ "Assembly Proceedings," 1904, pp. 73-74.

⁴¹ "Assembly Proceedings," 1904, pp. 74-75.

[sic]... would be beneficial," but, he warned, "to put the machinery of a steamboat...into a canoe which is fairly paddling, may not be wise."⁴² Regarding the "non-employment of boys under fourteen", the Globe queried, "If boys won't go to school, "what is to be done with them?"

The Sun editor echoed sentiments expressed in the Globe, insisting that the proposed act should take better account of local conditions and not impose burdens that "small and struggling industries are unable to bear." Yet the writer concluded that regulatory legislation "need not be delayed forever, because they have been long delayed;" however, he advised, "it is important that the scope of the measure be fully understood."⁴³ The Daily Telegraph likewise greeted the proposed legislation with cautious optimism. "The bill is worthy of careful and favourable consideration," the editor commented, "and no doubt a law which is fair and satisfactory to both employer and employed will be the result."⁴⁴

The factory bill had aroused much discussion and debate. Legislators were now confronted with the difficult task of reconciling the interests of capitalists and reformers. Obviously, the objections raised by provincial

⁴² Globe, "The Factory Act," 23 March 1904, p. 4 and "The Factory Act," 25 March 1904, p. 4.

⁴³ Sun, "The Factory Act," 25 March 1904, p. 4.

⁴⁴ Telegraph, "The Factory Act," 17 March 1904, p. 4.

lumbermen and manufacturers had won sympathy from members on both sides of the House. Yet a cabinet announcement of the bill's complete withdrawal was out of the question. Having gained the government's ear on this issue, the Saint John progressives expected action. A full-circle retreat would raise their ire and that of the hundreds of Saint John voters they represented. Tactful manoeuvring was required to avoid alienating political support from members of each lobby group and the public-at-large.

Soon afterwards Pugsley announced in the legislature that the government would consider "some important amendments." The number of hands constituting a factory would probably be increased to 15 or 20, the Attorney-General advised, and canneries would most likely be exempted. Clauses establishing paid holidays, hours of labour and employee lunchrooms would probably be deleted from the final draft. Safety regulations would most likely be adjusted, he stated, given that the bill's provisions governing such matters were considered either unworkable or undesirable. In addition, Pugsley advised that the government would consider the reformers' suggestions that a woman factory inspector be appointed and that an age limit be set on the operation of machinery. He also announced that the government intended to create a Bureau of Labour.⁴⁵ The proposed bureau was to be headed by a government minister

⁴⁵ "Assembly Proceedings," 1904, pp. 88-89.

and responsible for collecting, organizing and publishing statistical information relating to employment, wages, strikes, labour organizations, hours of labour and labour conditions.⁴⁶

Pugsley made a further announcement directed towards the resolution of the factory reform issue. In light of the "great differences of opinion" expressed on the proposed factory act, he stated, it was thought "best to allow the bill to stand over to another session." In the interim, a five-member commission would be appointed to consider the subject of factory reform and suggest amendments to the bill.⁴⁷ Government leaders had given in to the manufacturers' demand that the bill's passage be postponed. The Attorney-General added that the government was confident a measure could be framed which would prove beneficial to "labouring people" without inflicting undue hardship on the "employers of labour."⁴⁸ The adoption of this strategy of delay could work to the government's advantage. Not only did it immediately reduce public pressure on elected officials, but it also gave the government the opportunity to poll manufacturers throughout the province respecting their opinions on the proposed bill. Perhaps most

⁴⁶ Telegraph, "Bureau of Labour to be in Charge of Provincial Secretary," 13 April 1904, p. 7. Also see: Statutes of New Brunswick, 1904, c. 17, p. 81.

⁴⁷ Statutes of New Brunswick, 1904, c. 14, p. 79.

⁴⁸ "Assembly Proceedings," 1904, pp. 90-91.

importantly, the manoeuvre allowed time for the arrival of a more favourable climate in which to decide the issue.

Two months later and amid much speculation, the government announced the names of the five factory commissioners.⁴⁹ They included John Palmer, Charles McDonald, Kilgour Shives, Michael J. Kelly and Emma Fiske. Palmer, a Conservative in politics and Mayor of Fredericton, was designated chairman. A successful businessman in his own right, Palmer was Vice-President of the Fredericton-based Hartt Boot and Shoe Company which supplied a national market. Described in the press as one of New Brunswick's "Captains of Industry," Kilgour Shives managed the Shives Lumber Co., reportedly one of the largest lumber operations on the Restigouche River and a major employer of labour on the north shore. The former Saint John resident and political Liberal had operated several mills in and near the Saint John and one at Sussex prior to establishing a shingle mill and several saw mills in the Campbellton area.⁵⁰ Representing Saint John manufacturers was 42-year-old Charles McDonald, managing director of the St. John Iron Works Ltd. A Saint John native, McDonald had worked as a clerk for the Bank of New Brunswick and as an accountant

⁴⁹ Minutes of meeting of the Executive Council, 28 June 1904, Executive Council: Minutes and Orders-in-Council, 1904, Vol. 9, p. 150, RG2, RS6, PANB.

⁵⁰ Sun, "Kilgour Shives Accidentally Killed Near Campbellton," 6 November 1905, pp. 1 and 7.

with the Imperial Oil Company prior to organizing the iron works in 1899. This political Liberal⁵¹ held membership in the local Board of Trade.

Also hailing from Saint John was Irish-born Michael Kelly. Respected in labour circles, Kelly held the post of recording secretary with the Saint John local of the International Longshoremen's Association, having previously served for many years in a similar capacity with the Ship Labourers' Union. The 45-year-old scowman was also a member of the Saint John Fabian League.⁵² Well-known in Saint John's reform circles, 51-year-old Emma S. Fiske sat as the commission's sole female member. An ardent supporter of equal suffrage and woman's rights, she was recommended for her seat on the panel by Frank Hatheway,⁵³ who held membership in the Saint John Women's Enfranchisement Association of which she was president. Fiske shared with Hatheway and his wife, Ella, an interest in socialist theory and labour reform. Judge James G. Stevens of St. Stephen, a former assemblyman for Charlotte County and veteran of the

⁵¹ John F. Kennedy, ed., Who's Who and Why in Canada, Vol. 1 (Vancouver: Canadian Press Association Limited, 1912), p. 337.

⁵² Globe, "Michael J. Kelly was Accidentally Killed," 9 September 1909, p. 5; "Michael Kelly," Saint John Burial Permits, 1909, Vol. 18, p. 644, PANB.

⁵³ Frank Hatheway to William Pugsley, dated 13 April 1904, Cabinet Meeting Records, meeting held 1 June 1904, PANB.

County Court judiciary was named commission secretary⁵⁴.

Obviously, the commissioners had been selected with great care. Saint John, the province's largest industrial community and the centre of reform agitation was well-represented, claiming three of five panel members. However, this meant that smaller but major manufacturing communities, such as Moncton, lacked representation, a fact which did not go unnoticed in the press. Labour, capital and reform groups could all claim a voice on the panel, but overall the commission was weighted in favour of business interests.

For the newly appointed, the first order of business was to establish commission procedure.⁵⁵ It was determined that the commission would visit the province's principal manufacturing communities, inspect factories and hear testimony from employers, employees and others. Generally, witnesses were to be informally called. In each community, several representatives from each of the three named groups were to be invited to give unsworn testimony. Anyone else who desired to air an opinion could appear voluntarily before the panel. These agreed upon procedures could and

⁵⁴ Stevens could boast a long legal career and a stint in politics. Born at Edinburgh Scotland in 1822, the St. Stephen resident sat in the House for Charlotte County between 1861-65 and was elevated to the bench in 1867. Thus his call to serve as commission secretary came during the twilight of his career. "James Grey Stevens," The Canadian Men and Women of the Time: A Hand-book of Canadian Biography, ed. Henry James Morgan (Toronto: William Briggs, 1898).

⁵⁵ "Factory Commission Evidence, 1905," p. 1.

did pose problems. The informal method of calling witnesses resulted in the early termination of proceedings on several hearing days due to a lack of available witnesses. Furthermore, because the evidence was unsworn, witnesses sometimes offered vague and incomplete answers to questions posed.

Commission hearings opened in Saint John on 11 August. During two days of testimony, 11 employers, nine employees and seven other persons gave evidence relating to the subjects of fire, health and sanitation standards, workplace safety, employer-employee relations and hours of labour.⁵⁶ In a number of cases the testimony rendered by employers and others confirmed the earlier findings of the Fabian investigative committee. Henry Rankin, a biscuit manufacturer, W. S. Fisher, a hardware merchant and manufacturer and Abram Hartt and Abram Isaacs, both cigar manufacturers, all testified that their multi-storey factories had no fire escapes or fire extinguishers.⁵⁷ Isaacs stated that he employed primarily women and girls.

In aid of the reform cause, the Reverend John A. Richardson, rector of Trinity Church, offered evidence on

⁵⁶ Hours of labour was not to be a subject of special inquiry. However, numerous witnesses offered testimony on this subject.

⁵⁷ "Factory Commission Evidence, 1905," pp. 142, 111, 37 and 8.

this subject. A member of Saint John's reform circle,⁵⁸ Richardson was one among several of the city's religious leaders who supported the enactment of child labour and factory laws. He reported that he had investigated working conditions in the Cornwall and York Cotton Factory. In some of the workrooms the air was hot and dusty, ventilation was poor and the sanitation system was inadequate, Richardson claimed. Water closets were "very cramped" and "not clean-looking," he stated, and the closet odour at the York factory was "pretty strong."⁵⁹ Manufacturers appearing before the commission generally agreed that improvements should be made in this area. The obvious problem of inadequate health and safety standards and the employers' recognition of this fact would suggest that provisions relating to these issues would be incorporated into a factory act.

Employers were questioned regarding workplace safety, working hours and employee satisfaction. Thomas White, John Warner and Thomas Simms, a candy manufacturer, lumberman and brush and broom manufacturer respectively, admitted that accidents had occurred in their establishments. All of the employers maintained that the mishaps had resulted primarily

⁵⁸ Richardson was especially interested in prison reform. In 1902 he had urged that the conditions in Saint John's city jail be improved.

⁵⁹ "Factory Commission Evidence, 1905," pp. 18-20, 22-23, 28.

from worker "carelessness."⁶⁰ White stated that he had taken steps to improve workplace safety. In his candy factory, any belting which might catch a girl's skirt had been "boxed-in".⁶¹

The issue of health standards was also addressed. Cigar and cotton factories were notorious for their dusty atmospheric conditions, a situation which reformers argued presented health risks. Cigar manufacturer Isaacs reported that in his factory teenaged and adult workers ate at their dusty workbenches. No lunchroom was provided, he stated, because the workers "wouldn't take it; they would rather eat on the table." Similar eating arrangements prevailed in the cotton mills.⁶² By contrast both White and Brown supplied their workers with a separate lunchroom, but "you couldn't get them to eat in it," Brown maintained. According to him, the young girls were embarrassed to open their lunch pails in front of their co-workers.⁶³ Such testimony did not bode well for the inclusion of a provision for mandatory lunchrooms in the proposed act.

Commission evidence confirmed that factory hands often

⁶⁰ "Factory Commission Evidence, 1905," pp. 34, 44, 54, 101.

⁶¹ "Factory Commission Evidence, 1905," p. 34.

⁶² "Factory Commission Evidence, 1905," pp. 10-11, 20.

⁶³ "Factory Commission Evidence, 1905," pp. 34, 43-44.

worked by the piece⁶⁴ and that their hours of labour ranged between nine and 11 hours per day. Young hands generally laboured the same number of hours as their adult co-workers. The commissioners had not been authorized to address the subject of hours of labour, although witness testimony often touched upon this issue. Given this fact, the government obviously did not intend to regulate hours of work for all workers.

Despite long hours and difficult conditions, employers reported that their hands rarely complained. Since few factory workers appeared before the commission it might be falsely assumed that they were generally content with their lot. Thomas Kickham, a harness manufacturer, shed some light on this issue. "I think there are a great many Factory hands who would not come here to give evidence because they are afraid of losing their positions or getting into trouble in some way," he informed the commission. In Kickham's opinion, the passage of factory legislation would place these employees "in a better position."⁶⁵

Perhaps of all issues probed, that of child labour aroused the most concern. Employers' testimony suggested that many Saint John factory hands were teenaged girls and women, "seven-eights" of Brown's employees, the "majority"

⁶⁴ "Factory Commission Evidence, 1905," see Isaacs, p. 12, Brown, p. 45, Simms, p. 102 and Fisher, p. 111.

⁶⁵ "Factory Commission Evidence, 1905," p. 60.

of Thomas White's 75 candy makers as well as many if not most of Isaacs' 40 cigarmakers, Scovil's seamstresses, John Cudlip's 500 cotton hands and Charles Vail's 30 laundry workers fell into this category.⁶⁶ However, none of these female workers appeared before the commission,⁶⁷ and most, if not all, of these young girls were reportedly more than 14 years of age.

Attempts to establish the actual ages of young factory hands proved difficult since employers were not obligated to record the ages of child workers. When queried if they employed boys and girls under 14, most factory owners replied in terms such as, "none that we are aware of," "none that we know of," or "I don't think we have". These vague responses were called into question on several occasions but to little avail due to a lack of documentary evidence.

Occasionally, attempts to evade the child labour issue failed. When asked if he employed hands under age 14, James Warner, a lumber manufacturer, replied that he did not think he had any lads under 14 in his hire. Upon further questioning, Warner acknowledged that there might be "two or three" hands about that age working around the mill, and then volunteered that he had hired an under-age boy "under

⁶⁶ "Factory Commission Evidence, 1905," pp. 45, 10, 31-34, 8, and 148.

⁶⁷ In fact, only one woman, Martha A. Wright, a "fore-lady" with Hartt Boot and Shoe Factory of Fredericton gave testimony during the commission sessions.

the solicitations" of the boy's mother, but that the youth had recently left his employ.⁶⁸ This type of evidence would suggest that to be effective child labour laws must include clauses requiring the official documentation of children's ages.

Employers' testimony also suggested that the practice of child labour was on the wane, a fact which would make the enactment of child labour laws more palatable. Hartt, Isaacs and White all stated that they chose not to employ young boys and girls. The latter two manufacturers suggested that they had adopted this policy because young children were unable to perform satisfactorily assigned tasks.⁶⁹ According to Hartt, parents were to blame for the perpetuation of child labour. "I have frequently had girls, anywhere from 12 to 13 years of age, I would judge, apply," the cigar manufacturer stated in reply to Commissioner Kelly's queries, "and if I asked them how old they were they would say 15 or 16 as the case might be and I would not hire them," he explained. "Sometimes where there would be one girl employed," Hartt continued, "the mother would like to get the other girl employed. I ask 'How old is the girl?' 'Oh,' they say, 'she is fourteen' while really she would not be nearly that." These discrepancies posed problems for the manufacturer who wished to avoid hiring young children,

⁶⁸ "Factory Commission Evidence, 1905," pp. 55-56.

⁶⁹ "Factory Commission Evidence, 1905," pp. 8, 31, 40.

Hartt pointed out.⁷⁰ C.W. Brown and other employers advised that they confronted problems similar to those outlined by Hartt.⁷¹ Neither of these factory owners, however, appeared to question why parents felt it necessary to hire out their sons and daughters.

Possible attempts to screen teenaged workers notwithstanding, boys and girls were reported working for several local factories, some at dangerous occupations. D. H. Melvin, an electrician employed by the City of Saint John, indicated that as a member of the Fabian League he had visited several sawmills in or near Saint John and believed that boys under age 14 were employed. One lad was running a circular saw, he stated, a task which he felt was too dangerous for one so young. "In another mill," Melvin testified, a boy was working whom he thought was "not over ten years of age." In the electrician's opinion, one of the main reasons factory legislation was needed was to prevent child labour.⁷² Similarly, Peter Sharkey expressed concern that young ill-trained boys were operating dangerous machinery. He implied that an age limit should be set on such occupational tasks.⁷³

In giving his testimony, the Reverend John Richardson

⁷⁰ "Factory Commission Evidence, 1905," pp. 40-41.

⁷¹ "Factory Commission Evidence, 1905," p. 43.

⁷² "Factory Commission Evidence, 1905," pp. 57-58.

⁷³ "Factory Commission Evidence, 1905," p. 51.

linked the problems of child labour and illiteracy while strongly endorsing the enactment of compulsory education laws. He reported that when visiting the cotton mills he had observed several young hands whom he "strongly" believed were "not 12 years old." In fact, the clergymen stated, several of the boy workers had admitted to him that they had attended school only briefly. An English boy who appeared to be under 14 acknowledged that he "had not been inside a school at all." Neither this lad nor one of his young co-workers, by their own admission, could read or write, the clergyman added.⁷⁴ This revelation disturbed Richardson, as did the possibility that other unfavourable consequences could result from early employment. The mixing of boys and girls together in factory workrooms "would not tend towards morality," he opined. "I think if you do not keep a pretty close watch over boys at that age, about 14...trouble might arise." In the clergyman's opinion New Brunswick needed both a factory act and a compulsory education law. The former, he explained, would work to protect employees and the latter would help prevent the employment of children under age 14. "If you had a compulsory law," he pointed out, "then the responsibilities would be removed largely from the factories and mills to the school officers of the City. I should think that the management of the Mills would welcome a thing

⁷⁴ "Factory Commission Evidence, 1905," p. 17.

of that sort as taking the responsibility from them."⁷⁵ In fact, cigarmaker Hartt agreed with Richardson that employers would benefit from the passage of a compulsory school attendance law as the responsibility for keeping children out of factories would no longer rest with them.⁷⁶

Opinions varied regarding the need for, benefits of and extent of proposed regulatory provisions. James R. Woodburn, a machinist, maintained that such a law should have been in force "years ago."⁷⁷ Charles McCrystal, a printer, trade unionist and Fabian, expressed a similar opinion on the subject, while adopting a more global outlook: "When all over the civilized world they seem to think they need one [a factory act] I don't know why New Brunswick should not need one as well as the others."⁷⁸ According to McCrystal then, the passage of a provincial factory act would bring New Brunswick into line with the progressive states, provinces and nations that had already enacted such legislation.

Harry Goldsworthy, a builder's labourer, pointed out an often unspoken advantage arising from the passage of child labour laws -- adults would not have to compete with young

⁷⁵ "Factory Commission Evidence, 1905," pp. 24-26.

⁷⁶ "Factory Commission Evidence, 1905," pp. 40-41.

⁷⁷ "Factory Commission Evidence, 1905," p. 71.

⁷⁸ "Factory Commission Evidence, 1905," p. 74.

children for factory positions.⁷⁹ Thomas Kickham favoured the enactment of a factory law as a means of improving employer-employee relations. "It would prevent a great deal of the dissatisfaction that seems to be among employees," he commented.⁸⁰ The Reverend J. Nicholson held a similar opinion. New Brunswick needed a factory act, the clergyman stated, because "so many people are employed and the tendency of those who employ to get the most out of their employees that they can." Such a law would help prevent industrial "evils from arising." It was the government's responsibility, the clergyman added, to "deal" with industrial problems.⁸¹

The Reverend Howard Roach, the former Pastor of the Baptist Tabernacle, agreed with Nicholson that political leaders had a responsibility to regulate the workplace. He also advocated government intervention in family matters. According to him, children left school to go to work "simply because it is possible for them to work." Roach stated that he knew of one family "that took their little son from school and put him in the cotton Factory simply because the cotton factory would employ him." This, he went on, "might be remedied by a Factory Act or by a compulsory school law." Commissioner Shives probed the matter further, asking the

⁷⁹ "Factory Commission Evidence, 1905," p. 139.

⁸⁰ "Factory Commission Evidence, 1905," p. 59.

⁸¹ "Factory Commission Evidence, 1905," p. 76.

clergyman if he thought exceptions should be made for the children of poor widows. Even in these situations, Roach believed "it would be better if they could make arrangements where children should be kept at school." "The state," he commented, "should help the mother."⁸²

Local manufacturers held differing opinions regarding the factory reform issue. Abram Hartt was one of the few factory owners who strongly favoured the passage of regulatory laws. "I think it is a first-class idea to have legislation," the cigar manufacturer commented, "I personally approved of it." His competitor, Isaacs, although not overwhelmingly in favour of the legislation, agreed that many boys and girls working in factories would be better off at school.⁸³ At the opposite end of the spectrum, a few employers strongly opposed the imposition of workplace regulations. "I do not see any need of it, as far as conditions in Saint John are concerned," D. C. Brown stated. "We are all small manufacturers at the most and we have a great deal of outside competition to contend with."⁸⁴

Several manufacturers refused to express an opinion on the bill, claiming that they had not studied the matter

⁸² "Factory Commission Evidence, 1905," pp. 98-100.

⁸³ "Factory Commission Evidence, 1905," pp. 38 and 13.

⁸⁴ "Factory Commission Evidence, 1905," pp. 45-46.

sufficiently to do so.⁸⁵ James Pender, a nail manufacturer, along with other employers insisted that instead of a factory act all that was needed to keep children out of factories was compulsory education. Stricter enforcement of the health act, he maintained, would sufficiently improve working conditions.⁸⁶ However, many of the manufacturers appearing before the hearings stated that they had no objections to the enactment of factory legislation so long as it did not prove too costly or interfere with day-to-day business operations. As W. S. Fisher, a hardware merchant and manufacturer and member of the Saint John Board of Trade, put it:

I do not say I am opposed to a Factory Act. I say if a Factory Act is necessary, it ought to be worked out with the utmost care, but as far as my light goes, I do not see any need for it...I am not opposed to any legislation that will make for the general good, but I am opposed to any unnecessary legislation, or anything that will hamper or interrupt the absolute freedom between the employer and the employee in the industrial element of our province which we are struggling to get under way.⁸⁷

Upon completion of its Saint John session, the commission commenced a provincial tour. Between August 1904 and February 1905 panel members travelled to Newcastle,

⁸⁵ See the testimony of Warner, "Factory Commission Evidence, 1905," p. 54.

⁸⁶ "Factory Commission Evidence, 1905," pp. 90 and 94.

⁸⁷ "Factory Commission Evidence, 1905," p. 124. Also see Henry C. Rankin, p. 144 and T. S. Simms, p. 103.

Chatham, Fredericton, Marysville, Woodstock, St. Stephen, Moncton and Campbellton. Evidence taken at these locations confirmed previous findings, elaborated upon others and raised new issues for consideration. William Currey, general manager of William Currey & Co. Ltd. of Campbellton, a rough and finished lumber operation, spoke for many of the lumber manufacturers in the region when he informed the Commission that he thought a factory act "would be a very great injury" to the province's "leading industries," especially the seasonally operational rough lumber industry.⁸⁸

Currey raised other objections. He was particularly opposed to the paid Saturday half-holiday clause. With respect to the child labour issue, the Campbellton businessman stated that he did not believe he had young boys in his employ, "no one wants a boy about it [rough lumber mill], it is men we want," he stated. In his view the only thing "that would necessitate an Act" was child labour.⁸⁹

Other lumber manufacturers and sawmill owners in the region, including Thomas W. Flett, William Snowball and William Hickson, one of the most prosperous, admitted to hiring boys under age 14. Son of Jabez Snowball, Lieutenant-Governor of New Brunswick, William Snowball was manager and part owner of lumbering operations located at

⁸⁸ "Factory Commission Evidence, 1905," pp. 162-163.

⁸⁹ "Factory Commission Evidence, 1905," p. 163.

Chatham and Tracadie. Obviously the testimony he offered on child labour and other issues would carry weight with both government leaders and businessmen. Snowball stated that he had perhaps five or six boys under 14 and "quite a few" hands under 18 in his employ. The lads worked barking deals, oiling machinery and assisting adult workers. Many of them, he pointed out, worked only during the school holiday.⁹⁰ Snowball looked upon his boy workers as trainees for adult positions. "All our millwrights today have grown up in our own employ," he told the commission, "went in there as boys working at the minor work and assisting -- unless you take a boy in early," Snowball commented, "he seldom wants to go in."⁹¹ For Snowball, child labour was an integral part of his business operations.

Snowball remained unconvinced that it was the state's duty to regulate the workplace. In particular, he objected to the provisions in the proposed act which granted boys a paid Saturday half-holiday. "That simply means the employers are going to pay for it," he stated.⁹² The lumberman also criticized the arbitrary powers granted factory inspectors to enforce regulations, arguing that such authority might be exercised by incompetent and prejudiced persons.⁹³

⁹⁰ "Factory Commission Evidence, 1905," pp. 244 and 248.

⁹¹ "Factory Commission Evidence, 1905," p. 248-249.

⁹² "Factory Commission Evidence, 1905," pp. 245-247.

⁹³ "Factory Commission Evidence, 1905," pp. 249-251.

Thomas Flett of Nelson admitted he hired "a lot of boys under 14" to work in his sawmills and box factory. He justified this practice on the grounds that children's wages raised a family's income above the level of subsistence:

Take a laboring man with three or four boys and three or four girls; those boys of 11 or 12 have got to work to support the girls of probably younger ages...in my experience, in winter time, men who have two or three boys will live comfortably if they can get those boys to work, even at 50 or 60 cents a day, and if they have not boys or cannot get those boys to work, they are not nearly so well off at the end of the year.⁹⁴

Commissioner Fiske interjected, proposing a practical solution to the child labour problem, "You will have to pay the men a little more and let the boys go to school?" she queried. "We cannot pay any more," replied Flett, "we are paying all we can now, you cannot make the boys go to school."⁹⁵

James Dower, a saw filer working at Snowball's Chatham based operation presented a different argument on the subject.

Some children...have got to work as soon as they are able to work, to keep their widowed mother, or something like that, but I think where children have a father and mother, or in a place where the father can get plenty of work to do, no child should work under at least 14 years of age. I don't see any reason to prevent a man from maintaining three or four children any place.⁹⁶

⁹⁴ "Factory Commission Evidence, 1905," p. 254.

⁹⁵ "Factory Commission Evidence, 1905," p. 254.

⁹⁶ "Factory Commission Evidence, 1905," p. 271.

Dower also favoured state intervention to make education compulsory.

Oliver Anderson of London, England, who had operated a furniture manufacturing business in Ontario and was constructing a similar operation at Newcastle, stated that he customarily employed "boys, fourteen years." Commissioner Kelly asked him if under Ontario law he was permitted to employ 14-year-olds. "I think perhaps by the permission of their parents we could employ them at thirteen; I am not sure of that," he commented, "but fourteen is what we looked upon as the age." "Occasionally," he offered, "we take one under 14, depending a little on their size and strength."⁹⁷

In his comments, Anderson had pointed to a legal means by which New Brunswick employers could hire under-age help in the event that the proposed factory law was enacted. The furniture manufacturer also calmed concerns about the possible impact of factory legislation. Based upon his knowledge of the Ontario law, Anderson stated that he did not think factory legislation did "much harm or much good." "I operated in Ontario for many years under that Act," he stated in response to Commissioner Kelly's queries, "but the Inspector came around his regular trips twice a year or more, but there seemed to be no results from it, beyond giving advice very often. Sometimes we took his advice and

⁹⁷ "Factory Commission Evidence, 1905," pp. 199-206.

sometimes we did not," Anderson reported, "it did not seem to make much difference."⁹⁸

Andrew Mungall, superintendent of dyeing for all the mills owned by the Colored Cotton Mills Company which operated the St. Croix mill at Milltown, presented a similar but more detailed picture of how the factory act worked in Ontario:

If we work over time we ask permission from the Inspector and we never were refused permission. There is a law that women shall not work overtime and we ask permission and never were refused. We can violate any of the provisions by getting permission from the Inspector.

"The law is winked at?" Commissioner Kelly enquired. "Well, I don't know as you would call it that, but if it is going to be a great inconvenience to us, we ask permission and it is given to us," Mungall advised. Chairman Palmer asked him how the act worked in Massachusetts:

Palmer: Were the mills bothered much with the Inspectors?

Mungall: No, never bothered at all.⁹⁹

Such reports should have helped allay manufacturers' fears that the enactment of a factory law in New Brunswick would prove detrimental to industry.

As the commissioners went about their task over the course of several months, they wearied. Not surprisingly, they showed signs of irritation when they received vague

⁹⁸ "Factory Commission Evidence, 1905," pp. 199-206.

⁹⁹ "Factory Commission Evidence, 1905," p. 351.

responses to questions posed. Sometimes on such occasions the personal attitudes of both commissioners and employers were revealed. Excerpts taken from the record of a verbal exchange between Commissioner Fiske and Gilbert W. Ganong, president and manager of Ganong Brothers, St. Stephen, serve to illustrate this point. Ganong was questioned if he thought it was necessary "to have such an act [factory]." "No," replied Ganong, "I do not. When you say such an Act," he went on, "you refer to that particular act I suppose." Fiske then asked if he objected "to any sort of a Factory Act," to which the candy manufacturer responded evasively, "I don't know why anyone should object to a Factory Act, if it was made on reasonable principles." Fiske probed the matter further, enquiring if Ganong would state his objections to the present act. "I don't think I could, unless I took the present Act and went over it," was the reply. Taking a different tack, Fiske asked, "Your factory is in good condition, you have nothing to fear from a Factory Act?" "Not a bit," replied Ganong, "in fact, I think the effect of it would perhaps be in favor of the owner, rather than against him." Frustrated by the Ganong's apparent lack of concern for his employees, Fiske retorted:

Well, I have noticed very much more of an apparent desire to have the machinery and everything well run, rather than to look after the operatives in many cases. They will tell you, we are going to have such and such a thing, because it will be better for our goods; very rarely do you hear them say we are going to have that for our operatives?

To this Ganong responded, "I think that is imaginative, Mrs. Fiske, I think perhaps you take an extreme view of it."

Refusing to let the matter drop, Fiske added:

I know of one case yesterday, a gentleman spoke of the employees as if they were not fit to be considered, as if they were not respectable almost?

Ganong condescendingly offered the last word:

Well, we would not want to get any help that was not respectable. I think the manufacturers should have a clause or two in the Factory Act to protect themselves.¹⁰⁰

Overall, factory owners from around the province appearing before the commission were not opposed completely to the principle of factory legislation but desired an act which would not prove costly or disruptive. However, Edwin G. Vroom, proprietor of a Fredericton upholstery and finishing business was one of several manufacturers who questioned the necessity of regulatory legislation. "I think we have too much legislation, that is my opinion of it," he declared.¹⁰¹ Alfred Peters, President of the Record Foundry & Machine Company of Moncton was even more adamant on the subject,

In my opinion what we want to do is to encourage capital into industry, we have too little in it now...and when you clog that in any way, it is an injury. Now this Employers' Liability Act is a perfect clog, and you would be surprised how many people who were talking of investing money in

¹⁰⁰ "Factory Commission Evidence, 1905," pp. 333-336.

¹⁰¹ "Factory Commission Evidence, 1905," p. 361.

industries say 'Well, I don't know, it is going to be dangerous if they get too much legislation.'¹⁰²

The spirit of laissez-faire liberalism was alive and well in early 20th century New Brunswick.

In early February 1905 the commission held hearings at Saint John for the second time. A temperance delegation headed by Edward A. Everett, Grand Scribe of the Sons of Temperance, requested to be heard. Everett stated that temperance supporters believed that minors should not be employed in the "bottling and labelling of liquor" as "they are apt to learn to drink liquor" while working in these establishments.¹⁰³ A law should be enacted, Everett argued, to prohibit the employment of minors in this aspect of the liquor trade. Another member of the delegation justified the passage of such a measure on the grounds that "the principle of legislation" was "to protect all classes of subjects, and as children came under such influence, it should seem to be right in principle that they should be protected."¹⁰⁴

Similarly, the subject of child employment was explored in some depth during John Cudlip's testimony. The manager of the Cornwall and York cotton mills apprised the commissioners that he had approximately 500 hands on his

¹⁰² "Factory Commission Evidence, 1905," p. 387.

¹⁰³ "Factory Commission Evidence, 1905" pp. 408-409.

¹⁰⁴ "Factory Commission Evidence, 1905," pp. 410-411.

payroll, none of whom were under 14 years of age. Fiske challenged Cudlip on this point, stating that during an inspection of the cotton mills she had asked one boy worker his age and had been informed by the lad that he was 13. "About half a dozen [boys] looked as if they were only about 13," she informed Cudlip. To this the mill owner replied that since both parents and young hands presented false information concerning ages it was difficult to keep underage boys and girls out of the factory. "We try not to employ small help," Cudlip insisted, "We do not think it is economy, outside of anything else." According to him, a factory act was unnecessary and inadvisable given existing conditions. He conceded, however, that a compulsory education law would be a useful check on child employment.¹⁰⁵ His statements echoed the sentiments expressed by many other employers.

The most compelling evidence offered indirectly in support of child labour laws came from three teenaged boys, all of whom were or had been employed about Murray & Gregory's saw mill. J. Fraser Gregory, manager of the operation, told the commission that he employed "very few" boys, perhaps "one or two." "In the summer holiday, little fellows come down and want to get a job while the school is closed," he explained, "They are very ambitious and think they can do a lot, but we are constantly telling them we

¹⁰⁵ "Factory Commission Evidence, 1905," pp. 391-395.

cannot employ them."¹⁰⁶

Subsequent testimony given by three of Gregory's young mill hands cast doubt upon his previous statements and the effectiveness of the commission in gathering accurate information. Fourteen-year-old Joseph Craig stated that he worked inside the mill bunching staves and that he had started working there when he was 12-years-old. His brother Archibald, aged 17, had also worked for Murray & Gregory's, but the older boy had been accidentally killed when he was struck on the head by a piece of wood.¹⁰⁷ "Are there many boys about your age working in the mill?" Commissioner Kelly asked Joseph. "There is one of them just about my age," he replied and went on to state that some of hands were younger than he, about 12 or 13.¹⁰⁸

Following completion of the boy's testimony, J. Fraser Gregory was recalled. Although the mill manager was unable to refute the boy's evidence concerning his early age of employment, Gregory was adamant that Joseph had not been employed directly by him. The young boys "work about the mill with the men hauling wood," Gregory advised, "and I do not think the boy could distinguish himself whether he was

¹⁰⁶ "Factory Commission Evidence, 1905," pp. 427-428.

¹⁰⁷ "Factory Commission Evidence, 1905," p. 433-434. Also see: Telegraph, "Was Killed By a Flying Deal End," 4 July 1904, p. 8 and "Mill Fatality was Accidental," 5 July 1904, p. 8.

¹⁰⁸ "Factory Commission Evidence, 1905," pp. 433-434.

working for the firm or simply for the men hauling wood."¹⁰⁹ In this event, the proposed factory law would offer Joseph and the other boys so employed little protection as they would not be working directly for a "factory" as it was defined by the factory bill.

Likewise, 16-year-old Eldon Wilson stated that he had gone to work at Murray & Gregory's when he was about 13-years-old. For Eldon, engaging in such a dangerous occupation had proved costly. The young lad stated that he had his fingers "all shaved off" in a milling accident. "The fingers aren't much use now," he reported. At the time of the hearings, the young lad was unemployed.¹¹⁰

Fourteen-year-old Robbie Wilson also offered evidence which called into question Gregory's earlier testimony. Upon direct questioning by Commissioner Kelly, the boy stated that he had lost three fingers to a saw while attempting to oil a stave jointer when the machinery was running. The boy also stated that he had commenced working around the mill when he was about 10-years-old. At this point in the proceedings and contrary to established procedure, Gregory was granted permission by Chairman Palmer to question his employee directly,

Gregory: Whom were you working for?

Wilson: You.

¹⁰⁹ "Factory Commission Evidence, 1905," p. 434.

¹¹⁰ "Factory Commission Evidence, 1905," pp. 440-443.

Gregory: No, you were not?

Wilson: Well with the firm.

Gregory: No, you were working for a man named Duffy, you worked the last winter for me.

Gregory appeared reluctant to admit that he employed or kept young boys about his mill. Seemingly sympathetic to the mill owner's predicament, Palmer interjected, directing his query towards Wilson, "It seems you did not work for Mr. Gregory, they did not pay you -- it was another man paid you?" "It was Whelpey," came the boy's response. To clarify the point that he had not hired directly a 10-year-old, Gregory asked the lad, "But those four years who paid you?" Robbie stated that a man named Duffy had paid his wage.

Commissioner Fiske continued to press the issue:

Fiske: Whom were you working for when the accident occurred?

Wilson: Whelpey

Fiske: Whose mill were you working in when the accident occurred?

Wilson: Mr. Gregory's.

Turning to the mill owner, Fiske asked, "Do you think he was too young a boy to be running that machine?" "It would all depend upon the boy," Gregory commented. The mill owner asserted that the boy would be ineligible for compensation under the Employers' Liability Act since the accident had resulted from employee not employer negligence.

Commissioner Kelly then asked Wilson if he knew "of any boys under 14 years of age working in the mill." "Oh, yes, there was quite a lot," the lad indicated. Gregory then resumed his questioning,

Gregory: Were you not about the youngest there?

Wilson: No, there was a few younger.

Gregory: Name a few?

Wilson: Well, McIsaac was 12 years old, and then his brother was younger than him.

Secretary Stephens concluded the interview by asking the lad if the boys had told Mr. Gregory their ages. Seemingly oblivious to the controversy which his testimony had engendered, the boy replied, "McIsaacs did, one of them, he told them he was 12 years old."¹¹¹ Gregory's attempts to be evasive had proved futile. The boys' testimony had drawn attention to the problem of subcontracted labour, and consequently, had suggested that for a factory law to be effective it must include provisions which curbed this practice.

By the end of February, the provincial tour had been completed. Subsequently, the commissioners prepared their report, to be tabled in the upcoming session of the House.¹¹² The commissioners judged that while "many of the factories" were found to be "in a very creditable condition,

¹¹¹ "Factory Commission Evidence, 1905," pp. 437-439.

¹¹² Journals, 1905, p. 29.

there [were] some, to which...an improved condition would be beneficial" with respect to "the protection of the health and safety (in case of fire), of the employees." They concluded that while the "weight of the testimony was that while there was no objection to a Factory Act, no absolute necessity existed for it at the present time." In support of their claim, the commissioners noted that they had "found no complaints from the employees" regarding their condition and treatment by their employers. As well, some of the larger manufacturers, they contended, felt "that it would be unwise to pass legislation which might interfere with the investment of capital in manufactories" since in New Brunswick "these industries [were] in their infancy and should be encouraged rather than impeded."¹¹³

Although they had found no "absolute necessity" for legislation, in fulfilment of their original mandate the commissioners submitted a draft factory act for the government's consideration, and the government did proceed with the legislation. At the opening of the legislature in early March 1905 the government announced its intention to introduce a new factory bill. On 29 March, near the end of the session, Pugsley presented the redrafted factory bill to

¹¹³ "Report of the Commission appointed to enquire into and investigate as the necessity of a Factory Act in the Province of New Brunswick," dated 11 March 1905, Factory Legislation Records (1905), RG30, RS250A, PANB.

the House.¹¹⁴ Apparently, government leaders aimed to rush the bill through in order to avoid protracted debate and presentations from outside interests. "On the ground of urgency," the bill proceeded immediately from first to second reading. During two evening sessions held on 30 March and 4 April, legislators briefly debated the revised measure.¹¹⁵

Many of the concerns raised in the House echoed those put forward during the 1904 session. George J. Clarke, member for Charlotte County, requested that the number of employees required to constitute a factory be "increased from six to a higher number." Hazen Grimmer, also representing Charlotte, voiced his objection to the clause limiting the number of hours that factory women could work. He produced a letter that he had received from Ganong Brothers stating that at Christmas time employees were called on to work longer hours. An exception should be allowed in cases of emergency, Hazen argued. Clement M. Leger, representing Westmorland County, maintained that limiting working hours "would interfere with the lobster factories," and John Young, a member for Gloucester, urged that fruit canneries be exempted. Objections to specific safety regulations were also raised and debated.¹¹⁶ On 5

¹¹⁴ Journals, 1905, 29 March, p. 76.

¹¹⁵ Journals, 1905, pp. 77, 79, 98.

¹¹⁶ "Assembly Proceedings," 1905, p. 145.

April an amended bill received the approval of the House.¹¹⁷

The Factories Act of 1905 was a skeleton of the 1904 bill.¹¹⁸ As requested by employers, the number of employees constituting a factory was raised. Under the Act, a "factory" was defined as "any building, office or place in which ten or more persons [were] employed...in manufacturing goods for trade or sale" in place of the five specified in the 1904 bill. The definition did, however, include all bakeries, laundries and buildings employing "steam, water or any mechanical power or appliance" to prepare, manufacture, bottle or pack goods for trade, sale or transit. Sawmills would be included in the definition of "factory;" however, persons employed in small shops and retail establishments fell outside the act's purview. No provision was made for keeping minors over age 14 out of liquor bottling establishments. In addition, lobster, fish and fruit canneries situated "outside of cities and towns" were exempted as legislators had requested although they seasonally employed hundreds of children.

As before, no boy or girl "under the age of fourteen years" was to be employed "in any factory, except in special cases authorized in writing by the Inspector." Such "special cases" were left undefined. Employers were not

¹¹⁷ Journals, 1905, pp. 79, 98, 99 and 118.

¹¹⁸ Statutes of New Brunswick, 1905, c. 7, pp. 65-87.

obliged to obtain proofs of age before hiring teenaged children. This latter provision ran contrary to what had been set out in both the 1904 bill and New Zealand Factory Act. The long-standing problem of determining ages of potential employees remained unresolved. In this sense, the child labour provision would neither keep out of the factory under-age boys and girls who wanted or needed to work nor present a serious obstacle to employers who desired to hire "small help."

Boys and girls could still be required to work long hours. Ten hours a day and 60 hours a week were set as the maximum hours of work for women and for girls above 14 and under 18 years of age unless special arrangements were made enabling hands to work shorter hours on Saturday. George Robertson, member of the legislature for Saint John City, objected to the fact that girls employed by the cotton mills would be permitted to work 11 hours a day. As the Attorney-General explained in the House, "their working hours were limited to sixty hours a week, which gave them a half holiday on Saturday if they worked eleven hours on other days. That was the law in Quebec," he pointed out, "and as we had to compete with the Quebec mills, it would be unfair to put our mills at a disadvantage with them."¹¹⁹

Permits could be issued extending the hours of work to not more "than thirteen and one-half in any one day, nor

¹¹⁹ "Assembly Proceedings," 1905, p. 145.

more than eighty-one in any one week" with 36 being set as the maximum number of days to be worked in any 12 month period. As well, girls and women were permitted an hour lunch break which was not to be counted within the allowable hours of labour. This extended the number of hours which factory hands spent in the workplace. In the event that female workers were required to work past 7:00 p.m., a 45-minute break was to be provided for the evening meal. In addition, no young girl was to be employed before 6:00 a.m. or after 10:30 p.m. The hours of work for boys above the age of fourteen, however, were not regulated. Such strict regulation of female workers' hours could have the adverse affect of making them appear less attractive as employees to prospective employers.¹²⁰ The Lieutenant-Governor-in-Council was given special discretionary authority to prohibit the employment of boys under 16 and girls under 18 when the work was considered "dangerous or unwholesome." The Act did not include provisions which prohibited young boys from operating dangerous machinery as the reformers' had requested.

The original 1904 bill had awarded factory hands some of the generous benefits which had been included in the New Zealand Factory Act. Most of these were noticeably absent

¹²⁰ Eric Tucker, Administering Danger in the Workplace: The Law and Politics of Occupational Health and Safety Regulation in Ontario, 1850-1914 (Toronto: University of Toronto), p. 136.

from the 1905 Act. In particular, references to paid holidays and lunchrooms had been omitted. Provisions intended to reduce the "sweating evil" were also discarded. The legislation, however, contained provisions for fire escapes, fire extinguishers, a "sufficient" number of clean water closets and guards for machinery. A factory inspector was to be appointed to enforce regulations and allowance was made for the hiring of a female inspector "from time to time." The failure of employers to comply with the act's various regulatory provisions could result in a short gaol term of three months or less or in the imposition of fines usually not exceeding \$50. Similarly, parents could be imprisoned or fined for regulatory non-compliance, specifically a term usually not exceeding two months or a sum less than \$30.

Tweedie's government had raised the Saint John progressives' expectations that a comprehensive and generous factory act would be passed, but as a result of the political process, the reformers' initiative was diluted. The speed at which the 1905 factory bill proceeded through the House left them little time to press government leaders for additional amendments. Consequently, when the Factories Act passed, there was little comment from either the reformers or the local press. The progressives would redirect their attention towards securing the appointment of a responsible person as factory inspector.

Although the Factories Act of 1905 failed to meet all the reformers' demands, their efforts were not wasted. They had succeeded in winning government recognition of its responsibility to regulate the workplace and provide protection for factory hands, both adults and children. The Act also established a precedent for both provincial child labour laws and occupational health and safety standards. In this, the reformers contributed to the construction of the welfare state in New Brunswick. Many child workers, notably those employed in domestic service, mines, shops and street trades as well as individuals subcontracted to work in a legally defined "factory," remained unprotected. The New Brunswick Factories Act of 1905 represented a compromise between labour and capital. Despite employers' protests, it included provisions which limited their control over the workplace; and yet, it did not go as far as the reformers had desired. It worked towards improving workplace conditions but was not intended to clog the wheels of industry.

Of course, as with all legislation, interpretation and enforcement of the Act's provisions would be the test of its effectiveness. Over the next several decades, legislative amendments to the factory act were passed to tighten its provisions. By enacting a factory law, the provincial government considered that it had "caught up" with the times. In the minds of contemporary observers, New

Brunswick had joined the ranks of the progressive nations, states and provinces which had already passed similar legislation.

Epilogue

From the outset of the factory act campaign, the Saint John progressives regarded the appointment of responsible factory inspectors as one of their objectives. Confident that the desired legislation would soon be enacted, in early April 1904 Frank Hatheway wrote to Attorney-General William Pugsley, on behalf of the reform coalition, proposing that two inspectors would be sufficient. The chief inspector, the Fabian explained, would visit Moncton, St. Stephen, Woodstock and other centres four or five times a year; the sub-Inspector, a woman, would travel "at rare intervals", to Moncton, St. Stephen or Chatham where many women were employed. In a couple of years, he added, it might be necessary to appoint a local man, one each for the St. Stephen and Chatham-North Shore areas. Hatheway was optimistic that employers would comply with proposed factory regulations and confided to Pugsley that, "after the first two or three months, the Act would be working so that" the chief inspector's "visits would not need to be frequent."¹

Once the Factories Act was adopted, however, the reformers had difficulty getting an inspector appointed. In April 1905 Hatheway submitted to Pugsley the names of six

¹ W. F. Hatheway to William Pugsley dated 2 April 1904, Executive Council: Cabinet Meeting Records (hereafter Cabinet Meeting Records), meeting 1 June 1904, RG2, RS9, Provincial Archives of New Brunswick [PANB] (Fredericton).

men whom the Fabian League executive and members of the Trades and Labour Council agreed would be suitable to fill the post. Included on the list were Peter C. Sharkey, Charles McCrystal, E. J. Neve and Michael J. Kelly, all union men.² Government leaders pondered the resolution of this issue for nearly five months. In September Irish-born John McMulkin of Saint John was named factory inspector for New Brunswick. A former city alderman, McMulkin could boast of a checkered career in several businesses. Following a brief stint with a local soap and candle firm, he worked as a steamboat captain, then as a grocer and finally as a shingle manufacturer. A staunch political Liberal, he had been recommended for the post by members of Saint John's business community.³

The inspector's duties and powers were detailed in the 1905 Act. He was authorized "to enter, inspect and examine at all reasonable times...any factory...and any place which he has cause to believe to be a factory." If he desired to inspect a place which was used as both a dwelling and a factory without the consent of the occupier, he had to

² W. F. Hatheway to William Pugsley dated 24 April 1905, Cabinet Meeting Records, meeting 5 September 1905, PANB.

³ Saint John Globe [hereafter Globe], 25 February, 1915, p. 2; Executive Council: Minutes and Orders-in-Council, meeting 5 September 1905, Vol. 9-10. pp. 230, 243, PANB; and undated petition addressed to Lieutenant-Governor Jabez B. Snowball, Cabinet Meeting Records, meeting 5 September 1905, PANB.

obtain a warrant. In cases in which he expected "serious obstruction in the execution of his duty," the inspector could be accompanied by a constable. In carrying out his duties, the inspector could demand the production of any records which the Act required employers to keep, make examinations and inquiries to determine if regulatory provisions were being followed and could question every person "whom he finds in a factory, or whom he has reasonable cause to believe" had been employed in a factory "within the two preceding months." Any persons so questioned could be required to sign a statement testifying to the truth of the information provided. He was also empowered "to administer an oath to and summon any person to give evidence" at "any investigation, inquiry or examination made by him" under the Act's authority. The Factories Act also granted him sweeping authority "to exercise such other powers as may be necessary for carrying this Act into effect," these powers being left undefined.

Employers and their agents and servants were expected to assist the inspector in his duties. Persons who "wilfully delayed" an inspector as he went about his tasks or who refused to appear or produce any documentation demanded, or concealed or prevented or attempted to conceal and prevent "a child, young girl or woman from appearing before or being examined by the Inspector, [were] deemed to obstruct an Inspector in the execution of his duties."

Violators could be fined an amount not exceeding \$30. If the offence were committed at night the limit was set at \$100. Every person who falsified records required under the law or who made false declarations or made "use of any such entry or declaration [was], upon conviction thereof...liable to imprisonment" in the county goal "for a period not exceeding three months, or to a fine of not more than \$50 with costs of prosecution." Failure to pay a fine would result in the former penalty being imposed. The Act, however, also stipulated that "no one shall be required under this section to answer any question or to give any evidence tending to criminate himself."⁴ This clause limited the effectiveness of this provision severely. Parents of "any child or young girl" found working in a factory in contravention of the legislation could be fined a sum of not more than \$25 with costs of prosecution or in default of payment imprisoned in the county goal for not more than two months unless they could prove that such employment was without their consent. The imposition of fines could prove burdensome to working-class parents but would not weigh heavily upon manufacturers.

In February 1905, five months following his appointment and after having made "the first call on the majority of factories" in the province, McMulkin filed his initial inspection report. One of the major problems he noted was

⁴ Statutes of New Brunswick, 1905, c. 7, pp. 79-82.

that "most of the manufacturers were not even aware that the Factory Act had come into effect." Consequently, he spent much time explaining its provisions. Infractions were numerous. Dangerous machinery was left unguarded, few boilers were insured or inspected and fire escapes and extinguishers were often absent in multi-storey establishments. In a number of cases, sanitary conditions and ventilation needed improvement, especially in establishments located in urban areas. Regarding child labour, he reported that "this section of the Act is being fairly well complied with," although he acknowledged that it proved difficult to determine the ages of young workers. Provisions with respect to working hours and meal times, "as far as [he had] been able to ascertain," were being followed.⁵

Three years later McMulkin reported that "the majority of factories" had complied with the Act's regulatory provisions, although in a number of instances sanitary conditions and safety features required improvement. Child labour was not considered a problem since, according to McMulkin, employers generally followed the law. The inspector did concede, however, that economic circumstances compelled a few children to be employed in factories. He

⁵ Report of John McMulkin, Factory Inspector, 1905-1906, Supplementary Appendix, Journals of the House of Assembly of the Province of New Brunswick [hereafter Journals], 1906, pp. 129-131.

recommended that the law be amended making it compulsory for children to present employers with a certificate stating their age and educational standing prior to hiring.⁶

Apparently McMulkin fined few, if any, employers who violated the Act's provisions during his term. His territory included so many establishments that it would have been difficult for anyone to perform the inspector's duties effectively had he or she desired to do so. The task would have been especially burdensome on McMulkin, a man about 70 years of age at the time of appointment.⁷ As well, the imprecise wording of the Factories Act limited possibilities for improving workplace conditions. For example, it was stipulated that factories were to be "kept in a cleanly state," provided with a "sufficient number...of privies" and were to be "ventilated in such a manner as to render harmless, so far as is reasonably practicable, gases, vapours, dust or other impurities" generated during production. However, the terms "cleanly state," "sufficient number" and "reasonably practicable" were left undefined. As well, with respect to prosecutions, information regarding offences were to be laid before court officials within two to three months "after the offence has come to the knowledge

⁶ The Labour Gazette, "Factory Inspection in New Brunswick," April 1909, pp. 140-141.

⁷ Saint John Burial Permits (John McMulkin), 1915, p. 177, PANB. In 1909 an amendment to the Factories Act was passed restricting the position of inspector to individuals under age 70. Statutes of New Brunswick, 1909, c. 42.

of the Inspector." In some cases, the inspector may have had insufficient time to investigate matters and file formal complaints before the expiration of the time. Possibly for these and other reasons McMulkin adopted the enforcement strategy of persuasion.

As Eric Tucker pointed out, this method emphasized bargaining to obtain voluntary compliance with regulatory provisions rather than forcing compliance through prosecutorial means.⁸ According to McMulkin's reports, this strategy produced limited results. Tucker also offered an explanation as to why factory legislation was not strictly enforced. Tucker suggested that elected officials usually sought to maintain a balance when implementing policies or legislation which impinge upon economic development and workers' welfare. The state, he argued, was obligated to encourage or promote industry which was important to the smooth and healthy functioning of government and also to protect its citizens. A government's failure to live up to either or both of these responsibilities could result in its defeat at the polls. In the latter case, electoral dissatisfaction might culminate in social disorder. Both the New Brunswick government and its agent, the factory inspector, appeared cognizant of these issues as evidenced

⁸ Eric Tucker, "Making the Workplace 'Safe' in Capitalism: The Enforcement of Factory Legislation in Nineteenth Century Ontario," Labour/Le Travail 21 (Spring 1988): pp. 64-65; 58-59; 46-47.

by the manner in which the Factories Act was administered during the early decades of the 20th century.

John Kenny succeeded McMulkin as provincial factory inspector in September 1909. Kenny was perhaps better qualified than his predecessor for the position, having worked 29 years for the Saint John firm Haley Bros. Manufacturing Company as a mechanic and supervisor of machinery.⁹ For the most part, he followed the policy set by McMulkin with respect to dealings with employers. Having studied the factory laws on his appointment, Kenny concluded "that a rigorous enforcement of all the provisions of the Act without reasonable notice [sic] would result in hardship to manufacturers." Therefore, it was his stated intention to proceed "with deliberation, but at the same time steadfastly" to keep "in view an immediate bettering of existing conditions."

Kenny noted, as had his predecessor, that safety, sanitary and health regulations were not universally followed. Whether there had been a sudden upswing in the hiring of children during the spring and summer of 1909 is unknown. But in contradiction of McMulkin's final report, Kenny acknowledged that 44 young industrial workers had informed him they were under age 14. A number of them laboured "in most dangerous places, saw and pulp mills." He

⁹ Globe, "Farewell Gifts to New Factory Inspector," 11 September 1909, p. 2.

also estimated, based on observations and information received, that another 200 under-age children were employed. Some of these boys and girls were reportedly illiterate. Kenny added that it was his intention to reduce "this crying wrong...to a minimum."¹⁰ In fact, he had taken a step in this direction in October 1909 when he dismissed several school-age boys employed in Hartland mills.¹¹

An amendment to the Factories Act, passed in 1912, strengthened the restrictions on child labour. Except under special circumstances, children were not to "be employed or allowed to work in or in connection with any manufacturing or mechanical establishment." As well, no "person, firm or corporation" was now permitted to hire a child to work for wages in these factories.¹² Such regulations would work to reduce the number of under-age child labourers subcontracted by individuals other than the employer to work in industrial establishments. This amendment also prohibited factory owners from hiring boys and girls to work at home for the company. Inspectors could now request employers to produce the names of all employees under age 16 and official proof of their ages. Failing this, such children could be deemed employed illegally. Employers who hired under-age children

¹⁰ Report of the Factory Inspector, Supplementary Appendix, Journals, 1910, pp. 281-191.

¹¹ The Labour Gazette, October 1909, p. 413.

¹² Statutes of New Brunswick, 1912, c. 40, p. 199-200.

and parents who allowed them to be employed were to be fined an amount "not less than one nor more than fifty dollars." Parents who falsified proofs of their children's ages were to receive fines of "not less than five dollars nor more than twenty-five."

By the following year, Kenny was able to report some satisfaction with the situation. The factory inspection report for 1913 recorded that "the law in reference to child labour is very well observed by the manufacturers." In two cases parents had been prosecuted in the courts for having given false certificates of their children's ages. This resulted in fines of \$5 and \$25 being imposed upon the adjudged guilty parties.¹³ Again in 1916 the factory inspector contended that the regulations concerning child labour had been "very well carried out."¹⁴

Opinions of union men regarding industrial working conditions and benefits to be derived from factory legislation were similar to, but also different from, those

¹³ Globe, "Factory Inspector Kenny's Report," 27 March 1914, p. 5. Kenny also reported in 1913 that he had urged the government to pass a law requiring "mercantile establishments to supply a sufficient number of seats for the use of their female clerks." In 1916 an amendment was passed which stipulated that in any shop, employers were to supply their female help with seats. Statutes of New Brunswick, 1916, c. 40, pp. 482.

¹⁴ The Daily Gleaner (Fredericton), "The Factory Inspector's Report," 17 April 1916, Stuart Collection, Scrapbook No. 16, New Brunswick Social Welfare, Archives and Special Collections, University of New Brunswick, Harriet Irving Library [HIL] (Fredericton).

offered by government inspectors. Testifying before the 1919 Royal Commission on Industrial Relations, C. H. Stevens stated that sanitary conditions in many factories were "bad" and that often female factory operatives worked at night in restaurants and ice cream parlours in order to "clothe themselves." Machinist John Murphy reported that "lots" of children under 16 were employed and admitted that he did not earn enough to keep his own children out of the labour force. George Melvin, secretary of the Saint John Trades and Labour Council, noted that in the cotton mills, breweries, candy factory, paper box factory, biscuit factory and iron foundries workers were unorganized and wages low. In the candy factory and foundries, young girls earned about \$3.50 per week, he stated. The trades council recommended that a "minimum wage law be made throughout Canada for male and female workers."¹⁵

The Factories Act of 1905 had allowed for the appointment of a woman factory inspector "from time to time." Members of Saint John's women's organizations waited impatiently for the government to act on that provision. The Women's Council submitted to Premier Tweedie's successor, J. D. Hazen, a resolution passed at its 17 May 1909 meeting and signed by members of the executive requesting the

¹⁵ Minutes of Evidence (Saint John, New Brunswick), Canada, Royal Commission on Industrial Relations, 1919, pp. 4201-4202, 4236-4239, 4174, 4179-4180.

appointment of a female inspector. Both the Women's Council and the Women's Enfranchisement Association (WEA) subsequently wrote to government leaders detailing the reasons why this move was necessary. As Ella Hatheway, secretary of the WEA, pointed out, the "conditions of industrial life" demanded that an "increasing proportion of women workers" labour in factories. Women required "other safeguards than do men workers against accidents" and "different accommodations and surroundings" which "a woman inspector would detect almost at a glance." The supervisory talents which women demonstrated at home could be transferred to the workplace. A woman was better qualified for the position than a man, Hatheway explained, because a woman could detect uncleanliness "in methods of working" which "a man is more apt to overlook." Moreover, through her contact with female workers she could exert a favourable moral influence. Hatheway also maintained that women workers would be more likely to confide their needs to "one of their own sex" than to a man. She added that other "cities on this continent" had appointed a woman factory inspector.¹⁶ It was the WEA's contention that New Brunswick should do likewise. The women's council presented similar arguments and added that a woman would be better able to

¹⁶ For example, Margaret Carlyle was appointed Female Inspector of Factories in Ontario in 1895. See: Tucker, "Making the Workplace Safe," p. 76.

detect the ages of child factory workers.¹⁷ However, despite or because of these contentions, the government failed to comply with the women's demands and no woman inspector was appointed in New Brunswick.

The Factories Act had failed to produce all the results which the Saint John progressives had intended. Dramatic changes in the industrial workplace had not occurred following its implementation. Besides the Labour Bureau had not been established as promised. Although gains were probably realized, by the second decade of the new century factory conditions still demanded improvement. The progressives had placed their faith in the power of legislation to effect immediate social change; however, regulatory provisions could accomplish little if they were not or could not be enforced. At the same time, attitudinal change must precede material change. In the case of factory laws, although compliance could be encouraged, neither politicians nor manufacturers appeared fully convinced that reforms which could potentially "clog" the wheels of industry should be enforced rigorously.

Respecting child labour, implementation of factory laws

¹⁷ Resolution of the Saint John Women's Council dated 17 May 1909, Cabinet Meeting Records, meeting 28 October 1909, PANB; Ella B. M. Hatheway to Lieutenant-Governor L. J. Tweedie dated 28 October 1909, Cabinet Meeting Records, meeting 1 December 1909, PANB and Fanny B. McLellan, President, Saint John Local Council of Women to Hon. J. D. Hazen dated 17 November 1909, Cabinet Meeting Records, meeting 1 December 1909, PANB.

appeared to bring benefits. Children had laboured on farms and in workshops and households during pre-industrial times. Therefore, it was only natural that they sought work in factories when these employment opportunities arose in the late 19th century. Manufacturers facing stiff competition from local and Central Canadian business interests required a cheap and productive labour force; poor working-class families required children's earnings to make ends meet. The mutual benefits to be gained from child employment kept boys and girls in the industrial labour force. When the demand for child labour declined, the possibility of enacting child labour laws increased. The conditions under which children laboured in the 1880s and 1890s differed from those which apprentices experienced during the early part of century. Instead of learning their trade in a small workshop, child workers of the late 19th century increasingly found themselves labouring in un-skilled or semi-skilled positions in large establishments surrounded by dozens of other hands.

To some extent it was the congregating of boys and girls in large urban industrial establishments and their strictly regulated, unsafe and unhealthy working environment which drew reformers' attention to the issue of child factory labour. The campaign for factory and child labour laws became part of a broad reform platform designed by the Saint John Trades and Labour Council and the Fabian League

to improve working-class conditions. It also formed part of the reform programme endorsed by members of various Saint John women's societies to improve the lives of children. In fact, the effort expended by female reformers in campaigns for factory laws, temperance and child welfare legislation, woman's suffrage, compulsory education and other social and moral reforms underscores women's overall contribution to the progressive reform movement.

The progressives had not intended to abolish completely child factory labour, but only to remove the very youngest boys and girls from the industrial workforce. From an examination of inspectors' reports it would appear that gains had been made in this area. On the other hand, it could be argued based upon testimony given before the New Brunswick Factory Commission in 1904-05 that few Saint John children aged 13 or younger had actually been employed in factories prior to the passage of the 1905 Act.

By making provision for the legal employment of under-age children on the grounds of economic necessity, both reformers and legislators acknowledged that in some instances young children's wages were still needed to maintain the household. While the reformers', particularly the members of the Trades and Labour Council, Fabian League and the Women's Enfranchisement Association, questioned why this situation existed, manufacturers and government leaders generally failed to do so. In particular, unionists and

Fabians had argued that employers should be obligated to pay workers a minimum or living wage. Hypothetically, at least, such a measure would have the effect of keeping the poorest children out of the workforce. Despite the reformers' demands, it was not until 1930 that a minimum wage law was enacted in New Brunswick.¹⁸

The progressive-minded individuals who had spearheaded the factory act campaign, notably, Frank Hatheway, Peter Sharkey and Emma Fiske had shared common experiences. They had lived most, if not all, of their lives in Saint John. As well, they were members of a generation which had watched their city develop from a shipping, shipbuilding and lumbering community to a major industrial centre, and they were concerned about the social problems which had accompanied these economic changes. All, to varying degrees, had studied socialist theory; all were optimistic that necessary reforms could be accomplished but most importantly, their knowledge and convictions motivated them to action. While they all wanted societal change, their designated means to accomplish this goal was reform not revolution. Hatheway, Sharkey and Fiske each drafted a somewhat different blueprint for their new industrial society. For Hatheway and Sharkey it was imperative that a social utopia be free of labour conflict and class division. Fiske maintained that a society built upon gender equality

¹⁸ Statutes of New Brunswick, 1930, c. 11, pp. 35-41.

was especially desirable. Yet all of them could rally around the causes of factory reform and child labour laws. As a result of their activities a consensus emerged among Saint John reformers that a factory act was needed. The support that Saint John's religious leaders lent to the factory reform cause added legitimacy to the campaign.

The reformers had faced great, if not impossible, obstacles in their attempt to change the social order, and consequently many of their immediate goals were unrealized. Their progressive initiative which culminated in the 1904 factory bill was diluted by the political process. Government leaders were reluctant to enact a comprehensive and generous factory bill which would raise the ire of business leaders. Yet once the progressives had captured the government's ear on that issue, they expected their demands to be acted upon. By passing a measure offering limited benefits to factory hands and by backing it with limited enforcement, Tweedie's government could be perceived as meeting a general need for progressive change without yielding priority to the interests of either capital or labour.

Despite the Act's limitations, the reformers' efforts should not be judged a failure. They had succeeded in impressing upon government leaders that the state was at least partly responsible for the protection and well-being of its citizens. The Factories Act of 1905 also established

a provincial precedent for child labour and occupational health and safety laws. Thirteen years later, in 1918, a comprehensive Workmen's Compensation Act would be placed on the statute books. Overall the reformers' organized bids for an employers' liability act, a compulsory education law and factory legislation contributed to the construction of the welfare state in New Brunswick.

Whether the reformers and their goals could be deemed truly "progressive" is open to debate. It is important to note that Hatheway, Sharkey, Fiske and their supporters believed themselves to be so even if they might not be judged as such by residents of the late 20th century. Despite the progressives' good intentions, it is doubtful whether all female factory workers applauded the introduction of regulations which restricted their working hours and which in turn reduced their pay packets and jeopardized the security of their positions. Similarly, poor working-class families probably did not welcome the implementation of provisions which interfered with decisions to send their children out to work. On the other hand, progressives would argue that employers should pay workers a family or living wage and that boys and girls were entitled to an education. Schooling was expected to benefit children personally by offering them better employment prospects. It was also seen to benefit the state as educated youths would be more likely to become productive, law-abiding citizens.

Although some of the progressives' immediate goals might be considered short-sighted and the outcome of their campaigns conservative, the liberal-minded reformers' undertook their causes in the spirit of social progress and in the attempt to offer adults and children a better life.

Child factory legislation was not the first measure enacted in New Brunswick directed toward the betterment of children's lives, and it would not be the last. The boys and girls rendered unemployed by factory laws were expected to attend school. In 1906 the legislature enacted the compulsory school attendance law which required school trustees in cities and towns to hold a public vote annually on the question of compulsory attendance.¹⁹ The passage of compulsory education laws did not result in an immediate rapid increase in public school enrolment but gradually a greater number of New Brunswick children could be found attending high school.²⁰ Several other laws relating to children were passed in the 1900s and 1910s of which the Child Protection Act which increased the state's control over children's lives would probably be considered the most important.²¹ By lobbying for and securing the enactment of factory and compulsory education laws along with other child

¹⁹ Statutes of New Brunswick, 1906, c. 13, pp. 33-49.

²⁰ Historical Statistics of New Brunswick, Statistics Canada, December 1984, pp. 216-217.

²¹ Statutes of New Brunswick, 1913, c. 27, pp. 237-256.

welfare legislation, Saint John reformers helped redefine the term "childhood" which, in turn, defined the new child developmental period termed "adolescence." Thus, by the early 1900s, the New Brunswick government had committed itself to protecting the young upon whom the province's future depended. The extent to which it carried through on these promises is left for others to assess.

The early decades of the 20th century brought changes to Saint John's reform circles. After pressing successfully for the enactment of social and labour reforms for several years, the Fabian League disbanded about 1906. Socialist ideas later appeared in a local of the Socialist Party of Canada and other organizations. Meanwhile, the Saint John Trades and Labour Council continued to exert influence in local public affairs. The Saint John unions were influential in founding the New Brunswick Federation of Labour in 1913 and winning reforms such as Workmen's Compensation. The Saint John women's movement persisted in its social activities. Beginning about 1907, Emma Fiske and her WEA sisters rejuvenated their campaign for equal suffrage for women. In 1919, partly as a result of their efforts New Brunswick women won the right to vote in provincial elections; however, Fiske did not live long enough to see that goal realized. The Saint John reformers' persistent bids for social improvements left a mark both on their community and the province-at-large.

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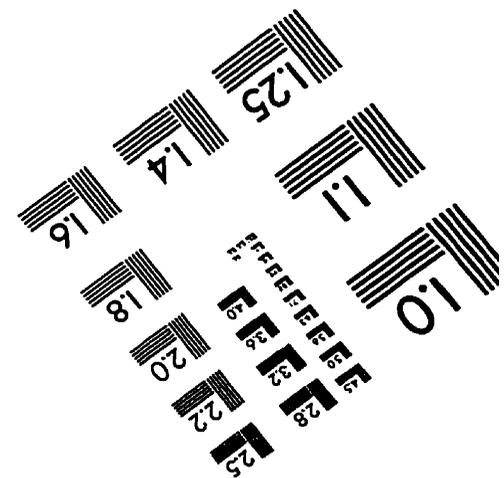
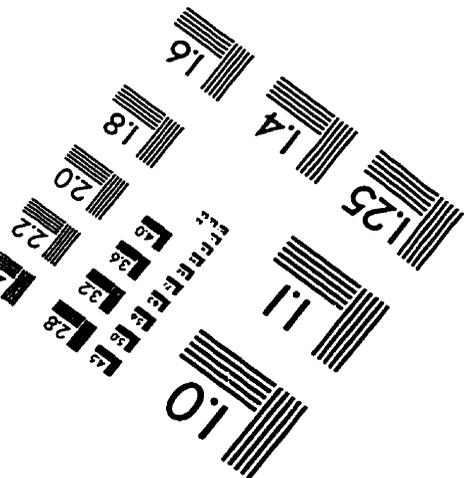
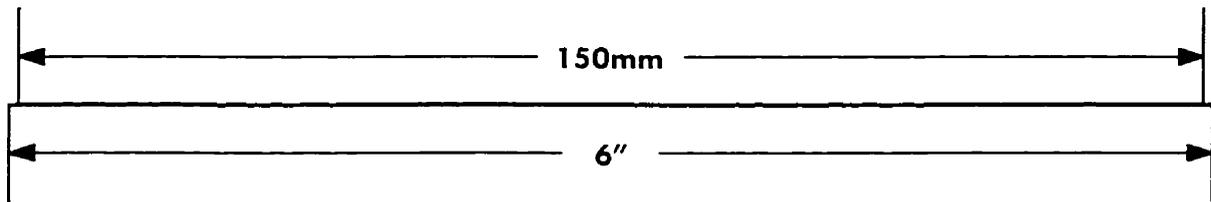
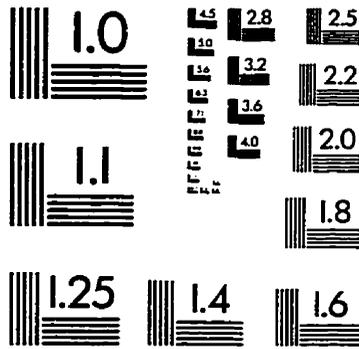
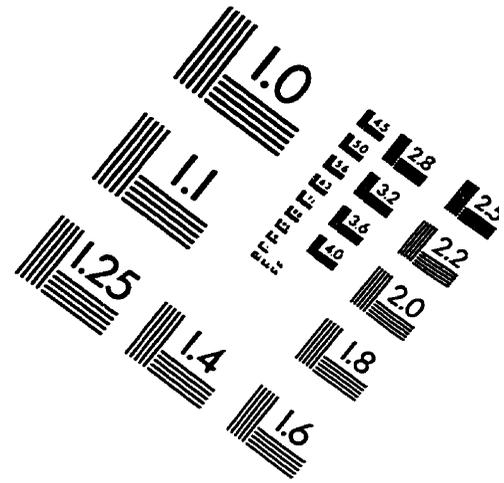
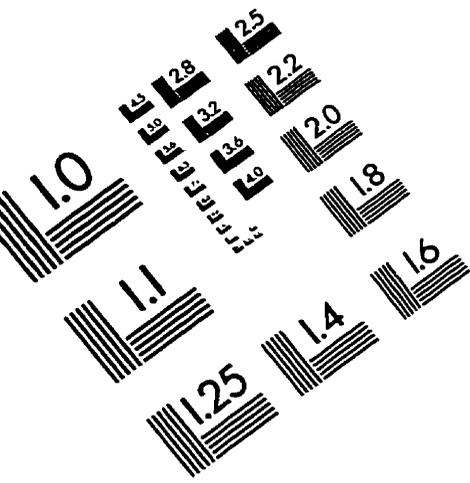
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