

The Sweating System in Canada.

REPORT

UPON

THE SWEATING SYSTEM IN CANADA.

[61]

COMMISSION

Appointing ALEXANDER WHYTE WRIGHT, Esquire, a Commissioner to inquire whether, and if so, to what extent the sweating system is practised in the various industrial centres of the Dominion, and for other purposes. Dated 29th October, 1895. Recorded 6th November, 1895. L. A. CATELLIER, Deputy Registrar General of Canada.

CANADA.

HENRY STRONG, *Deputy Governor.*

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

To ALEXANDER WHYTE WRIGHT, of the Town of Niagara, in the Province of Ontario, in Our Dominion of Canada, and to all to whom the same may come,—GREETING :

Whereas a resolution was adopted by the Dominion Trades and Labour Congress at its recent meeting in the City of London in the Province of Ontario, held in the month of September last past, in the following terms :

"In consideration of the petition of the Toronto Garment Workers, in reference to the sweating system in Toronto and Montreal, we deem it of urgent necessity that a Commission be appointed to investigate to what extent the system is practised in Toronto, Hamilton and Montreal, as a test of the whole Dominion."

And whereas it is deemed expedient to investigate into the matter referred to in the said resolution, and to inquire whether, and if so, to what extent the sweating system is practised in the various industrial centres of the Dominion of Canada, and at the same time to procure information respecting the kindred question of wages and any other matters affecting the employment and conditions of life and labour among the industrial classes—

Now Know Ye that, by and with the advice of Our Privy Council for Canada, We, reposing trust and confidence in your loyalty, integrity and ability, have nominated, constituted and appointed, and do hereby nominate, constitute and appoint you, the said Alexander Whyte Wright, to be Our Commissioner for the purpose of investigating into the matter referred to in the said resolution before mentioned, and to inquire whether, and if so, to what extent the sweating system is practised in the various industrial centres of the Dominion, and at the same time to procure information respecting the kindred question of wages and any other matters affecting the employment and conditions of life and labour among the industrial classes, and We do, under and by virtue of the powers vested in Us by Chapter 114 of the Revised Statutes of Canada,

intituled "An Act respecting inquiries concerning public matters," and by and with the like advice confer upon you as such Commissioner the power of summoning before you any witnesses, and of requiring them to produce such documents and things as you, Our said Commissioner, shall deem requisite to the full investigation of the matters into which you are hereby appointed to examine.

To have, hold, exercise and enjoy the said office, place and trust unto you, the said Alexander Whyte Wright, together with the rights, powers, privileges and emoluments unto the said office, place and trust of right and by law appertaining during pleasure.

And we do hereby require and direct you to report to our Secretary of State of Canada the result of your investigations, together with the evidence taken before you and any opinion or remarks you may see fit to make thereon.

In Testimony whereof we have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. Witness the Honourable Sir Henry Strong, Knight, Deputy of our Right Trusty and Right Well beloved Cousin and Councillor the Right Honourable Sir John Campbell Hamilton Gordon, Earl of Aberdeen, Viscount Formartine, Baron Haddo, Methlic, Traves and Kellie, in the Peerage of Scotland, Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom, Baronet of Nova Scotia, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, etc., etc., Governor General of Canada.

At Our Government House, in Our City of Ottawa, this Twenty-ninth day of October, in the year of Our Lord one thousand eight hundred and ninety-five, and in the Fifty-ninth year of Our Reign.

By Command.

L. A. CATELLIER,

Under Secretary of State.

E. L. NEWCOMBE,

Deputy Minister of Justice.

To the Honourable Sir CHARLES TUPPER, Bart., G.C.M.G., C.B.,
Secretary of State.

SIR,—As commanded in the Commission under the Great Seal, bearing date the 29th day of October last past, appointing me a Commissioner "to inquire whether, and if so, to what extent the sweating system is practised in the various industrial centres of the Dominion, and at the same time to procure information respecting the kindred question of wages and other matters affecting the employment and conditions of life and labour among the industrial classes" I beg leave to submit to you my report.

Inasmuch as the time allowed me for the completion of my investigation, as stated in the letter from your department which accompanied my commission, was limited to ninety days, I deemed it inadvisable either to attempt to make an exhaustive investigation of all shops and other places which might be considered as being embraced within the scope of my inquiry, or to endeavour to ascertain, except in a general way, the rates of wages paid. Even had my time been unlimited, it is doubtful whether detailed and accurate statistical information, of the kind last referred to, could be obtained by a temporary commission. Information concerning the wages paid and the conditions of labour found to obtain in a few establishments could not be depended upon to indicate, with any degree of accuracy, what the general conditions or wages might be. The publication of incomplete information might result in serious wrong either to those whose establishments were reported upon or to their competitors in business. I visited large numbers of factories, workshops and dwellings in which work was being carried on, conversing both with employers and employees, but though I gathered, in this way,

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a great deal of information bearing upon the matters under investigation, I have not deemed it expedient to mention names in this report; indeed I found it necessary in several instances to give an assurance that no names would be made public, in order to obtain information.

To avoid danger of misapprehension it may be as well to state here that I have not attempted to define the meaning of the term "Sweating system." Even among those who have made a special study of questions affecting labour and the labouring classes, there are widely varying opinions as to the meaning of the much used term, the differing definitions being almost as numerous as the men who give them. It has been defined as "the system of making clothing under filthy and inhuman conditions"; as "work sent out by a first contractor to be done in tenement houses or in the homes of the operatives"; as "a combination of the tenement house system, the sub-contract system and the task system"; as "wherever men are employed at low wages and under unhealthy conditions"; as "grinding the faces of the poor," etc., etc. As a matter of fact there is not in any country, certainly not in Canada, any system coextensive with the popular use of the term "sweating system." The words have really no definite meaning, for there are no conditions found in all the cases in which the term is applied, which are not also to be found in numerous other cases to which it is not applied. The confusion arising from the differing meanings which each witness attached to the term, appears to have been, in no small degree, responsible for the apparently rambling nature of the answers given to the upwards of thirty-two thousand questions, put by the Commission of the British House of Lords, to the witnesses who appeared before it. Realizing that any attempt on my part to act upon an arbitrary definition of the term "sweating system" would only hinder the inquiry, I have avoided this and conducted the investigation on more general grounds. For this reason whenever in this report the words are used they are not to be understood as having a definite meaning.

In Great Britain there are a considerable number of trades in which the "sweating system" obtains. Besides the clothing trade, the distress in which was the immediate occasion of the appointment of the Lords' Commission, the chain and nail trade, the nut and bolt trade, the boot trade and the cabinet making industry are all in a greater or lesser degree organized on the contract and sub-contract plan. In the United States the system is not so widely distributed and is confined to the various branches of the clothing trade, the making up of fur and feather goods and the manufacture of cigars and cigarettes. The excise laws of the Dominion effectually prevent the introduction of the "sweating system" into the cigar industry in Canada, but the conditions obtaining in the clothing and fur trades and in making of shirts, neckties and some other goods are so similar here and in the republic that it would be natural to expect that like methods of manufacture would prevail. I have considered it advisable, therefore, having regard to the limited time at my disposal, and believing that I would thus be making my inquiries in the quarter in which information would be most likely to be obtainable, to confine my investigation to the industries mentioned.

I directed my efforts to obtaining information under the following heads:—

1. Do the several manufacturing concerns manufacture their goods in factories of their own; give them out to contractors who have shops and employ workmen; or do they give them out directly to people who make them up in their own homes?
2. In those establishments in which more than one of these systems prevail, under which of them is the greater part of the work done?
3. Do manufacturers get their work done more cheaply or better by giving it out to contractors than they do when they have factories of their own?
4. When the work is given out either to contractors or to people who work at home, is there usually an agreement as to the prices to be paid—e.g., an agreement covering a period of time—or is the price fixed at the time the goods are given out; and, if the latter, is the fixing of the price deputed to some foreman or employee?
5. Have manufacturers any agreement or understanding with each other as to the prices they will pay for the making of goods they give out to contractors, or as to the wages they will pay in their factories?

6. Do manufacturers pay the same prices for similar work to contractors who have shops as they do to people who take work to be done in their own homes?

7. Do manufacturers make any effort to keep themselves informed as to the wages paid by contractors who take work from them?

8. Are there any organizations or combinations among the contractors whose object is to fix or regulate the prices at which work will be taken by them from wholesale manufacturers; or for the purpose of controlling the wages or prices for piece work to be paid to their own employees?

9. What are the sanitary conditions of the shops in which goods are made up under contract? Do the manufacturers make any effort to inform themselves as to this?

10. To what extent, if at all, does the practice prevail among contractors of using the shops or rooms in which they work as sleeping rooms for their families?

11. Have infectious diseases been spread by means of garments made in contractors' shops or private houses?

12. To what extent does the sub-contracting system prevail?

13. Does the contract system obtain to any extent in the custom or ordered clothing trade, or is it confined to the ready-made clothing business?

14. Do custom or merchant tailors generally have workshops on their premises, or do their employees take work home to be there made up with the assistance of their families?

15. Does the contract system result in reducing wages and in lowering the conditions of labour?

16. Are there many shops or places, in which manufacturing is carried on, which do not come under the provisions of the Factories Acts, because of not having the requisite number of employees?

17. Is it the practice to employ in such shops or places children who are under the factories age; and do women and children, employed in such shops or places, work more hours per day or week than is permitted under the Factories Acts?

18. In such shops or places are the conditions often or usually unsanitary?

19. Are the larger shops, by reason of having to comply with the provisions of the Factories Acts, placed at a disadvantage as compared with such smaller shops or places?

20. Are the provisions of the Factories Acts satisfactorily enforced and do the Acts give general satisfaction in their working?

21. Are the provisions of the Acts sufficiently comprehensive to ensure effectual inspection and regulation of all shops and places where the contract or "sweating system" might be carried on?

22. Is it believed that, by reason of their having to comply with the provisions of the Factories Acts, employers in the provinces in which such acts are in force are placed at a disadvantage as compared with employers in other provinces?

23. If stringent laws were enacted in any one province to prevent or suppress the "sweating system" would such legislation be likely to transfer the trade to other provinces?

24. If stringent Dominion legislation were enacted for this purpose would it be likely to transfer the business to other countries?

25. If for the purpose of preventing or suppressing the "sweating system" legislation were enacted requiring that clothing should be labelled or ticketed to show whether it was made in a factory, a contractor's shop or a dwelling, would such legislation have the effect intended and would it be prejudicial to business or otherwise?

26. Would it be practical and useful to require that a license should be taken out by the owner of each factory, shop or other place where clothing or other goods is made under contract, for the purpose of ensuring proper supervision and inspection?

27. Is the tendency, judged by the experience of recent years, toward a higher or lower rate of wages?

28. In such trades or divisions of trades as show a tendency toward higher wages does the tendency appear to be due to combinations among the workmen, to better prices for the finished goods, to a scarcity of competent workmen, or is it to be accounted for in any other way?

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29. Where wages or prices for making have fallen, or show a tendency to fall, has this been, or is it due to competition among contractors or workmen, to reduced prices for the finished goods, to the use of improved machinery and appliances, to division and organization of labour, to combinations among employers, or to any other specific reason or reasons?

30. Have wages been affected by immigration or by the bringing in of workmen from foreign countries by employers, under contracts made abroad?

31. To what extent does the apprenticeship system prevail, and in what degree are wages affected by it?

32. In shops or factories does the piece work system generally prevail or are the employees generally paid by the day or week: and if the latter, is it usual to fix a stint or task as a day's work?

33. Does the piece work system prevail more generally among male or female employees?

34. Leaving children out of the calculation do piece hands or day hands, as a rule, receive the higher wages?

35. How many hours, generally, constitute a day's work?

36. Does the system of fining for imperfect or partially spoiled work prevail to any extent?

37. Are there a greater or lesser number of idle men in the trade now than formerly; that is in recent years, and if the number is greater, has this been due to a decrease in the demand for goods, to improved machinery or changed methods of manufacture, or to the number of workers in the trade having increased more rapidly than the demand for their services; and, if the latter, has the relative increase in the number of the workers been due to immigration, or has it been owing to too many of the native or resident population entering the trade?

38. To what extent has female labour displaced male labour, or child labour taken the place of adult labour?

39. Does it sometimes or frequently happen that there is a scarcity of workers in some towns or cities and a surplus in others at the same time?

40. To what extent has the tenement house work shop system obtained a foothold in Canada?

For the purpose of obtaining information under these several heads I visited factories, workshops and private dwellings, making inquiries of both employers and employees, and personally inspected the condition of the shops and other places in which work is done. I also addressed, to employers and others, lists of such questions as I believed each would be best able to give information upon. Besides these means—for the purpose of getting a very full expression of the views and opinions of the classes immediately and particularly interested—I adopted the plan of holding a meeting in Toronto to which I invited the manufacturers, contractors and other employers, and also committees of the several organizations of employees engaged in the clothing trade. At the meetings, which were held on the evenings of the 8th and 9th of January, there were also present by my invitation a committee of the Toronto Trades and Labour Council and the three Ontario Inspectors of Factories, resident in Toronto, Mr. James R. Brown, Mr. Robert Barber and Miss Margaret Carlyle. I have appended a verbatim report of the proceedings of these meetings.

So as to be able to compare the condition of the several industries in Canada, in which the "sweating system" might be expected to be practised, with the conditions which obtain in similar industries in the United States, I placed myself in communication with Factories Inspectors, Commissioners of Labour and other officials in the several States of the Union, and attended a meeting of the American Federation of Labour held in the City of New York in December last. I also visited a number of "sweat shops" in Jersey City, N. J. The time occupied in my work of inspection covered a period of seventy-nine days, from October 29th, to January 28th, inclusive.

I now proceed to give, I trust with sufficient circumstantiality, the result of my inquiries under the several heads already enumerated:—

1. I find that the practice under the first head varies. Some manufacturers, though only a few, have all their work done in factories of their own; some have their work done by contractors who have their own workshops; others give it out to people who make it up in their own homes; while still others, and the greater number, have it done partly in all these ways. In Hamilton, for example, the greater part of the work is done by contractors and the balance by people who work at home. In Toronto the same system prevails, though in that city the proportion of work done in private houses is greater. In Ottawa, Montreal and Quebec the contract system scarcely exists; I only found six such shops in Montreal and none in either of the other cities. In Montreal there are several of the manufacturers who have factories of their own, but in the three cities last named the greater part of the work is done by families in their homes. In Halifax the proportion of factory work is greater but there is a considerable quantity of goods made up in private houses. In all cases the goods are cut out on the premises of the wholesale manufacturer.

2. As already said, the system varies, but it may be added that, except in Montreal and Halifax and in some smaller towns, as Clinton, Ont., for example, there is, proportionately, very little factory work done; while only in Hamilton and Toronto does the contractors' shop system obtain to any extent. Though this is not an invariable rule, it is generally true that when manufacturers have their work done in part by contractors and in part by families working at home, the better and more highly paid work, such as men's coats, is made by the first, while pants and vests are made in private families.

3. It is difficult to get reliable information under this head for the reason that I found no instance where a manufacturer had given both systems a thorough trial under similar conditions. I found that those who have their own factories and those who have adopted the contract system each are of opinion that the method they have chosen is the one best calculated to promote their interests, both as to cheapness and quality of the work. Almost invariably, however, the employees prefer the factory system to working in the contractors' shops. Whether the belief is well founded or not, they are firmly of the opinion that the contracting system tends inevitably to the lowering of wages and degrading the conditions of labour. I have not been able to obtain reliable data which will throw light upon this question, for the reason that I did not have an opportunity to compare the wages and conditions of labour in the case of men employed at the same kinds of work in the same city, under the two systems. A comparison when and where the conditions were quite dissimilar would, of course, be worthless. In the absence of statistics or other reliable data it may not, however, be out of place to mention some of the reasons which employees advance in support of the opinion that wages and conditions of labour are prejudicially affected by the contracting system. The contractor, it is urged, being immediately interested in getting the work done cheaply, and being continually in close contact with the employees, is able and apt to resort to all kinds of methods to accomplish this. Being usually less prominent in the public eye than the large manufacturer, and so less amenable to the deterring influence of public opinion, it is argued that he is less likely to be deterred from cutting wages, if in other respects able to do so, and less likely also to have regard for the health and comfort of his employees. The contractors' shops being small and only a small number, comparatively, of employees working in them, it is more difficult for the workers to become organized for the purpose of keeping up wages and maintaining good conditions of employment. It is urged, too, that the contractors compete with each other and with private families for work, taking it often at ruinously low rates, and then must of necessity cut the wages to make up for the loss so entailed. Broadly it is held by the employees that all the profit the contractor makes must come out of the sum which would go to the workers as wages did they work directly for the manufacture.

4. Except in the custom or ordered clothing trade there appears to be no agreements made between employers and employees, covering a period of time, as to wages or prices for making up goods. In the custom trade, where the workmen are organized, the employers and employees usually agree upon a scale of prices to remain in force for a term agreed upon, but neither in the ready-made clothing trade, the shirt industry,

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the fur business, nor in any of the other occupations I inquired into, did I find anything of this kind. The price to be paid for making the various articles is usually stated when the goods are given out, it being the duty of some one in the employ of the manufacturer to fix the price. It seems almost inevitable that such a system must result in bringing the wages down to the lowest point at which the employees can afford to work—to what economists have designated the lowest existence point. This result is rendered the more certain by the fact that the separation of the workers where they work in their own homes, and the want of combination among the contractors, prevents a comparison, by them, of the prices offered.

5. I find no evidence of any agreement, understanding or combination among the manufacturers for the purpose of regulating the prices to be paid for making goods; though in the way of business they usually keep themselves informed as to the prices paid by their competitors.

6. For the same kinds or grades of work manufacturers pay the same prices whether the maker is a contractor or a person working in his or her own home; but, as already stated, different grades of work are usually done by the two classes.

7. I found no evidence that the manufacturers seek to control or in any way interfere with the wages paid by their contractors, or to keep themselves informed as to the rate of wages paid. The object of seeking information under this head was to ascertain whether the wholesale manufacturers attempted to regulate the prices to be paid by them in accordance with the wages paid by the contractors to their employees.

8. The contractors have no organizations or combinations of the kind suggested. At one time the contractors in Toronto had an organization or union, but it no longer exists. While it was in existence it was claimed, by one of those present at the meeting already referred to, that it attempted to regulate the wages to be paid to employees, but this is denied. It did attempt to regulate in some measure the prices at which work should be done for the wholesalers, but met with but little success, owing partly to want of unanimity among its members and partly to the pressure of competition on the part of non-members and of private families.

9. As a rule the sanitary condition of contractors' shops is good, though there are exceptions to this rule. In some of the shops I visited, while it might not be altogether correct to say that they were in an unsanitary condition, they were certainly far from cleanly, and were neither wholesome nor pleasant to work in. One in Toronto, in which a number of men, women and girls were engaged in making ladies' mantles and cloaks, if not unsanitary, must have bordered very closely upon being so. In no case did I find that manufacturers took any measures to keep themselves informed as to the condition of the shops or houses in which their goods were made up, either as to cleanliness or healthfulness. I did not find anywhere shops that graded down to the level of the sweaters' "dens" described in the report of the Commission of the British House of Lords, and in the reports of the United States Factories Inspectors, but I found not a few in which there was great room for improvement.

10. The practice of using shops in which clothing is made as living and sleeping rooms, which is so great a cause of complaint in England and in some American cities, does not obtain here, at least to any extent. When clothing is made in private houses, however, bed-rooms and living rooms are frequently used as work-rooms.

11. I could learn of no authenticated case of an infectious disease having been spread by means of garments made in contractors' shops or private houses, though I did hear of cases where scarlet fever and diphtheria had been known to exist in places where clothing was being made. That great and serious danger to the public health might readily arise from this source, unless means be taken to guard against it by proper inspection, is evident. It is true we have not, as yet at any rate, the tenement house system which is the cause of so much danger of the kind indicated in such cities as Chicago, for example, but even in ordinary workshops and dwellings better inspection than the laws now provide for is needed to ensure the public safety.

12. As far as I could ascertain the subcontracting system, which some in England have held to be the only one rightly deserving of the appellation "sweating system," does not exist in Canada. It may be that there is danger that with the tendency to

increasing subdivision of labour, it will obtain a foothold here, but it is worthy of note that, in England, where it was once common, it is said to be dying out.

13. Only in Toronto did I find that any custom or ordered clothing is made under the contract system, and there only trousers are made in this way. With this exception the contract system, so far as the clothing trade is concerned, is confined to the ready-made business.

14. The systems of having workshops on their premises and of allowing their workmen to take work home, are both common in the custom or ordered clothing trade. Many tailors, more particularly married men, prefer to work in their homes. Where the trade is organized the unions generally limit the number of hours per day for work in shops, and, by taking their work home, some who wish to work longer than the union rules permit, can do so without the knowledge of the union. The advantage of having the assistance of their families is a further inducement.

15. As stated under No. 3, I have not found it possible to obtain data which would justify the giving of a positive answer to this question. I have already given some of the reasons advanced by the employees in support of their belief that an affirmative answer should be given. It is but fair to say, however, that other reasons are put forward in support of the contention that not only is the contract system, in the clothing trade at any rate, not an evil in the direction indicated, but that it results in a positive gain to the employees by conserving and more profitably directing their labour, and so enabling them to earn and receive more than they otherwise would. I found that men working for contractors really received as good pay as, and not infrequently better pay than men who worked directly for the wholesale manufacturer for whom the contractor worked; but this comparison was not conclusive for the reason that the kinds of work were dissimilar. I found instances where manufacturers had abandoned the factory system and adopted the plan of having their work done by contractors, believing that they saved expense and trouble by doing so. In one such instance a reduction of the wages of the employees had followed the change, but there were attendant circumstances which made it uncertain whether the change from one system to the other had been the sole or even the principal cause of this. On the whole, my impression is that it would be a gain to the employees, and without any loss to the manufacturers, if the factory system could be substituted for the contractors' shop system. While I do not assert that as a rule the conditions in contractors' shops in Toronto and Hamilton are unsanitary or unwholesome, they do fall far short in these respects of the large factories in Montreal and Halifax. When a comparison is made, however, between the condition of the people who work in contractors' shops and the conditions which attend the making of garments in private houses, the advantage is, in a marked degree, in favour of the former system. While it might not be correct to assume that the substitution of factory work for the contract system would certainly result in the payment of higher wages, my opinion is that the tendency would be in this direction, while the gain to the workers in improved conditions of employment would be great. As compared with the plan of factory work I am of opinion that the contract system does result in reducing wages and in lowering the conditions of labour, but when the comparison is made between the second and the home work plan I am satisfied that the contract system secures higher pay and better conditions of labour.

16. There are many places in the cities of Ontario and Quebec—(there are no Factories Acts in the other provinces) in which clothing is made, which do not come under the provisions of the Factories Acts, and such places are not subject to the inspection and regulation of these Acts.

17. Even in factories and shops subject to the regulations and restrictions of the Factories Acts, there is found to be considerable difficulty in enforcing the provisions forbidding the employment of children under the factory age, and, as might be expected, in small shops and dwellings to which the Acts do not apply, children of very tender years are employed. I also found that in such places women and children work many more hours daily than would be permitted in shops and factories under the regulation of the Acts. The school laws check the evil of child labour to some extent, but do not by any means prevent it.

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18. I found no positive evidence that the conditions in these small shops and dwellings were actually unsanitary, but in many instances they were very far from being cleanly, and not a few were the reverse of being comfortable working places. The ventilation was often bad and some of the rooms were too small for the number of people employed.

19. The competition of the small shops that do not come under the provisions of the Factories Acts, and the rivalry of people who work in their own homes undoubtedly has the effect of forcing contractors to take work at lower rates than they otherwise would, but this is only in part owing to the fact that they do not have to comply with the regulations of the Acts.

20. The Factories Acts, both in Ontario and Quebec, appear to be fairly well enforced and to give general satisfaction in their working, both to employers and employees. A greater number of inspectors, however, is needed, and more frequent publication of reports would be an advantage.

21. There is pressing need that the provisions of the Factories Acts should be very greatly broadened and extended so as to bring within their jurisdiction all places where goods intended for sale are manufactured. In accordance with an amendment to the Ontario Factories Act, which was assented to on April 16th of last year, the government of that province appointed, in addition to the male inspectors, one female inspector, who is doing very efficient work, but it is not possible that one woman can effectually watch over even the factories and shops now under the Act, and it would be quite beyond the power of the present staff to do the work if the law were amended so as to bring the small shops under its regulations.

22. I do not find that employers in Ontario and Quebec are as yet suffering any disadvantage because of the enforcement of the Factories Acts in these provinces. It is very evident, however, that should competition become keen between them and manufacturers in other provinces where there are no such Acts in force, they would be placed at a very serious disadvantage. In the absence of common legislation in the several provinces it is a cause of regret among the working classes that there is no Dominion legislation of this character.

23. The general opinion among employers and workmen is that no one province could enact stringent legislation for the purpose of checking or preventing the "sweating system," without great risk of injury to business in that province, and that the probable effect of the enactment of such legislation would be the transference of the business to other provinces where such restrictive laws might not be enacted. Such a result appears to have followed the enactment of "anti-sweating" laws in some of the States of the neighbouring Union, notably New York and Massachusetts.

24. Should the Dominion Parliament enact legislation for the purpose indicated, both manufacturers and employees appear to fear that it would result in greater imports of ready-made clothing and a lessening of the quantity made in the Dominion, unless the import duties were raised sufficiently to cover the increased cost of manufacture.

25. Attempts have been made in several of the American States to check the "sweating system" by requiring that all goods should be labelled or ticketed so as to show whether they were made in factories, contractors' shops, private houses or tenement houses. These attempts have been followed by a limited measure of success only. It has been proposed by members of labour organizations and others anxious to uproot the "sweating" evil, and careless, perhaps, as to the consequences in other directions of the suggested remedy, that a system of labelling or tagging should be adopted and legally enforced that would practically have the effect of making all ready-made clothing, except such as should be made in factories, unsaleable, by attaching to it a suspicion of having been made under uncleanly or unsanitary conditions. While some of the working people with whom I conversed on this subject expressed themselves as desirous of having the labelling system tried, I did not find that, as a rule, they regarded its success, as a means of substituting factory work for the contractors' shop or home work systems, as more than problematical. Manufacturers on the other hand are generally of opinion that such legislation would be vexatious and troublesome to them without resulting in any corresponding benefit either to the public or to their employees.

26. The answers of employers and employees to this question entirely disagree. The former are, as a rule, opposed to the adoption of the plan of licensing shops and houses where goods are made up for them, holding that it would be an annoying interference with business, and that little if any good would result from it. The employees on the contrary, believe that by reason of the better inspection, which the licensing system could be made the means of ensuring, and the improved conditions as to sanitation and cleanliness which they believe would result, the conditions of their employment would be greatly improved. The contractors generally agree with the views of the employees on this question, and would be willing, as a rule, to agree to the imposition of a license.

27. The information gathered under this head indicates that the tendency is towards lower wages, both as to the prices paid for piecework and as to the aggregate amount received by the employees.

28. While the tendency towards lower wages is less marked in some branches of the clothing trade than in others, there cannot be said to be any branch in which the tendency is, in any marked degree, towards higher wages. While I found isolated individual cases which, at first sight, seemed to indicate that there was an upward tendency, fuller investigation showed that there were exceptional reasons for these cases and that, even in the most favourable circumstanced divisions of the trade, there is really no evidence of a tendency towards higher wages.

29. Competition among contractors and among workmen has undoubtedly resulted in the lowering of the prices for making goods and of the rate of wages. The introduction of improved labour-saving machinery and appliances, and the subdivision of labour have likewise had a similar result, but the tendency towards lower wages is mainly due to the general reduction of the prices of finished goods. I do not find that combinations among employers have played any part in preventing the rise or in causing the fall of the rate of wages.

30. There cannot be said to be an apprenticeship system in the ready-made clothing trade. "Learners" are employed—usually young girls and boys—but the employer is under no obligation to teach them a trade or any part of one. Evidently such a system is capable of gross abuse and there are not wanting instances of such abuse by unscrupulous employers. I learned of one contractor, engaged in making pants and vests, who makes a practice of employing "learners" who engage to work for him without wages while they are learning the trade. These learners, usually girls, are kept at some trivial and easily mastered work, such as pulling out basting threads, sewing on buttons, or running up seams on a sewing machine, and then, when the term for which they agreed to work without wages expires, they are discharged, without having had an opportunity to learn any trade by which they can earn a livelihood, their places being filled by other "learners" who are in turn defrauded out of several months of work and time. It is not easy to determine just what effect the existence of such an "apprenticeship system" may have upon wages, but it is abundantly evident that when fair employers are forced to compete with those who take advantage of the opportunities which such a system offers to the unscrupulous, the effect must be detrimental.

32. The systems of payment by the day or week and by piecework both prevail in factories and contractors' shops. It is not usual to fix a task or stint as a day's work though the system is not unknown. Even when there is no task set as the day's work, employees usually understand that the retention of their situations depends upon their regularly doing what is regarded as a fair day's work.

33. The piecework system is probably more usual where women and children are employed than it is among male employees, but the division cannot be said to be upon sex lines. Having regard, however, to the fact that all work done in private houses is done on the piecework system and is mainly done by women, it is evident that much the greater part of the clothing made under the piecework system is made by women.

34. I could not obtain data which would justify a positive answer to this question: though if the whole trade be considered,—home work as well as factory and shop work—it is probable that the higher wages are received by those who work by the day or week.

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35. Ten hours per day or sixty hours per week is the usual time worked in factories and workshops, but in private houses the time is irregular and the number of hours of work usually more.

36. I did not find evidence that the system of fining for imperfect or spoiled work prevails to such an extent as to involve injustice. It is worth noting, however, that one of the most serious disadvantages, which those who work for manufacturers in their own homes labour under as compared with those who work in factories or contractors' shops, arises from this system. When an employee in a factory or contractor's shop does imperfect work, necessitating an alteration, only the time required to make the alteration is lost. On the other hand, a person working at home must carry the goods back again, frequently losing half a day because of having to make an alteration which in actual work only requires a few minutes of time. To avoid this they are often willing to submit to a fine or reduction of wages far in excess of what the making of the alteration would be worth to them. I found that, as a rule, those employed in contractors' shops are not held responsible for the making of alterations and are thus freed from the responsibility and loss to which those employed in factories and private houses are subject. Though not strictly pertinent here, it may not be amiss to say that manufacturers uniformly bear testimony to the honesty of those who work for them in their homes. Many thousands of dollars' worth of goods pass through the hands of this class of people every month, yet losses through dishonesty are scarcely known. I was informed by one manufacturer in Montreal that, though his goods were sometimes out of his warehouse for months, his entire losses did not amount to one dollar per year and that he never knew of a case of real dishonesty.

37. The information gathered under this head does not show that there is much if any change in the relative number of the unemployed in the trades under investigation. There has been a pretty steady increase in the quantity of ready-made clothing manufactured, and this has given employment to a greater number of men, women and children, notwithstanding the introduction of labour saving machinery and the adoption of improved methods of manufacture, but the increased demand for labour has been fully met and the relative number of the temporarily unemployed is no less than formerly. I do not find that the labour market in the trades under investigation has been to any considerable extent affected by immigration, though there have been instances of workers having been brought to Canada to take the places of men who were "on strike," and it is a cause of complaint among Canadian workmen that while the United States laws are strictly and even harshly enforced against any of them who seek employment across the lines, there is no Canadian law to protect them against American labour in similar ways. In connection with this head I would again refer to what has been said under No. 30. The throwing of the "learners" there referred to on the labour market, necessarily results in an increase of the number of unemployed.

38. The number of females employed in the ready-made clothing trade is relatively greater than the number of males, and, as a consequence, as the production of ready-made clothing increases in comparison with the making of ordered or custom clothing, the number of female employees becomes proportionally greater than the number of males. For the same reason, and in about the same proportion, child labour increases as compared with adult labour.

39. Both employers and employees suffer loss by reason of there being at times, and frequently, a scarcity of labour in one locality contemporaneously with a surplus in another, but the trades under investigation do not suffer more in this way than do others.

40. I do not find that the tenement house workshop system has as yet been introduced in Canada, but, except the absence of the very high rents which prevail in American cities in which it exists, there are none of the conditions wanting here which have created the system elsewhere. A provision of the British Factory and Workshops Acts would, if adopted here, be a great safeguard against the commencement of the tenement house shop system. This provision is that every occupier of every factory or workshop from which wearing apparel and other specified goods are given out to be made up outside of the factory or workshop, shall keep a list of all persons to whom they are

so given out, and copies of these lists must be furnished to the inspector half yearly. The form prescribed is as follows:—

Address of factory or workshop or place from which work is given out _____

Name of occupier of factory or workshop or place _____

Business carried on _____

Names of persons employed by the occupier outside the factory or workshop or place from which work is given out, and places where they are employed, viz.:—

A.—PERSONS so employed as workmen.

Christian and Surname.	Place where Employed.

B.—PERSONS so employed as contractors.

Christian and Surname.	Place where Employed.

A similar list must be kept by contractors of all persons working for them outside their shops, and furnished in the same way to the inspectors.

As will be seen from the foregoing, I have directed my attention almost exclusively to the investigation of the "sweating system," so called, in connection with the clothing trade. I have done so partly because the time at my disposal did not permit of a more extended investigation, and partly because among the industries in which the "sweating system" might be expected to exist, this is the one in which the evils of the system—the danger to public health and the injury to employees—would be most likely to be found to prevail. I was also influenced by the belief that whatever legislative remedies can be applied to check or prevent the evil in this industry must necessarily be equally efficient as regards other trades. As has been already stated, the excise laws of Canada operate to prevent the extension of the "sweating system" to the cigar-making industry, which is the only other trade in the United States in which the evil has been found to exist to any great extent. In Montreal, Toronto and Quebec there is some giving out of fur goods to be made in private houses, and in the first named city some of the work in the shoe trade is done in this way. In the shirt industry the home work system prevails to a not inconsiderable extent, and any statements hereinafter made concerning that system in connection with the clothing business may be considered as applying in some degree to this industry.

The development of the "sweating system"—including in the term the contractors' shops and the home work system—has been coincident with the business revolution

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which has, within a quarter of a century, changed that industry from one in which the proportion of custom made goods to ready-made was about as nine to one, to one in which the proportion of ordered clothing is probably not more, if as much, as forty per cent. The development of the ready-made industry by the subdivision of labour has rendered unnecessary the employment of so great a proportion of specially skilled handcraftsmen and made it possible to give employment to less skilled and cheaper labour. Garments being made in assortments, and it being no longer necessary to make each special garment to fit a particular wearer, they are cut out by machinery and then each part of the work of making up and finishing is done by men, women and children skilled in doing that particular part. In this way what may be called the "team work" system has arisen, which has, in the ready-made clothing and shoe trades, practically done away with the necessity for employing completely skilled tradesmen. The factory and its modification the contract shop in which this "team work" system can be most effectively and economically practised, has taken the place, in great measure, of the tailor shop and the shoemaker shop. The house work system is but another development of the "team system," as under it the family becomes a "team."

Stated briefly, the contract system in the clothing trade is carried on in this way: In the warehouses of the large wholesale manufacturers the clothing is cut out. It is then sent in lots to contractors who have their own shops. These contractors, usually, and for their own convenience and advantage, confine themselves as far as practicable to the making of some particular kind of garments, coats, trousers, vests, mantles or overcoats for example. They can thus most profitably utilize their machinery, and, by subdivision, the labour of their employees. The wholesaler takes no responsibility for the payment of the wages of the employees of the contractor, nor does he hold himself in any measure responsible for the condition of the shops in which the goods are made up. With the receiving back of the finished goods and the payment of the contract price for finishing, his responsibility ends. In every case I found that the wholesale manufacturers disclaimed positively any further obligation.

As I have already stated, under No. 12, the system of subcontracting can hardly be said to exist in Canada, and it would, therefore, not be necessary to refer to it here were it not for the reason that, as it is the system under which the greatest evils and most deplorable conditions have developed in other countries, it would seem to be the part of wisdom, when considering measures for the purpose of checking the introduction or growth of the "sweating" evil in Canada, to have special regard to the prevention of this system. This remark applies as well to the tenement house shop system. In the United States, where, in some of the cities, this last system largely prevails, there are numerous well authenticated instances of the spreading of contagious diseases, such as measles, scarlet, spotted and typhoid fevers, erysipelas, whooping cough, diphtheria and small-pox, by means of garments made in tenement houses under unsanitary conditions.

While the investigation has shown that the "sweating system" with its attendant and consequent evils does not exist in Canada to the same or nearly to the same extent that it obtains in Great Britain and in the United States, it has also shown that there is absent from Canada no single one of the primary conditions from which the system has developed in those countries. It would therefore seem that any remedies which have been found, or which it is probable would have been found, if tried, effectual in other countries to cure the evil, would likewise, making allowance for differing conditions, be efficacious in preventing its commencement or further growth here. For this reason I have considered it a part of my duty to indicate some of the remedies which have been tried or proposed in the neighbouring republic—that being the country whose conditions most nearly resemble our own—accompanying this resumé of the laws and proposed legislation of the several states and of the United States with such remarks as the information elicited during my investigation may seem to call for.

The Commonwealth of Massachusetts appears to have taken the initiative in distinct legislative effort to check the "sweating system." By the law of that state passed in 1891, and amended in 1892, every house, room or place used as a dwelling in which garments or wearing apparel of any kind is made wholly or partially, or altered or repaired, except houses occupied exclusively by the members of the family, were declared

to be workshops, and placed under the inspection of the district police, whose duty it is to examine all such garments, etc., "for the purpose of ascertaining whether said garments * * * * are in cleanly condition and free from vermin and every matter of an infectious and contagious nature." Persons occupying or having control of workshops are required to notify the district police or the special inspector of the location of the workshop, the nature of the work to be carried on and the number of the persons employed. Every person working in any such workshop is required before commencing work, "to procure a license, approved by the chief of the district police upon the recommendation of the inspectors especially appointed for the enforcement of the provisions" of the Act. If the inspector finds evidence of infectious disease in any workshop or in any goods manufactured or in process of manufacture therein, it becomes his duty to report the facts to the chief of the district police, whose duty it is in turn to notify the State Board of Health, which body, if it finds the shop in an unhealthy condition, or the clothing unfit for use, is required "to issue such order or orders as the public safety may require." If it is reported to the inspector that clothing is being imported into the state which has been manufactured wholly or in part under unhealthy conditions, it becomes his duty to examine the goods and the condition of their manufacture and if the goods or any of them are "found to contain vermin, or to have been made in improper places or under unhealthy conditions he shall make report thereof to the State Board of Health, which board shall thereupon make such order or orders as the safety of the public may require." Whoever sells or exposes for sale clothing "made in a tenement house used as a workshop" is required to have attached to each garment a tag or label not less than one inch wide by two inches long, on which shall be written or printed the words "Tenement Made" and the name of the state, city or town in which the article was made. No person is permitted to sell or expose for sale any such garment without such label or tag or "any of said garments with a tag or label in any manner false or fraudulent," nor shall any "wilfully remove, alter or destroy any such tag or label upon each of said garments when exposed for sale." A penalty of not less than fifty nor more than one hundred dollars is attached for the violation of any of the provisions of the Act.

In its practical working the effect of the Massachusetts law is said to be (1) That the chief of the district police and the inspectors interpret it as bringing the houses, rooms, &c., within the meaning of the factories law, as "workshops." The effects of this interpretation are (a) that separate water-closets are required for men and women, and (b) that the ten-hour law for women and for minors under eighteen is made to apply. As owners of tenement houses are seldom willing to go to the expense entailed by (a), this method of interpreting and enforcing the Act has a decided tendency towards abolishing the tenement house system. (2) By their method of enforcing the tagging or labelling system the inspectors are said to make the law almost as effective against tenement-made goods from other states as it is against such goods made in Massachusetts. It is claimed that the tenement house shops have virtually ceased to exist in Boston as the result of the enforcement of the law. Less clothing is said to be made in New York for the Boston market, while more is made in Boston and more in Maine. This last claim does not, however, harmonize with the information upon which I based the statement made under No. 23. So far were the members of the congressional committee who examined into the working of the law from accepting this optimistic view, that in their report to Congress they speak of the result of the working of the law as "a typical illustration of the defects of local law." This committee in its report held it to have been demonstrated that the result of the enforcement of the Massachusetts law had been to encourage the sending of goods to be made in other states, often under unsanitary conditions and then selling them as "Made under the Massachusetts law." (3) The effect of the licensing system is said to have been that the homes in which clothing is made have been greatly improved in the matter of cleanliness and comfort. The method of licensing is that at first a temporary license for thirty days is granted, and, after the place is inspected, the license is either extended or made permanent. The conditions required before the license is made permanent and which must be promised before it will be

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extended, are: (a) absolute cleanliness; (b) that no rooms used as sleeping apartments shall be used as work-rooms, and that no garments, either finished or in process of manufacture, shall be allowed to be kept or to remain in sleeping rooms; (c) that notice must be sent to the inspector of intended removal or of the breaking out of any contagious or infectious disease either in the family of the person holding the license or of any family residing in the same building, and (d) that no person not a member of the family shall be employed on the premises licensed in the work of making or finishing wearing apparel intended for sale.

The law of New York, which was enacted in 1892, is, except as hereinafter noted, almost identical with the Massachusetts law in its provisions. Besides articles of wearing apparel covered by the Massachusetts law, and which it enumerates, the New York law applies to the making of purses, feathers, artificial flowers and cigars. Instead of, as in Massachusetts, merely commanding the State Board of Health, when clothing is found to be infected or unfit for use, to "make such order or orders as the safety of the public may require," the New York law enjoins the Board of Health "to condemn and destroy all such infectious and contagious articles." The licenses in the New York law are called permits, and are issued or granted by the Board of Health to persons found worthy, upon inspection by the inspector or the Board of Health. The penalty for violation of the New York law is not less than one hundred nor more than five hundred dollars.

The provisions of the Illinois law which apply to the "sweating system" are contained in three sections of the Factories Act. These forbid that any room in a dwelling or tenement house used as an eating or sleeping room shall be used for the manufacture of wearing apparel and the other articles enumerated in the New York law, except by the immediate members of a family living therein. The remainder of this section and the other two sections of the Factories Act which apply, regulate the inspection of workshops and of clothing, etc., in the same way as the New York law. There are no provisions for labelling or tagging the goods nor for licensing or granting permits as in the Massachusetts and New York laws.

In none of the other states are there any laws specially aimed at the prevention or checking of the "sweating system," nor are there any sections of the Factories Acts of these states capable of being so enforced as to operate as a check on the system which would be at all likely to be effectual. It may be well to note here that the New York Court of Special Sessions has recently given a decision, which, if it be upheld by the higher courts, will make the New York law in a great measure ineffective. A man was being prosecuted by one of the inspectors for employing persons, not members of his family, to work at making clothing in a tenement house, without the permit required by the Act. The Court of Special Sessions discharged the accused, holding that it is not unlawful to hire persons, not members of the family living in it, to manufacture clothing in a tenement house, notwithstanding the law forbidding it.

In the hope that a Federal law, embracing in its scope all the states, will be effectual to prevent the "sweating system," a bill has been introduced in the present congress under the title of "A Bill to raise Additional Revenue for the Support of the Government." The title of the bill is, of course, pretextual inasmuch as the raising of revenue is not its object but a means by which it is hoped that another object will be accomplished. The proposed measure may be summarized as follows: It provides that when a manufacturer gives out materials from which clothing and other manufactured articles enumerated in the bill are to be made by contractors and others not directly in the employment of the manufacturer in his own factory, the said manufacturer shall pay in advance to the United States Revenue Collector a tax of \$300 per year for each contractor or person to whom material is so given out. The bill also provides that any contractor or other person taking materials from a manufacturer for the purpose of making them up, who shall sub-let the work of making up or finishing the goods, shall also pay a yearly tax of \$300 in the same way for each person to whom he sub-lets any part of the work. Should the work be again sub-contracted or divided, the person so sub-letting or dividing it will be subject to a like yearly tax of \$300 for each person so employed by him.

There can be no doubt that such a measure, if it should be passed, and could be enforced, would effectually put an end to the "sweating system" in the trades to which it would apply, and compel the manufacture of clothing, etc., in factories operated by the manufacturers. With such a law in force only the larger and more well-to-do contractors, who could afford to advance the money for the manufacturers to pay the tax, could continue in business. Small contractors and all home workers would certainly be driven out of the trade. Viewed only from the standpoint of those employed in shops and factories it would be an advantage, doubtless, to have legislation enacted which would abolish the home work system. Possibly this might be an advantage to the trade as a whole, or at any rate to those who might ultimately be found to remain in it, but in the meantime it might not be easy to justify legislation which must inevitably result in depriving many worthy people of their only means of earning a livelihood.

It may be of interest to observe, concerning the proposed Federal law just mentioned, that, before its introduction in congress, a draft of the measure had formed the subject of discussion at a convention of the National Association of Factories Inspectors, and that it had received the approval of that body. The association seemed to be convinced that all attempts to abolish the "sweating system" by state legislation must in the nature of things prove abortive and so favoured an attempt to destroy the tenement house and home work system—the principal cause and the stronghold of the evil—by a Federal law which should accomplish its real purpose under the pretense of imposing a revenue tax.

It will be observed that the difficulty which lies in the way of successfully attacking the "sweating system" by means of legislative enactments, in the United States, arises out of the question of where Federal jurisdiction on the one hand and State authority on the other begins and ends. It is not claimed by those who advocate the passage of the proposed Federal law already referred to, that the laws of Massachusetts or of New York, for example, would be inefficient or ineffectual, were it not for the fact that they are only state laws having no force outside the states passing them. I am assured that those who, under existing circumstances, are advocating and supporting the proposed Federal law, would greatly prefer a national law framed on the lines of the state laws referred to, were the enactment of such a law within the jurisdiction of the Federal congress. Forced to make choice between state legislation calculated to check the "sweating" evil while not doing injury to worthy working people, and inefficient only because the states cannot enforce it beyond their own boundaries; and a Federal law which aims at curing the evil by the clumsy, if effectual, method of killing the patient, they choose the latter.

I am conscious that, in this report, I should avoid making suggestions or specific recommendations to authorities by whom I have not been commissioned and to whom I am not answerable, and I am aware that some of the suggestions which I deem it to be my duty to make, will, possibly, have reference to matters that under the constitution and by the terms of the British North America Act, come more properly within the powers of the Provincial legislatures than of the Dominion Parliament. At the same time, I realize that, not being equipped with the knowledge necessary to determine where the authority of parliament and of the legislatures begins and ends, I might easily, should I be over careful to avoid seeming to trench upon provincial authority, run a danger of omitting suggestions which, perhaps, after all, I ought to have made. I have, therefore, deemed it best to make the suggestions and recommendations which seem to me to be called for by the facts as disclosed by my investigation, leaving it to others more competent than I to decide as to where the authority may be vested to accept or reject them.

As elsewhere remarked, it has not been found possible to obtain, through the medium of a temporary commission, reliable, detailed and accurate statistical information on the questions of wages and of the conditions of life and labour among the working classes. If Canada is to be brought up to an equality in this respect, with other countries and with some of the sister colonies, it is of primary importance that such statistical information be collected and published at intervals of sufficient frequency to make the information contained in the reports promptly available. Even were the

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information which is contained in the census returns given sufficiently in detail, it is not corrected and published with sufficient frequency to make it really useful in the direction indicated. I would recommend that the Act, chapter 15 of the Acts of 1890, be put in force, and that the officers appointed under that Act be directed to give special and immediate attention to the collection of statistical and other information bearing upon the wages paid, and the conditions of life and labour among those engaged in the making of clothing, fur goods, shirts, collars and cuffs, neckties, boots and shoes, feather goods, and corsets, and also similar information bearing upon the condition of those employed in laundries and bakers' shops. Such officers should also be instructed to collect, as speedily as may be possible, information concerning the employment and condition of Chinese living within the Dominion.

The provisions of the Factories Acts should be extended so as to include within the sphere of their regulations all factories and workshops, and all dwellings in which more than the husband and wife are employed and in which articles of any kind intended for sale are being manufactured. Whatever objections may be properly urged against interference of this nature in the case of families working in their own homes, none can, I think, be validly advanced on the ground of improper invasion of the sanctity of the home, against subjecting to inspection and regulation houses in which, by the employment of non-members of the family, the privacy which makes the home sacred has been surrendered. Even in those cases in which those employed are the children of the parents living in the house it does not seem to me that, for that reason, there should be no inspection or supervision in the interest and for the protection of the general public. The right of parents to work their children is not so indisputable and indefeasible nor of a nature so sacred that society is bound to take the risk of illiteracy and moral and physical deterioration in deference to it.

It is necessary, too, that the provisions of the Factories Acts concerning the inspection of the factories and workshops and the regulation of the conditions of labour therein should be uniform throughout the Dominion. Whether this can be secured only by concurrent and similar legislation by the several provinces, or whether it is constitutionally within the power of parliament to enact a Dominion Factories Act, it is not my province to suggest. But that it is necessary that either there should be one Factories Act for the Dominion, or that, in their main provisions at any rate, the Factories Acts of all the provinces should be similar, is the unanimous opinion of all employers as well as employees with whom I have spoken on the subject. I believe it would conduce to the effectiveness of the Factories Acts if the plan were adopted of having one chief inspector who would have the supervision and direction of a sufficiently numerous staff of male and female deputy inspectors. This would ensure, besides greater efficiency, uniformity in the enforcement of the provisions and regulations of the law.

Under No. 39 attention is called to the loss which both employers and workers suffer, because of it frequently happening that workmen are idle in one town or city when their services are needed in another. I would recommend that, either as a part of the work of the bureau of labour statistics or in some other way, a system of labour registration should be adopted, so that workmen might be kept informed promptly, as to where a demand might exist for their services, and employers at the same time advised as to where workmen could be obtained.

Canadian workmen complain of the injustice to them of allowing labourers and mechanics to be brought to Canada under contracts made in other countries. The province of Ontario has enacted legislation making such contracts not binding as against the employees, which is as far, probably, as a provincial legislature could constitutionally go in the direction of remedying the evil, but there is no legislation of this kind in the other provinces and no Dominion legislation of this nature. I would recommend that a Dominion law be enacted prohibiting, under a sufficient penalty, the making of contracts in other countries for the performance of labour in Canada. This law should be made as far reaching as is consistent with our position as an integral part of the empire. It is not my province to say whether or not such a law could be made to apply to contracts made in the mother country or in the other colonies, but it may be permissible for me

to suggest that such an application of it would not differ materially in principle from the enforcement of some of the present immigration regulations. It would also seem that the Ontario law just referred to involves, in some measure, the same principle. If it is competent for a province to nullify contracts made in Great Britain and in other colonies, no greatly differing principle would seem to be involved in forbidding the making of these contracts.

In the midst of my investigation, one of those regrettable industrial disturbances, a strike, or, in this case, to speak more correctly, a lock-out, occurred in the custom or ordered clothing trade in the city of Toronto. This difficulty at the date of writing this report has not been adjusted. I refer to this not for the purpose of expressing any opinion as to whether the balance of justice or injustice, of right or wrong, inclined to one side or the other, which I should have no right here to do, but in order that I may, perhaps the more effectively, point out some means by which such prolonged industrial conflicts may be prevented or rendered less common. I am strongly of opinion that a Dominion Board of mediation and arbitration could be made the means of averting or satisfactorily settling a very large proportion of the labour difficulties and industrial misunderstandings which now eventuate in strikes and lock-outs involving great and never wholly repaired losses to both capital and labour. Such a board could act both initially at the request of either party or of both parties to a dispute, or as a court of appeal from the findings of local voluntary boards of conciliation and arbitration, which might be organized somewhat after the manner of the French *Conseils des Prud'hommes*, as such voluntary boards are organized in some of the states of the neighbouring republic, or as provided in "The Trades Disputes Act of 1894" of Ontario. It would not, in my opinion, be either practical or desirable to give such a board power to enforce its decisions, except, perhaps, in the case of transportation companies, telegraph, electric or gas companies enjoying public franchises, but the mere intervention of such a board and its conciliatory hearing of both parties to the dispute would, I believe, in the majority of cases, result in either preventing a strike or lock-out or in settling the difficulty.

As has been elsewhere stated, there is not in the trades to which I have directed my attention, anything which can be rightly designated as an "apprenticeship system," and, as has been also stated, the plan of taking in "learners" at low wages, or no wages, with the understanding that they are to be taught a trade, or branch of trade, or given opportunities for learning one, is open to great abuse and sometimes results in great injustice. Both for the protection of "learners" and in the interest of honourable employers legislation should be enacted to punish frauds of this sort against young persons. This legislation might take the form of requiring, whenever any woman or young person is employed as a "learner," under an agreement or understanding, expressed or implied, that, in consideration of their working for a specified time at low wages or without wages, they will be taught or given proper opportunity to learn a particular trade or branch of a trade; then the employer shall be required, under a suitable penalty, to teach them the trade or branch of trade or afford them proper opportunities for learning it, as the case may be. Failure to either teach or afford proper opportunities for learning the trade or branch of trade should be made a misdemeanour, and if on trial it should appear that the employer did not himself know the trade or branch of trade, and had not the necessary means or conveniences for teaching or affording opportunities for learning it, this should be considered evidence of guilt.

For the purpose of ensuring the payment of the wages of the employees of contractors, I would recommend that the wholesale manufacturer employing the contractor be made legally responsible for the payment of such wages for a reasonable time. This principle is already conceded in the mechanics' lien laws, and, except a little trouble, it need not entail either hardship or risk upon the manufacturers, since they could require the contractors, before being paid for making the goods, to satisfy them that the wages had been paid, or they could require the contractors to deposit with them a sum sufficient to cover the risk. I do not find that contractors make any objections to such an arrangement, but, on the contrary, would welcome it as a means of relieving them from the unfair competition of unscrupulous men, who offer to take work at rates which men intending to pay wages cannot compete with.

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While I would not advocate the adoption of the labelling or tagging system as an indirect way of preventing the making of goods in small shops and homes by making the goods made therein unsaleable; and while, as pointed out under No. 10, the tenement house shop system does not as yet exist in Canada, I would yet, having regard to the fact that we have no guarantee of continued exemption from this evil, recommend that whenever clothing, &c., shall be made in any tenement house, it be required that a label or tag shall be attached somewhat after the manner provided in the Massachusetts law. I would also recommend that, for the purpose of effectually enforcing such a regulation, the words "tenement house" should be defined to mean any house used in whole or in part as a dwelling, and in which more than one family shall reside.

There appear to be many advantages attending the adoption of the licensing system as enforced in Massachusetts and New York, and I would recommend the adoption of a similar system in Canada. In addition to the conditions attached to the granting of a license or permit in the states named, I would recommend that it be required, before any license or permit to manufacture goods in any shop or dwelling is made permanent, that in every room to be used as a work-room there shall not be less than 250 cubic feet of air space for each person employed in the day time, and not less than 400 cubic feet for each person employed at night, except in rooms lighted by means of electricity when the allowance of air space might be less than 400 cubic feet at night.

I would recommend that it be made a misdemeanour for any manufacturer, contractor or other person, to give out or cause to be given out any wearing apparel to be made, cleaned or repaired in any dwelling or building used partly as a dwelling whilst an inmate thereof is suffering from any contagious or infectious disease, unless such manufacturer, contractor or other person shall prove that he was not aware of the existence of the disease in the building or dwelling, and could not reasonably have been expected to have become aware of it.

As a further measure for the prevention of the introduction of the tenement house shop system into the Dominion, and as a means of assisting the factories inspectors in the efficient discharge of their duties, I would recommend that manufacturers and others be required to furnish to the factories inspectors, lists of persons to whom they give out work to be done outside their own factories or warehouses, as required by the British Factories and Workshops Acts, explained under No. 40.

All of which is respectfully submitted.

A. W. WRIGHT.

Toronto, March 6th, 1896.