

Kathleen Banks Nutter, "Women Reformers and the Limitations of Labor Politics, 1874-1912" *Historical Journal of Massachusetts* Volume 42, No. 1 (Winter 2014).

Published by: Institute for Massachusetts Studies and Westfield State University

You may use content in this archive for your personal, non-commercial use. Please contact the *Historical Journal of Massachusetts* regarding any further use of this work:

masshistoryjournal@wsc.ma.edu

Funding for digitization of issues was provided through a generous grant from MassHumanities.



Some digitized versions of the articles have been reformatted from their original, published appearance. When citing, please give the original print source (volume/ number/ date) but add "retrieved from HJM's online archive at <http://www.wsc.ma.edu/mhj>.





“Adrienne Pagnette, an adolescent French illiterate, speaks almost no English. Is probably 14 or 15. Doffs on top floor spinning room in Glenallen Mill, Winchendon, Massachusetts, 1911.” Photo and caption by famed Progressive-era photographer Lewis Hine. “Doff” means to remove. In a textile mill, machines spin yarn from a large bobbin or spindle. These run out of yarn (often a few times an hour). A doffer’s job was to remove the empty bobbin and replace them with new ones. Source: www.lewishinephotographs.com

Women Reformers and the Limitations of Labor Politics in Massachusetts, 1874-1912

KATHLEEN BANKS NUTTER



Editor's Introduction: *The Massachusetts ten-hour law was the first enforceable legislation limiting the length of the work day for women and children in the United States. Passed in 1874 and strengthened in 1879, this act served as a model for subsequent protective labor laws nationally limiting the work day for women and children. This article examines the passage of this law and then traces the subsequent decades of struggle which culminated in the creation of the Massachusetts State Board of Labor and Industries in 1912. Progressive reformers, especially middle- and upper-class white women, joined forces with an increasingly strong state-level and male-dominated trade union movement. Together, they demanded that Massachusetts continue its role as labor law pioneer and create a state department of labor.*

*That creation, however, was shaped by the interests of manufacturers as much as by the concerns of female reformers and male trade unionists. Thus, the efforts to establish the State Bureau of Labor and Industries are indicative of the achievements and limitations of labor and gender politics in Progressive-era Massachusetts. Historian Kathleen Banks Nutter has written extensively on labor and women's history. She is the author of *The Necessity of Organization: Mary Kenney O'Sullivan and Trade Unionism for Women, 1892-1912* (Garland, 2000). This*

*article was originally published by Westfield State University's Institute for Massachusetts Studies as a chapter in the edited collection, Massachusetts Politics: Selected Historical Essays (1998). By reprinting this important study as an article, HJM is making it accessible to researchers around the world through the various academic databases which now offer full-text versions of all HJM articles.*¹

* * * * *

At the start of the twentieth century, Massachusetts could proudly claim to be a leader in the field of protective labor legislation. Most historians have agreed with this assessment.² Given its role as a pioneer in industry, it should not be surprising that the Commonwealth led the way in the creation of labor laws. For with the growth of industry and the prosperity it brought, there also came an increasing awareness of the exploitation and physical danger that industrial workers faced every day.

This awareness peaked during the Progressive Era.³ Worried about the growing potential for class conflict, Progressive reformers sought to create a more efficient and humane society. They drew attention to a multitude of concerns, from political corruption to prostitution. However, it was the efforts of these reformers to improve the conditions of industrial labor that most immediately affected the lives of millions of working-class men, women, and children.

Not surprisingly, labor reform efforts attracted the greatest opposition from the business community. In Massachusetts, the power of textile manufacturers shaped the direction of labor reform for decades. Laws that were passed were intentionally vague in their wording. Even more critically, enforcement was problematic in that there was no one state agency solely responsible. However, by the start of the twentieth century, textile mill owners' hold on state politics was declining, as was their dominance of the national textile market.⁴ Their opposition to a state agency dedicated to the enforcement of the existing labor laws evolved over the years into what became, by the eve of World War I, a limited sense of cooperation.

At the same time, Progressive reformers, especially middle- and upper-class white women, joined forces with an increasingly strong state-level and male-dominated trade union movement.⁵ Together, they demanded that Massachusetts continue its role as labor law pioneer, and create a state department of labor. Such a department — the State Bureau of Labor and Industries — was created in 1912. That creation was shaped by the interests of manufacturers as much as by the concerns of female reformers and male

trade unionists. Thus, the efforts to establish the State Bureau of Labor and Industries are indicative of the achievements and limitations of labor and gender politics in Progressive-era Massachusetts.

LABOR REFORM IN THE 1870s AND 1880s

In 1871, the *Annual Report of the Bureau of the Statistics of Labor* clearly declared the bureau's stand regarding labor legislation in Massachusetts:

Now public safety and public good, the wealth of the commonwealth, centred [sic] as such wealth is, in the well-being of its common people, demands that the state *interfere* by special act in favor of working men, working women, and working children, by enacting a ten-hour law to be enforced by a system of efficient inspections.⁶

This ten-hour law, which applied only to women and children who worked in textile mills, finally passed in 1874. The textile mill owners, in a fierce five-year legal and political battle, immediately challenged it. Finally, in 1879, the existence of the ten-hour law was no longer in question.⁷ However, the enforcement of that law, as with other labor laws enacted in Massachusetts, remained uneven at best.

At the same time that textile mill owners challenged the ten-hour law, their employees sought its enforcement. In 1876, petitions signed by almost five thousand male and female Fall River textile workers asked the Massachusetts state legislature:

for the appointment of a Board of Inspectors, whose duty it shall be to see to the enforcement of the 'Ten Hour Law,' and 'The Law Relating to the employment and schooling of Factory children;' and also to see to the proper providing of Fire-escapes and the necessary protection for the lives and limbs of the operatives from dangerous machinery.⁸

A textile worker's craft union, the Mulespinners Association of New Bedford, submitted a similar petition. A year later, the legislature decided to assign the duties of inspection to the state detective force. In 1879, the state detective force was abolished and the district police established. As part of that reorganization, the governor was empowered to "appoint two or more of said district police to act as inspectors of factories and public buildings."⁹

However, those officers had to combine their inspection duties with regular police work, and consistent enforcement was impossible.

By the mid-1880s, the Knights of Labor had firmly established themselves in the city of Boston.¹⁰ They were the largest and most important labor national organization of the 1880s. Given their large statewide membership, the Knights of Labor also gained the attention of the Massachusetts Democratic



**Josiah Quincy (1859-1919),
Democratic State Representative
and Mayor of Boston (1895-99)**

Party. Seeking to represent itself as the “labor party,” Massachusetts Democrats sponsored a number of labor laws during the late 1880s.¹¹ Particularly active in the state legislature was a young Democrat, Josiah Quincy. The grandson and great-grandson of former Boston mayors, Quincy hailed from one of the Commonwealth’s most politically powerful families. Motivated either by a tradition of “social paternalism,” or by a sense of political opportunism, Quincy sponsored and in some cases even wrote several pieces of labor legislation in 1887 and 1888, modeled after the Consolidated Factory and Workshop Acts that were passed in Great Britain in 1878.¹²

As chairman of the Massachusetts House Committee on Labor, Quincy proposed and supported the passage of bills setting minimum sanitary conditions in factories employing more than five persons, and, perhaps more significantly, the appointment of inspectors who were authorized to write orders of compliance to manufacturers who were in violation of the law.¹³ Despite the establishment of an inspection division within the district police department, enforcement continued to be haphazard at best.

In 1890, the *Fall River Daily Herald* criticized the chief of the District Police and his department regarding the lack of an official response to violations of the ten-hour law:

Repeatedly since [1879] have complaints been forwarded to him from this city about the loose way in which Fall River manufacturers were obeying the law. Only a pretense of enforcing it has been made, the idea prevailing that public opinion did not demand it. As a consequence the utmost license has existed here....¹⁴

The workers' petitions of the 1870s and the legislative actions prompted by the demands of the Knights of Labor in the 1880s indicate that at least one segment of the public, labor, did indeed demand that labor laws be enforced. However, meaningful change did not occur until the early years of the twentieth century when Progressive reformers also demanded that such laws be upheld by the Commonwealth.

EMILY GREENE BALCH'S 1903 TESTIMONY

In early November of 1903, Emily Greene Balch (1867-1961) appeared before the Massachusetts Committee on Relations between Employer and Employee. Balch, a well-to-do and well-connected Bostonian, was the classic female Progressive reformer.¹⁵ She graduated with the first class at Bryn Mawr College in 1889 and then served as the first Head Resident at Boston's Denison House settlement. Balch did advanced work in economics in Germany and the United States. By 1898 she was teaching at Wellesley College, where she became a specialist in Slavic studies. Active in the Massachusetts Consumers' League, Balch was also one of the founders and an early president of the Boston Women's Trade Union League.

Today, Balch's role in labor history is often forgotten. Instead, she is mostly remembered for her work as a pacifist, beginning with the outbreak of World War I. In 1915 she served as a delegate to the International Congress of Women at The Hague where she played a prominent role in founding the Women's International League for Peace and Freedom, preparing peace proposals, and serving on a delegation to the Scandinavian countries and Russia. In 1918 she was fired from Wellesley College for these efforts and then turned to a life of service in various international organizations, including the ill-fated League of Nations. In 1946, Balch received the Nobel Peace Prize in recognition of her decades of dedication to the cause of world peace.¹⁶

In 1903, however, when Balch appeared before the Massachusetts legislature's Committee on Relations between Employer and Employee she did so representing the Massachusetts Consumers' League. The League, founded in 1892, was comprised of middle- and upper-class women who

agitated for better working conditions as a way of protecting consumers as well as laborers. Relying on consumer fears about the spread of contagious diseases from garments made in sweatshops, female reformers, such as Balch and her friend Florence Kelley in Illinois, pushed for legislation that would aid consumer and worker alike.¹⁷

In 1891, Massachusetts had passed a law designed to enforce minimum sanitary conditions in sweatshops, requiring the operators to register with the state. Once again, the Commonwealth led the way—Illinois, New York, New Jersey, and Pennsylvania soon passed similar legislation.¹⁸ A dozen years later, the proliferation of garment production in tenement houses was a growing concern for reformers such as Balch. In 1903, during her testimony before the Committee on Relations Between Employer and Employee, she suggested that employers of home workers be required to “keep a register of the names and addresses plainly written in English” of those working off-site, which would be sent to the Chief of District Police once a month. Then, “persons needing work done might know that the work was done in places where they could see it,” and, therefore, hopefully “be assured of the conditions under which that work was done.”¹⁹



**Emily Greene Balch (1867-1961),
c. early 1900s.**

Source: Library of Congress Prints and Photographs Division.

Balch’s testimony covered several other issues related to the conditions of labor that were of interest to the Consumers’ League. These multiple concerns were also shared by the members of the committee who heard her testimony. Created by the Massachusetts state legislature in 1903, the special Committee on Relations Between Employer and Employee was “to study the entire spectrum of labor employer relations.”²⁰

Carroll D. Wright, former head of the Massachusetts Bureau of the Statistics of Labor (1873-1888) and then United States Commissioner of Labor (1885-1905), was chair of the committee.²¹ Other members represented the interests of

reform, labor, and manufacturing: Davis R. Dewey was a professor at the Massachusetts Institute of Technology, William N. Osgood was a Boston attorney who was interested in the issue of industrial accidents, Henry Sterling of the Boston Typographical Union represented labor, and Royal Robbins was a manufacturer from Waltham. Although primarily formed to address concerns over the inadequacy of the 1887 Employer Liability Act, the Committee heard testimony such as Balch's, which touched upon a variety of concerns regarding the conditions of labor.

In addition to testifying about the need for increased regulation of sweatshop garment production, Balch spoke about the fifty-eight hour law. She argued that the law, as amended, which exempted retail clerks during the month of December, was not what the sponsors of the original bill had intended. For the Massachusetts Consumers' League and the other supporters, "It was simply a case of accepting half a loaf."²² Balch also testified about the need for the further restriction of child labor, limiting their employment to before seven in the evening and forbidding the employment of any minors found to be illiterate.

Balch ended her testimony with an interesting exchange with the Committee chairman, which demonstrates the contemporary awareness that Massachusetts was a pioneer in labor legislation. At the same time, there was an equally important understanding of the need for the Commonwealth to maintain its competitive edge in manufacturing, particularly in textiles. Chairman Wright asked Balch, "Should Alabama pass a law which is in advance of that of Illinois, what is Massachusetts to do?" Balch replied, "If you ask me personally, I hope that Massachusetts will substantially keep in the frontlines."²³

After acknowledging the competition that Massachusetts textile manufacturers faced, especially from mills in the Southern states, Balch added another layer to the discussion:

From the point of view of the labor interests, or persons interested in the welfare of the working man and woman of the state, it



Motto reads: "The Eight-Hour Day. A Living Wage. To Guard the Home."

seems to me that we have got to take certain tactical points into consideration and debate whether there is danger of raising irritation and discontent with existing legislation, which may be more dangerous than the advanced gain it is worth.²⁴

In effect, Balch was saying that labor, increasingly frustrated with the inadequacy of labor laws already in place and made even less effective through infrequent enforcement, might rise up in despair. For Balch, and other Progressive reformers like her, this potential threat to social stability was even more frightening than any possible economic hardship for manufacturers as a result of stronger labor laws and stricter enforcement.

In his response, Carroll Wright appears to be arguing not so much for more comprehensive laws, but for more consistent enforcement. He asked Balch: “Which is better: to have some thoroughly good and judicious laws well executed, or some advanced laws that are not well executed?” Balch hedged in her reply: “I don’t suppose there is more than one answer to that question in my opinion.” For Wright, it was quite simple: “A law on the statute book not well executed has a bad influence.”²⁵ In other words, such a law was then only an empty promise, even an insult, to reformer and worker alike. Even more critically, without effective enforcement, all the labor laws in the world could not prevent the “irritation or discontent” of labor.



Carroll D. Wright (1840-1909)

Wright served as the first U.S. Commissioner of Labor from 1885 to 1905. (Photo dated 1902).

On the other hand, the employers who testified before the committee saw nothing wrong with the status quo. Charles Bancroft spoke for the Arkwright Club, a dinner group and lobbying agent for the textile industry.²⁶ Regarding enforcement, Bancroft claimed that “I believe the laws of Massachusetts are infinitely better enforced than they are in any other state in the union.” He went on to declare that “The inspection department of the district police is pretty active and absolutely honest in taking care of the operatives and we had better not meddle with the legislation as it stands today.”²⁷

Much of Bancroft’s testimony focused on why Southern mills could



Board of Directors, National Women's Trade Union League, c. 1920s.

Emily Greene Balch was one of the founders and an early president of the Boston Women's Trade Union League.

pay better dividends to their stockholders. According to the Arkwright Club spokesperson, the South had cheaper land, lower taxes, and fewer labor laws. He expressed particular scorn for child labor laws. Bancroft stated that:

There are children whom we all know would be better off in the well-ventilated mills doing such work than they would be left to themselves in the slums such as found in all big cities.²⁸

Certainly, Emily Greene Balch and countless other Progressive reformers would and did vehemently disagree. To reformers, trade unionists, and workers, the fact that the textile mills of Fall River, Lawrence, and Lowell were frequently not well-ventilated, despite laws requiring that they be, was of vital concern. Perhaps even more onerous was the mere existence of child labor. Reformers and organized labor fought for increasingly stricter child labor laws throughout the Progressive Era. Reformers worried about the future of society when children went uneducated and were made sick by work in unhealthy environments.

Trade unionists also argued that children drove down wages and put grown men out of work. While similar arguments were also at times put forward regarding women workers, child labor was unquestionably undesirable. Yet, employers and parents alike frequently violated child labor laws. By the early twentieth century, the conditions of industrial capitalism had created a family wage economy, in which all family members had to work in order for the family to survive.²⁹ Nonetheless, reformers and trade unionists continued to call for stricter child labor laws and more stringent enforcement of those laws. Without that enforcement, such laws might only be, as Carroll Wright said, a “bad influence.”

THE STATE BOARD OF HEALTH TAKES ACTION

The questions regarding employer liability in industrial accidents were not resolved when the Committee on Relations between Employer and Employee ended its hearings. The Massachusetts legislature, however, did respond to other facets of the testimony heard by the committee. In June of 1904, the legislature directed the State Board of Health to investigate “the sanitary



In many immigrant families, economic survival demanded that all children work, whether inside the home or outside in factories. This photo is of garment workers Katrina De Cato (age 6), Franco Brezoo (age 11), Maria Attreo (12), and Mattie Attreo (5). New York City, 1910.



Addie Card, 12 Year Old Textile Worker, North Powell, Vermont.

This 1911 photograph by Lewis Hine remains one of the most iconic and well-known images of child labor. Source: www.lewishinephotographs.com

conditions of factories, workshops, and others places of employment.”³⁰ The members of the Board of Health decided to focus their investigation on those industries in which exposure to dust posed a potential threat to the health of the workers.

According to the Board’s Annual Report, this concentration was due to the fact that “the leading cause of death in this and other countries are diseases of the lungs.”³¹ Although the investigation was limited by a lack of funds, more than one hundred factories engaged in various industries were inspected in over forty cities and towns across the Commonwealth. The State Board of Health concluded that “most of the defects to which attention has been called are provided for already in existing laws.” The problem was that the laws were “scattered,” and “the phraseology is so loose or obscure that they have little or no real value.”³² The Board of Health therefore recommended:

The desirability of a codification of all laws relating to industrial pursuits and to sanitation of factories and workshops after the manner of the British factory acts, of a more explicit phraseology, of the establishment of standards of ventilation efficiency, and of the enactment of some measure against spitting upon the floors of factories, workshops, and other confined spaces.³³

Given the health concerns involved, various reformers felt that the State Board of Health, not the District Police, was the appropriate agency to enforce labor laws. In January of 1907, a petition was submitted to the legislature, seeking this transfer of authority, as “it is for the interest of the public.”³⁴ Among those signing the petition was Mary Morton Kehew, a prominent Boston reformer who was president of the Boston Women’s Educational and Industrial Union and an active member of the Boston Women’s Trade Union League.

Joining Kehew was Frank K. Foster, one of the leaders of Boston’s organized labor community. Together, Kehew, the wealthy female reformer, and Foster, the male trade unionist, represented the public. Each may have been motivated by their respective visions of society. Still, in concert, they demanded that the state take notice, and it did.

Six months after the original petition, the State Board of Health was empowered to divide the state into fifteen districts, each with a medical doctor as chief inspector, appointed by the governor.³⁵ These health inspectors were charged with investigating not only the general health of their districts, but also the health conditions in factories and workshops. The District Police were still responsible for the enforcement of those labor laws related

to the employment of minors and laws covering hours of employment and dangerous machinery.

Nevertheless, the laws remained just as “vague” and enforcement just as “scattered.” Not surprisingly, reformers continued to demand further change. Increasingly, the demand was for a state department of labor that would address all aspects of existing labor legislation, including enforcement. This demand was made primarily by Boston women’s reform groups and the male-dominated trade union movement, working together. It would be a woman worker, Lida MacFeaters, who most eloquently expressed the need for more vigorous enforcement of the state’s labor laws.

1910-1911 STATE INVESTIGATING COMMISSION

For both female reformers and male trade unionists, the appointment of the commission that would hear MacFeaters’ testimony was long overdue. In 1911, the Boston Women’s Educational and Industrial Union sponsored the publication of a comprehensive examination of the existing labor legislation and its enforcement, focusing on Massachusetts.³⁶ Titled *Labor Laws and Their Enforcement with Special Reference to Massachusetts*, Chapter Five, written by Caroline Manning and Edith Reeves, specifically addressed the administration of Massachusetts labor laws. By the time of publication, Manning, a former Women’s Educational and Industrial Union graduate fellow at Radcliffe College, was Chief Tenement Inspector for the city of Philadelphia. Reeves, also a former Women’s Educational and Industrial Union fellow at Radcliffe, went on to become an investigator for the Russell Sage Foundation.

As part of her graduate fellowship, Reeves spent several weeks working in Massachusetts’ factories. She came away convinced that “a system of organization [was] needed in factory inspection work.”³⁷ Manning’s research during her fellowship had revealed that given the sheer number of factories and retail stores subject to inspection, and the few inspectors available, “inspectors could reach each establishment once in five years.”³⁸ Together, Manning and Reeves agreed that Massachusetts had every right to be proud of its place “as the center of advanced labor legislation in America.” However, the two reformers concluded that the Commonwealth had “fallen far behind our other states in providing machinery for enforcing those laws.” With so few inspectors in the field, “inspection seems now to be almost altogether on a complaint.”³⁹

Organized labor in Massachusetts agreed. In February of 1910, a series of articles appeared in the *Boston Evening Globe* outlining the complaints of

the Boston Central Labor Union regarding health and safety violations.⁴⁰ Growing public concern resulted in a petition to the state legislature signed by several citizens, including Mary Morton Kehew, who had led the efforts in 1907 to turn some inspection duties over to the State Board of Health. The petition, asking for “healthier and safer conditions of labor in factories, workshops, mercantile establishments and other buildings,” resulted in the formation of a state commission to investigate the current conditions. It bore the unwieldy title: Massachusetts Commission to Investigate the Inspection of Factories, Workshops, Mercantile Establishments, and Other Buildings.⁴¹

The Commission began its work on July 1, 1910. Albert S. Aspey, a former state senator, was chairperson. Other members were William S. Southworth of Lowell and Dr. Herbert C. Emerson of Springfield. Representing the interests of labor was John Golden of Fall River, the conservative president of the United Textile Workers of America. The lone female appointee was Emily Greene Balch, who resigned less than a month later due to “ill health.” Her replacement was Florence M. Marshall. On the opening day, the Commission was addressed by Edith Reeves, who presented evidence based on her weeks of employment in several unnamed Massachusetts factories. The Commission did not meet again until the end of August. Several days of testimony were then heard in Boston before the Commission moved outside of the State House.

Public meetings were held in Fall River, New Bedford, Worcester, Springfield, Pittsfield, Lowell, and Lawrence. Trade unionists, reformers, medical doctors, and employers all had a chance to state their respective views regarding the conditions of labor in Massachusetts. While in New Bedford, on October 4, the Commission heard from Mary E. Halley, a state factory inspector with the district police. Halley, a former weaver, had been an inspector in the Fall River area for seventeen years. Her testimony reflected the limitations imposed on inspectors, given the sheer volume of work and the lack of response from the judicial system. Halley testified:

Many times we have complaints we think are justified; we investigate them, we have an idea we can bring a case to court but when we bring our evidence... before the court, we are informed after they have time to look it over that there is nothing to it.⁴²

LIDA MACFEATERS' TESTIMONY

In Worcester, a few days after Halley's testimony, the Massachusetts Federation of Labor met for their annual convention. Noting that “many

matters in the interest of the toilers of the State are left undone," the federation called for the establishment of a "department of labor."⁴³ Another resolution was passed in support of "equal suffrage regardless of sex." This was introduced by Lida MacFeaters, the union staff person or "business agent" for the Laundry Workers local number 66 of Boston. MacFeaters was one of a handful of women trade unionists in attendance. Two weeks later, this former hatter and laundry worker testified at the Massachusetts State House on conditions in the laundry trade. Her detailed testimony revealed the dire need for better enforcement of the existing laws.

MacFeaters spoke at length of the horrendous conditions in the commercial laundries of Boston and Cambridge. Ventilation was so poor that at times, "the steam [was] so thick you cannot see across the room."⁴⁴ With the hot steam, women workers became drenched, yet most laundries lacked a changing area so that wet clothes could be replaced with dry ones before going home. MacFeaters testified that, especially in non-union laundries, the hours were long, and the women were frequently required to work on holidays, including Christmas. Working under hot and damp conditions for up to sixteen or seventeen hours a day was bad enough, but there also was a real danger to the workers.

According to MacFeaters, improperly installed gas light fixtures sometimes leaked gas. Even more common was the removal by employers of safety guards that were meant to prevent injury:

A great many of the laundries have those guards taken right off; they can get work done faster if the girl has the mangle with nothing but rollers, she can get on faster... if there is an accident, the guards will be put on, and then taken off. All they care for is to have all the speed they can, but the people work there regardless of running the risk.⁴⁵

Such conditions were allowed because, MacFeaters said, "You never see any inspectors going around, and if one does go around, he don't [sic] look into the details of the arrangements of the laundry at all." When asked if she personally had ever made any complaints to the District Police or the Board of Health, MacFeaters replied:

I have not done a great deal of it because I have not seen that it would do a great deal of good. The trouble is it would be very hard for me to bring in the proof... because they [the workers] know they would lose their places right away.⁴⁶

For the Commission members, Lida MacFeaters' testimony offered persuasive proof that the state needed to act. In January of 1911, the Commission issued its report based on all of the testimony presented to it. The report noted that "the entire matter of inspection involves roughly one-seventh of all the statutes of Massachusetts."⁴⁷ Yet, the two state agencies responsible were not carrying out their duties. The District Police had other concerns that seemed to be more pressing. The Report concluded that "factory inspection as at present conducted by the inspectors... is ineffective... [because] a large and increasing amount of their time is demanded by the inspection of moving picture establishments."

As for the State Board of Health, chronically underfunded and understaffed, its "agents' duties [were] curtailed to the point of merely collecting data - useful as that might be."⁴⁸

The Commission concluded its report by stating that "the fundamental trouble in the present system of factory inspection is the lack of unity and coordination in the service."⁴⁹ It recommended that one board be established, overseeing two sets of inspectors: one focusing on industrial health, the other responsible for enforcing laws relating to the hours of employment, minors, and so forth. Such division of duties was not that different from the current state of affairs. However, the crucial change lay in the fact that one board would oversee both inspection departments, thereby alleviating the frequent confusion over jurisdiction.

1911 STATE BOARD OF LABOR AND INDUSTRIES CREATED

The year 1911 was a banner year for labor legislation, partially in response to the tragic Triangle Shirtwaist Factory fire in which 146 workers (141 of them women) died in New York City in March. Many states quickly established various types of factory investigating committees. In the Commonwealth, several key pieces of legislation, for which reformers and unionists had been campaigning for decades, were finally passed. These included the fifty-four hour bill for women and children workers (which applied to all industries, unlike the 1874 ten-hour day act that only applied to women and children working in textile mills) and the Workmen's Compensation Act (which provided compensation and pay when a worker was injured on the job).⁵⁰

Despite the recommendations of the Commission, however, legislation to create a State Board of Labor died during its first hearing. In an attempt to placate labor, the legislature did appoint three more inspectors to the District Police. Labor, however, was not to be placated. At their annual

convention in September, the demand for a labor board was made loud and clear. Massachusetts State Federation secretary-treasurer D. D. Driscoll declared that "Labor has as much interest as capital; we want our rights, we demand recognition; we must have legislation to get them." In its report to the convention, the Legislation Committee went even further, calling for "said department to be headed by a commissioner elected by the voters."⁵¹

In his January 4, 1912, inaugural address, Governor Eugene Foss reminded his audience of all the labor legislation that was passed during his first term in office. As he was about to begin his second term, Foss said, "The enforcement of labor statutes should now be secured and the plans for legislation already formulated should be developed into law. I recommend the creation of a Labor Bureau to this end."⁵²

With the governor's apparent blessing, petitions from the Massachusetts State Federation of Labor and the Massachusetts Association for Labor Legislation arrived at the State House. On June 10, 1912, the State Board of Labor and Industries was established.⁵³

Although it had succeeded in securing passage of the bill that created the State Board of Labor and Industries, organized labor lost its fight to make the new position of Commissioner of Labor an elective position. Instead members were to be appointed by the governor. Members were to include one employer, one wage-earner, one physician or sanitary engineer, and at least one woman. Although Governor Foss had spoken in favor of a labor board during his inaugural address, he was not pleased with the bill as it evolved. Until the last minute he threatened to veto it. Foss referred to it as "miserable legislation" because it called for the commission appointments to be made after a year's delay. Despite this delay, the legislative committee of the Massachusetts State Federation of Labor believed that the new measure would "take its place as second only in importance to the workman's compensation act passed last year."⁵⁴

There was to be even more delay before the State Board of Labor and Industries actually took shape. Early in 1913, Governor Foss proposed that the Board be abolished, before it ever really began, and that it be merged



Gov. Eugene Foss (1858-1939)

with the newly-created Industrial Accidents Board. The Massachusetts State Federation of Labor protested this and other suggestions put forth by Foss which would have, in effect, nullified the State Board of Labor and Industries before “it had a trial.”

Finally, on July 30, 1913, the members of the Board were appointed. Among the five appointees, representing labor was John Golden of Fall River, the president of the United Textile Workers. The female appointee was Mary H. Dewey, the wife of M.I.T. professor Davis Dewey, who had served on the 1903 Committee on Relations Between Employer and Employee.⁵⁵ Born in turmoil, the State Board of Labor and Industries spent its first year deeply divided.

On September 23, 1914, John Golden announced his resignation from the Board. He did so in a rather dramatic fashion, before the Massachusetts State Federation of Labor’s annual convention, which was held that year in Boston. Golden had only praise for the woman board member, Mary Dewey. According to Golden, “She has stood up in her shoes and has helped or tried to help in fighting our battle for better recognition.” But, as for the other three members: “The trouble is... they don’t know the aims, ideals, and evil things our wage workers of this state are combatting [sic]. They are not in touch with the situation.”⁵⁶

For Golden, a board comprised of those who were out of touch with the needs of labor was perhaps worse than having no board at all. He ended his remarks with a note of warning, telling the convention that labor had to stop compromising and “stop the policy of being too easy.” Instead, the usually conservative Golden told the delegates that labor “has to show its teeth in no unmistakable terms.”⁵⁷

Labor’s teeth were hardly shown at a conference sponsored by the State Board of Labor and Industries at Boston’s Copley Plaza in October of 1914. The almost three hundred participants gathered “to consider ways and means of expanding the commercial interests of the Commonwealth.” The *Boston Evening Globe* reported that the conference “was a representative one in every way. It included men from all walks of life — bankers, manufacturers and representatives of the labor forces with a generous sprinkling of women.”⁵⁸ F. A. Goodhue of the First National Bank of Boston attended, as did the conservative labor leader and John Golden’s replacement on the State Board of Labor and Industries, John Tobin.⁵⁹ Also present were Mary Morton Kehew and Emily Greene Balch. Local politicians were represented as well with the participation of John Fitzgerald and James Michael Curley.

Such a gathering of business, reform, and conservative labor interests was not a recent innovation. In 1900, the National Civic Federation had been

formed for just that purpose. Historians, some more stridently than others, have argued that some businessmen intentionally became involved with reform in order to shape that reform to their needs.⁶⁰ On the other hand, one historian of the formation of national trade associations in the cotton textile industry has argued to the contrary. Citing the multitude of labor laws passed in Massachusetts, Louis Galambos has argued that “Despite their financial resources, personal influence, and well-organized political campaigns, the manufacturers were unable to prevent these laws from passing.”⁶¹

As the history of progressive labor legislation in Massachusetts demonstrates, however, those laws that were passed were often vague and rarely enforced. Furthermore, efforts to establish a vehicle for meaningful enforcement were shaped more by the interests of business than by the interests of labor or the concerns of reformers. For three years, despite statements of support, the governor of Massachusetts and the legislature delayed passage of a bill establishing a state agency designed to effectively enforce existing labor laws.

When that agency, the State Board of Labor and Industries, was finally established in 1911, the role of organized labor and of female reformers was sharply limited. Nonetheless, it was a beginning. Although the State Board of Labor and Industries claimed a role in “promoting the industries of Massachusetts,” the board also recognized its duties in “fostering the interests of labor.”⁶²



Notes

1. Reprinted from Jack Tager, Martin Kaufman, and Michael F. Konig (eds) *Massachusetts Politics: Selected Historical Essays*. (Westfield, MA: Institute for Massachusetts Studies, 1998), pages 153-73. Note: This version differs slightly from original book chapter due to copyediting changes, the addition of illustrations, a new introduction, and the incorporations of some updated references and citations in the endnotes.
2. Richard M. Abrams, *Conservatism in a Progressive Era: Massachusetts Politics, 1900-1912* (Cambridge, MA: Harvard University Press, 1964), 11; Robert Asher, “Organized Labor and the Origins of the Occupational Safety and Health Act,” *Labor’s Heritage* (January, 1991), p. 57; Clara M. Beyer, *History of Labor Legislation for*

Women in Three States, Bulletin No. 66, Women's Bureau, U.S. Department of Labor (Washington, D.C.: United States Government Printing Office 1929): 13; bDavid Rosner and Gerald Markowitz, eds., *Dying for Work: Workers' Safety and Health in Twentieth Century America* (Bloomington, IN: Indiana University Press, 1987), and Renee Diane Toback, "Protective Labor Legislation for Women: The Massachusetts Ten-Hour Law,"

(January 1, 1985) Electronic Doctoral Dissertations for UMass Amherst; paper AAI8602700. On the other hand, Alice Kessler-Harris argues that several other states, including Ohio and Wisconsin, passed laws restricting hours of employment before Massachusetts. See Kessler-Harris, *Out to Work: A History of Wage-Earning Women in the United States* (New York: Oxford University Press, 1982), 182. For a contemporary assessment which emphasizes the leadership role of Massachusetts in labor legislation, see William Franklin Willoughby, "State Activities in Relation to Labor in the United States," in Herbert B. Adams, ed., *Johns Hopkins Studies in Historical and Political Science* (Baltimore, MD: The Johns Hopkins University Press, 1901), 35.

3. Jacqueline Karnell Corn, *Response to Occupational Health Hazards: A Historical Perspective* (New York: Van Nostrand Reinhold, 1992), 4; see also Walter Licht, *Industrializing America* (Baltimore, MD: The Johns Hopkins University Press, 1995), 166-196; and Eileen L. McDonagh, "The 'Welfare Rights State' and the 'Civil Rights State': Policy Paradox and State Building in the Progressive Era," *Studies in American Political Development*, VII (Fall, 1993): 225-274.

4. Louis Galambos, *Competition and Cooperation: The Emergence of a National Trade Association* (Baltimore, MD: The Johns Hopkins University Press, 1966), 14-18.

5. See also Melvyn Dubofsky, *The State and Labor in Modern America* (Chapel Hill, NC: The University of North Carolina Press, 1994), chapters 1 and 2; Tom Juravich, William F. Hartford, and James R. Green, *Commonwealth of Toil: Chapters in the History of Massachusetts Workers and Their Unions* (Amherst: University of Massachusetts Press, 1996); Richard Schneirov, "Rethinking the Relation of Labor to the Politics of Urban Social Reform in Late Nineteenth-Century America: The Case of Chicago," *International Labor and Working-Class History*, XLVI (Fall 1994): 93-108 and David A. Zonderman, *Uneasy Allies: Working for Labor Reform in Nineteenth-Century Boston* (Amherst: University of Massachusetts Press, 2011), Chapters 6 and 7.

6. *Report of the Bureau of the Statistics of Labor* (Boston, 1871), 567 (emphasis in the original document).

7. Historian Mary H. Blewett has argued that "State policy made no real difference inside the mills." See Mary H. Blewett, "Deference and Defiance: Labor Politics and the Meanings of Masculinity in the Mid-Nineteenth Century New England Textile Industry," *Gender & History* V (Autumn 1993): 402. See also Blewett, "British Immigrants in Fall River and Lawrence and Boston's Eight Hour Men: Ideology, Politics, and Ethnicity in Post-Civil War New England," unpublished paper presented at the 1993 American Studies Association Conference. Earlier accounts

of the unwillingness of textile mill owners to uphold the law can be found in Beyer, *History of Labor Legislation*, 24-26, and Geoffrey Blodgett, *The Gentle Reformers: Massachusetts Democrats in the Cleveland Era* (Cambridge, MA: Harvard University Press, 1966), 128.

8. "Factory Inspection Act," legislative packet, Chapter 216, 1876, Massachusetts State Archives, Boston, Massachusetts.

9. *Massachusetts Acts & Resolves of 1879*, Chap. 306, section 12.

10. Gerald Friedman, "Success and Failure in Third-Party Politics: The Knights of Labor and the Union Labor Coalition in Massachusetts, 1884-1888," *International Labor Working-Class History*, No. 62 (Fall 2002): 164-188; and, Jama Lazerow, "The Workingman's Hour': The 1886 Labor Uprising in Boston," *Labor History*, XXI (1980): 200-220.

11. *Ibid.*, 215; Blodgett, *Gentle Reformers*, 129.

12. For Quincy as social paternalist, see Marilyn Thornton Williams, "Urban Reform in the Gilded Age: The Public Baths of Boston," in *Massachusetts in the Gilded Age*, ed. by Jack Tager and John W. Ifkovic (Amherst, 1986), 210-231, esp. 218-219; for Quincy as party opportunist, see Blodgett, *Gentle Reformers*, 130-131.

13. *Massachusetts Acts & Resolves of 1887*, Chapters 103, 173, 218, and 276; *Massachusetts Acts and Resolves of 1888*, Chapters 149 and 306.

14. Fall River *Daily Herald*, February 1, 1890, as quoted in Beyer, *History of Labor Legislation for Women*, 26.

15. On Balch, see Kristen E. Gwinn, *Emily Greene Balch: The Long Road to Internationalism* (Urbana: University of Illinois Press, 2010); see also, Mercedes M. Randall, *Beyond Nationalism: The Social Thought of Emily Greene Balch* (New York: Twayne Publishers, Inc., 1972); Mercedes M. Randall, *Improper Bostonian: Emily Green Balch* (New York: Twayne Publishers, Inc., 1964); and Sam Bass Warner, Jr., *Province of Reason* (Cambridge, MA: Belknap Press of Harvard University Press, 1984), 90-115. Both Randall and Warner, while making note of Balch's early efforts at social reform, concentrate on her activities as a pacifist; Gwinn's is a somewhat more balanced account.

16. Balch was the third woman to win the Noble Peace Prize (she was a co-winner, sharing the award with John Raleigh Mott). In 1905 Bertha Sophie von Suttner (Austria) received the award. She was the author of influential book *Lay Down Your Arms* and president of the International Peace Bureau. In 1931 Jane Addams, a close colleague of Balch's, won jointly with Nicholas Murray Butler. Addams was president of the Women's International League for Peace and Freedom and founder of Hull-House, a settlement house for immigrants families.

17. Philip S. Foner, *Women and the American Labor Movement: From Colonial Time to the Eve of World War I* (New York: The Free Press, 1979), 23 1-232; Kathryn Kish Sklar, *Florence Kelley and the Nation's Work: The Rise of Women's Political Culture, 1830-1900* (New Haven, CT: Yale University Press, 1995), Chapter 9; Meredith Tax, *The Rising of the Women: Feminist Solidarity and Class Conflict, 1800-1917* (New York,

- 1980), 80-81; Joan Waugh, "Florence Kelley and the Anti-Sweatshop Campaign of 1892-1893," *UCLA Historical Journal*, III (1982): 21-35.
18. Blodgett, *The Gentle Reformers*, 137.
19. Commonwealth of Massachusetts, Committee on Relations Between Employer and Employee, "Hearings Before the Committee, August 18, 1903-November 7, 1903," p. 665, typed transcript in the Massachusetts State Library, Boston. Hereafter, this document will be referred to as "Hearings Before the Committee."
20. Robert Asher, "Business and Workers' Welfare in the Progressive Era: Workmen's Compensation Reform in Massachusetts, 1880-1911," *Business History Review*, XLIII (Winter, 1969): 465.
21. On Wright, see Edwin Gabler, "Gilded Age Labor in Massachusetts and Illinois," *Labor Heritage*, IV, no. 3 (1992): 8-10; and James Leiby, *Carroll Wright and Labor Reform: The Origins of Labor Statistics* (Cambridge, MA: Harvard University Press, 1960).
22. "Hearings Before the Committee," 668.
23. *Ibid.*, 681.
24. *Ibid.*, 682.
25. *Ibid.*
26. Galambos, *Competition and Cooperation*, 23-30.
27. "Hearings Before the Committee," 186 and 193.
28. *Ibid.*, 182.
29. Thomas Dublin, *Transforming Women's Work: New England Lives in the Industrial Revolution* (Ithaca, NY: Cornell University Press, 1994), 235.
30. *Massachusetts Acts & Resolves of 1904*, chapter 99.
31. Commonwealth of Massachusetts, *Annual Report of the State Board of Health, 1904* (Boston, 1905), xxiii.
32. *Ibid.*, xxix.
33. *Ibid.*, xxxi.
34. Legislative packet, chap. 537, 1907, in Massachusetts State Archives, Boston.
35. *Massachusetts Acts & Resolves of 1907*, Chap. 537.
36. Susan Kingsbury, ed., *Labor Laws and Their Enforcement with Special Reference to Massachusetts* (New York: Longmans, Green, and Co., 1911). On the Women's Educational and Industrial Union, see Barbara J. Balliet, "'What Shall We Do With Our Daughters?': Middle-Class Women's Ideas About Work, 1840-1920," Ph.D. dissertation, New York University, 1968; Karen S. Blair, *The Clubwoman as Feminist: True Womanhood Redefined, 1868-1914* (New York: Holmes & Meier Publishers, 1980), chap. 5 and Sarah Deutsch, *Women and the City: Gender, Space, and Power in Boston, 1870-1940* (New York: Oxford University Press, 2000).
37. *Boston Herald*, July 2, 1910.
38. Kingsbury, *Labor Laws and Their Enforcement*, 237.
39. *Ibid.*, 223, 237, and 264.
40. *Boston Evening Globe*, February 7 and February 14, 1910.

41. *Massachusetts Acts & Resolves of 1910*, chap. 66; *Boston Evening Globe*, April 8, 1910. On the role of Progressive reformers and their use of social investigation and data collection in pushing for state action, see Michael S. Lacey and Mary O. Turner, "Social investigation, social knowledge, and the state: an introduction," in *The State and Social Investigation in Britain and the United States*, ed. by Lacey and Turner (New York, 1993), pp. 3-76, esp. pp. 13-15.
42. Massachusetts Commission to Investigate the Inspection of Factories, Workshops, Mercantile Establishments, and Other Buildings, 1910, in "Hearings, July 1 November 6, 1910," typed transcripts, p. 316, in Massachusetts State Library, Boston.
43. *Proceedings of the Twenty-fifth Annual Convention of the Massachusetts Federation and of Labor* (Worcester, 1910), 12.
44. Hearings, July 1 - November 6, 1910, 861.
45. *Ibid.*, 842-943.
46. *Ibid.*, 847-848.
47. Commonwealth of Massachusetts, *Report of the Commission to Investigate the Inspection of Factories, Workshops, Mercantile Establishments and Other Buildings* (Boston, 1911), 13.
48. *Ibid.*, 14-15.
49. *Ibid.*, 66.
50. Patricia A. Reeve, "Cultural and Legal Representations of Imperiled Workers and Their Political Significance, Massachusetts (1820 - 1910)," Ph.D. diss, Boston College, 2007, pages 177 - 224. See also: Asher, "Businessmen and Worker's Welfare," 473 and Albert M. Heintz, *History of the Massachusetts State Federation of Labor, 1867-1936* (Worcester, MA: The Labor News Printers, 1935), 44. Note: Before the passage of the 1911 Workmen's Compensation Act, the only recourse for a worker who was injured on the job was to sue their employer in a civil or "tort" action, which was the same remedy available to a person injured under other circumstances. The tort remedy, however, had a major problem: it required the worker to prove that the injury occurred because the employer was negligent. Under this system, it could be very difficult for workers to win claims against their employers.
51. *Proceedings of the Twenty-sixth Annual Convention, Massachusetts State Branch, American Federation of Labor* (Boston, 1911), 30 and 52.
52. *Boston Evening Globe*, January 6, 1912.
53. *Massachusetts Acts & Resolves of 1912*, Chapter 726.
54. *Proceedings of the Twenty-seventh Annual Convention of the Massachusetts State Branch, American Federation of Labor* (Boston, 1912), 42.
55. The other appointees were Alfred Donovan, who became chairman, Sleshar M. Gunn, and Alfred R. Quessy, M.D.
56. *Proceedings of the Twenty-ninth Annual Convention of the Massachusetts Branch, American Federation of Labor* (Boston, 1914), 99.
57. *Ibid.*, 100.
58. *Boston Evening Globe*, October 30, 1914.

59. For information on Tobin, who for several years was president of the International Boot and Shoe Workers Union, see Mary H. Blewett, *Men, Women and Work: Class, Gender, and Protest in the New England Shoe Industry, 1780-1910* (Urbana, IL: University of Illinois Press, 1988), esp. p.290 regarding Tobin's "business unionism."

60. See for instance Gabriel Kolko, *The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916* (New York: Quadrangle Books, 1963); more balanced are the arguments found in James Weinstein, *The Corporate Ideal in the Liberal State 1900-1918* (Boston: Beacon Press, 1969), and Robert H. Wiebe, *Businessmen and Reform: A Study of the Progressive Movement* (Cambridge, MA: Harvard University Press, 1962).

61. See Galambos, *Competition and Cooperation*, 62.

62. Commonwealth of Massachusetts, *State Board of Labor and Industries Advisory Council* (pamphlet, Boston, c. 1914), in Massachusetts State Library, Boston.

Following pages:

In 1845, Lowell female textile workers formed the Lowell Female Labor Reform Association. One of their first actions was to send a petition signed by thousands of workers to the state legislature demanding a ten-hour work day. This represents the earliest known ten-hour day petition in Massachusetts. Despite petitions, pamphlets, and other pressures, the legislature declined to take any action.

Sarah G. Bagley's signature can be found on the first line. She had begun working in the mills in 1836. In 1844 she organized and became president of the Lowell Female Labor Reform Association, whose members grew to 600. In 1845 Bagley left her mill job and went on to organize branches of the Female Labor Reform Association in Waltham and Fall River (MA) and Manchester, Nashua, and Dover in New Hampshire. In 1845 she was appointed corresponding secretary of the New England Working Men's Association and was a frequent contributor to their journal, the *Voice of Industry*. However, her health was declining. After her replacement as president of the Lowell Female Labor Reform Association in February 1847, there is no record of her.

To the Senate and House of Representatives of the State of Massachusetts:

We, the undersigned, Operatives and Laborers of Lowell, in view of the alarming effects of the present number of hours which the Operatives in our Mills are required to labor, upon their health and happiness; and believing this system of tedious and protracted toil to exist, in a great degree, by virtue of legislative enactments, in opposition to the great principles of justice, equality and republicanism laid down in Declaration of Rights, so essential to the moral, mental and physical well-being of society and the existence of a free and virtuous people; therefore, in justice to ourselves, to our fellow workers, and to posterity, we anxiously and hopefully invoke your aid and assistance in removing this oppressive burden, by enacting such a law, as will *prohibit all incorporated companies from employing one set of hands more than ten hours per day.*

That the present hours of labor are too long, and tend to aggrandize the capitalist and depress the laborer; is admitted by the good, the wise and philanthropic of the world, and we trust by every consideration of duty to your highly revered State, and the prosperity of her industrious population, and as just and righteous legislators, you will be induced to grant this reasonable petition; thereby saving our country from many of the calamities which have visited all people who suffer [allow] wealth and monopoly to feed upon the natural rights of the working classes.

Your petitioners would also call your attention to an article in the Factory Regulations, which is the cause of much injustice and oppression on the part of the corporations, and which reads as follows:

“All persons entering into the employment of the Company are considered as engaged for twelve months, and those who leave sooner, or do not comply with these regulations, will be entitled to a regular discharge.”

The effects of this regulation are becoming every day more grievous, giving to the manufacturer great power over the operative, and leading to monopoly and wrong. Your memorialists [petitioners] firmly believe that this combination is entered into to destroy the independence of the operatives, and place their labor within the control of the manufacturers an illustration of which we briefly subjoin: -Mary A- engages to work for the M--- Company, in the city of Lowell; according to the regulation she is considered engaged for one year; but for some good reason, perhaps ill treatment from her overseer, she wishes to leave and applies for a “regular discharge” – it is refused and her name is immediately sent to all the other Corporations, as being upon the “black list;” and should she apply for work she is denied, no matter how destitute her condition. *Thus we consider a “people’s Legislature” is duty bound to interfere for the protection of the weak and defenseless against the combined strength of capital and organized power.*

Source: http://www.uml.edu/tsongas/bringing-history-home/page_07/sb3.htm
(Original at the Massachusetts State Archives)