

SENATE.....No. 41.

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Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, Jan. 24, 1844.

*Ordered*, That the Committee on Education be instructed to inquire if any further legislation is necessary in relation to the education of children employed in the manufacturing establishments in this Commonwealth.

Sent up for concurrence.

CHAS. W. STOREY, Jr., *Clerk*.

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SENATE, Jan. 25, 1844.

Concurred.

CHAS. CALHOUN, *Clerk*.

## Commonwealth of Massachusetts.

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IN SENATE, Feb. 17, 1844.

The Joint Standing Committee on Education, to whom was referred an order of the 24th of January last, directing them to inquire if any further legislation is necessary in relation to the education of children employed in the manufacturing establishments in this Commonwealth, having duly considered the subject, ask leave to report a bill.

By order of the committee.

JOHNSON GARDNER, *Chairman.*

## Commonwealth of Massachusetts.

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In the year One Thousand Eight Hundred and Forty-four.

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### AN ACT

In addition to the Acts to provide for the better Instruction of Children employed in Manufactories.

**BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

1   SECT. 1. No child under the age of sixteen years  
2 shall be employed in any manufacturing establish-  
3 ment, unless such child shall have attended some pub-  
4 lic or private day school, where instruction is given by  
5 a teacher, qualified according to the first section of  
6 the twenty-third chapter of the Revised Statutes, at  
7 least three months of the twelve months next preced-  
8 ing, and for the same period during any and every  
9 year in which such child shall be so employed.

1   SECT. 2. The owners, agent, or superintendent of  
2 every manufacturing establishment shall, in each year,  
3 before employing any child under the age of sixteen

4 years, and in each and every subsequent year in which  
5 the child shall be so employed, obtain a certificate  
6 signed by the teacher or teachers of the school where  
7 such child attended at least three months of the twelve  
8 months next preceding the employment of said child,  
9 and three months in each and every subsequent year  
10 in which it shall be so employed, that such child has  
11 received the instruction which by the first section of  
12 this act is intended to be received. And said owners,  
13 agent, or superintendent, shall file said certificate in  
14 the office of the clerk of the city or town wherein the  
15 establishment is located, on or before the 25th day of  
16 January, April, July and October, in each and every  
17 year, and shall accompany his first quarterly filing of  
18 certificates in each year, with a true statement of the  
19 whole number of children under sixteen years of age  
20 employed in his establishment, during the preceding  
21 three months, (giving the name of the establishment,)  
22 and with the three subsequent quarterly filings, a sim-  
23 ilar statement of the number of additional children  
24 employed.

1     SECT. 3. The owners, agent, or superintendent of  
2 any manufacturing establishment, who shall employ  
3 any child in such establishment contrary to the provis-  
4 ions of this act, or shall neglect to file the certificate  
5 as required in section second of this act, shall forfeit  
6 the sum of fifty dollars for each and every offence, to  
7 be recovered by indictment to the use of the common  
8 schools in the town or city respectively where said es-  
9 tablishment may be situated.

1     SECT. 4. It shall be the duty of the school com-  
2 mittee of the various cities and towns in the Common-  
3 wealth to prosecute all persons who shall violate the  
4 provisions contained in section one and two.

1 SECT. 5. The clerks of the several towns and  
2 cities shall, on or before the first day of May, annually,  
3 transmit to the office of the Secretary of State true  
4 answers to the following inquiries, viz :

5 1. What are the number of manufacturing estab-  
6 lishments in your city or town ?

7 2. What are the number of certificates of school-  
8 ing, required by section second of this act, that have  
9 been filed in the clerk's office from each establish-  
10 ment during the last preceding year.

1 SECT. 6. The results of the inquiries shall be em-  
2 bodied in or appended to, the abstract of school re-  
3 turns, which by law is annually required to be made  
4 under the direction of the Board of Education.

1 SECT. 7. Any clerk who shall neglect or refuse to  
2 perform the duty herein enjoined upon him, shall be  
3 liable to a penalty not exceeding ten dollars, to be re-  
4 covered by a suit instituted against him in behalf of the  
5 Commonwealth, by the Secretary of State, and con-  
6 ducted by the prosecuting officers of the county or dis-  
7 trict in which such clerk resides.

1 SECT. 8. The Secretary of State shall, as soon as  
2 may be after the passage of this act, transmit a copy  
3 of the same to the clerk of every city and town in the  
4 Commonwealth.

1 SECT. 9. The acts of 1836, chapter 245, and of  
2 1838, chapter 107, and of all other acts and parts of  
3 acts inconsistent with this act, are hereby repealed.





