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BULLETIN OF THE U. S. BUREAU OF LABOR STATISTICS.

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REVIEW OF LABOR LEGISLATION OF 1915.

INTRODUCTION.

Forty-nine legislative bodies, including those of the island possessions of the United States, held sessions during 1915. No labor legislation was found, however, in the enactments of the special sessions of Louisiana and Virginia, nor did the Congress of the United States enact this year any labor legislation affecting the District of Columbia. The only States having no sessions of their legislatures were Kentucky, Maryland, and Mississippi, while a number of States having regular sessions also had adjourned or special sessions. Laws initiated by popular action and becoming laws by referendum vote at the November elections of 1914 also appear in this bulletin. Instead of treating commissions authorized by the legislatures under a separate head, as has been done in the past, they are considered under the subjects with which they are concerned; otherwise the division of the subjects is much the same as that hitherto used.

The labor legislation of the United States as it appears in Bulletin No. 148, published in 1914, is the starting point for the present series of legislative bulletins, that bulletin being an undertaking to present in its entirety the labor legislation of the country, with the exception of the laws relating to workmen's compensation.

The legislation of 1914 appears in Bulletin No. 166, that bulletin and the present one being supplements to Bulletin No. 148 and containing amending and additional laws. The present bulletin contains a cumulative index covering the subject matter of Bulletins No. 148 and No. 166 and the laws of the current year.¹ The workmen's compensation laws have become so voluminous and are of such special interest that a separate bulletin covering this subject, No. 126, was published in 1913 and is supplemented by Bulletin No. 185, bringing the compilation of the legislation on this subject up to date.

¹ The compensation legislation reproduced in Bulletin No. 166 is to be found in Bulletin No. 185, so that all index references to such laws are omitted from the present volume.

Probably the greatest number of individual enactments coming within the scope of the present review relate to the subject of wages in one form or another, mechanics' lien laws, assignment laws, contractors' bonds to protect wages, and related matters receiving attention chiefly by way of amendment. Of greater interest, however, is the bulk of the legislation which affects workmen's compensation and employers' liability; though the former method of dealing with the results of industrial accidents occupies the center of the field of action, liability statutes have been newly enacted or amended in important respects. The very modern type of social legislation—which lies almost outside the bounds of labor legislation, though closely related to it—which provides pensions or allowances for widows, etc., having dependent children under the age of employment, also received very considerable attention. The question of unemployment was more conspicuous in the legislative mind this year than during any previous year, if we may judge by the results in enactments and resolutions in which the subjects of public and private employment agencies and of State aid were in evidence in an unusual degree. Housing questions, cooperative associations, credit unions, vocational education, and pensions for public employees all received a measure of attention rather in advance of previous years, some of them very decidedly so. A very considerable amount of legislation regulating the employment of women and children was enacted, including laws fixing or providing for the fixing of minimum wage rates. Important changes were made in the matter of bureaus of labor or State industrial commissions, an increasing tendency being evident to establish bodies with large administrative and regulative power for the formulation and development as well as for the enforcement of proper regulations for the securing of safety and health of employed persons.

REGULATION OF CONTRACT OF EMPLOYMENT.

The California Legislature (ch. 433) amended sections 1999–2003 of the Civil Code, relative to general provisions governing the contract of labor, the principal change consisting in giving to employees not under contract for a specific period a right to payment for any services rendered up to the time of their dismissal or leaving service. In Indiana (ch. 51) it is made the duty of the employer to give a service letter to a workman leaving his employment if such employer requires recommendations before employing workmen. A truthful statement of the cause of discharge is contemplated by the provisions of a Nevada statute (ch. 186), which amends a previous law on this subject and also permits the giving of recommendations. No clearance letter need be furnished unless the workman has ren-

dered 60 days' service. The subject of blacklisting is bound up with the giving of such letters, and this particular item was taken up in an initiative measure of Arizona (p. 8), in which blacklisting is defined and forbidden under heavy penalties; actions for damages are also permitted.

Existing laws relative to false representations by employers advertising for labor were amended in California (ch. 45), where the change was but slight, and in Wisconsin (ch. 457), where the existing law was rewritten and given a new section number, and a provision added giving workmen injured by a violation of the statute a right to sue the employer for the damages accrued. The Massachusetts statute was amended (ch. 108) by making the penalty for failing to give notice of strikes in advertisements for labor recoverable after complaint and investigation by the State board of conciliation and arbitration.

The legislatures of California (ch. 65) and Nevada (ch. 41) provided for the submission of specific charges with opportunities for testimony in defense where the discipline or discharge of employees is threatened on account of charges brought by "spotters." A bill containing similar provisions was considered by the Legislature of Massachusetts, but on reference to the supreme judicial court of the State it was declared that if it became a law it would be unconstitutional. An Iowa statute (sec. 5028-w1) makes it a misdemeanor for one to bring false charges against employees of railroads, etc., as to receiving money or failing to collect tickets.

The giving of tips to employees or the receiving of them is made a misdemeanor by the statutes of Iowa (secs. 5028-u to 5028-w) and South Carolina (act No. 162). The latter law makes it an offense for any hotel, restaurant, café, barber shop, dining-car company, etc., to permit its employees to receive tips. The Illinois Legislature (p. 385) approached the subject from a somewhat different angle and forbids any owner of property to lease the same for any trade or privilege in the conduct of which tips or gratuities are to be accepted in addition to regular charges for service, if such tips are not to be kept by the recipient but must be accounted for or paid over to his employer. In this connection may be noted an act of the California Legislature (ch. 188), in which a form of bribery of employees, i. e., the giving of discounts to chauffeurs purchasing supplies for their employers, is made a misdemeanor. Statutes of California (ch. 56) and Nevada (ch. 51) forbid employing officials, as managers, foremen, etc., to accept fees for the giving of employment to workmen.

A number of laws that affect employers and employees in various ways may be mentioned here, as one of Pennsylvania (act No. 281) forbidding the employment of diseased persons in any place or estab-

lishment where food is handled or prepared for sale or for public convenience, or as chambermaids or house servants in hotels, etc. A list of contagious or infectious diseases is given. The law will be held to be complied with where there is a medical inspection of the employees twice in the year, and prompt action taken by the employers in accordance therewith. Under a California statute (ch. 667) employers making deductions from employees' wages for hospital funds must give an account of the amounts collected and the uses made of the same. A similar law of Oregon (ch. 329) exempts railroad companies from requirements as to reporting. In Oklahoma (ch. 30), if railroads collect from employees for hospital service, the State corporation commission may direct and supervise the facilities to be supplied; injured employees may not be taken out of the State for treatment without their consent if able to be consulted. Under a statute of Maine (ch. 112), employers wishing to accept deposits from their employees and pay interest on the same may do so on procuring a license under fixed conditions and satisfying the county commissioner of the safety of such proceeding for the employee. A novel provision was embodied in a Rhode Island law (ch. 1278) which provides for the condemnation of an area for the securing of land for water supply for the city of Providence. It is stipulated in this act that where workmen lose employment by reason of the condemnation of factories within the appropriated area, and are compelled to seek work elsewhere, they shall be allowed damages for the loss of time in an amount not exceeding six months' wages. The Federal Congress provided in appropriation acts for the naval service (act No. 271) and for the operation of arsenals, etc. (act No. 292), that no part of the sums therein appropriated should be used for efficiency tests and bonuses to workmen. A law of Florida (ch. 6933) provides penalties for the creation or carrying out of any restrictions on the full and free pursuit of business. In North Carolina (ch. 99) an amendment was proposed to the constitution of the State forbidding the enactment of special laws regulating labor.

A commission provided for by the Legislature of Rhode Island last year to inquire into the condition, welfare, and educational and industrial opportunities of aliens in the State, was continued (ch. 1198) until January 15, 1916.

The employment of seamen was considered by the Federal Congress in what is known as the La Follette bill (act No. 302), which amends several sections of existing law and adds new matter. The division of the crew and officers into watches and the observance of holidays are provided for. Coasting vessels must pay wages for the voyage within two days, and ocean-going vessels within 24 hours, from the termination of the contract; one-half the amount due must

be paid, if demanded, at any port touched. Inspection of a vessel or supplies may be had in any foreign port on complaint signed by the first and second officers or by a majority of the crew. Seventy-five per cent of the crew must be able to understand the language in which orders are given, and a proportion of the crew, ultimately 65 per cent, must have rating as able seamen. Other provisions relate to space for crews, toilet conveniences, the regulation of punishments, the allowance of food, and the making of advances and allotments of wages. No attachment of wages may be made and assignments are void. Detailed provision is made for the equipment and management of life-saving apparatus, the training of life-boat men, etc. The concluding paragraph of the law declares that persons giving orders are not fellow servants with those carrying them out.

The question of apprentices was taken up by the Legislature of Maine (ch. 45) by repealing chapter 64 of the Revised Statutes of the State; and by the Wisconsin Legislature (ch. 133), which also repealed its existing law, but reenacted a section with the regulative provisions. Apprentices must be at least 16 years of age, and the term of their contract be not less than one year. They must attend school five hours per week until 18 years of age, school attendance to be considered as work time, which shall not exceed in the aggregate 55 hours per week. After reaching the age of 18 apprentices may work overtime, i. e., in excess of 10 hours daily, not over 30 hours per month, for which they shall receive pay at the rate of one and one-half times the regular wages.

EXAMINATION AND LICENSING OF WORKMEN.

A number of laws, many of them amendatory, come up for consideration under this general head. In Connecticut (ch. 115) it is simply provided that the enforcement of the laws of that State relative to barbers shall be in the hands of county health officers. The Vermont Legislature (ch. 196) made regulations affecting barbers, but only as regards the sanitary conditions of shops, appliances, etc. The Utah statute on the subject was amended (ch. 18), providing for at least four public examinations each year at times and places fixed by the State board; the board may revoke licenses, but application for a reissue will be considered after 90 days. The statute of Wisconsin was also amended (ch. 221), providing for the appointment of the examining board by the State board of health. One desiring to secure a master's license must first take an examination for a journeyman's license and serve for one year under a master. The fee for the examination is \$5, and an examination for a master's license may be taken subsequently, but during the term of the journeyman's

license. The fee for the second examination is \$1, and the fee for renewals is a like amount.

Laws regulating chauffeurs are the most numerous in this group, most of them being amendatory or supplemental to previous laws. The California statute (ch. 188) fixes the initial fee for a license at \$2, the renewal fee being \$1. If a license is revoked for causes named, no reissue may be had until the expiration of a period of six months. In Connecticut (ch. 231) a minimum age of 18 years is prescribed; an examination must be had, the fee being \$2, apparently the same also for renewal. Suspension or revocation is provided for for a number of causes, with varying periods until a reissue may be applied for. In Delaware (ch. 17) the minimum age is fixed at 16 years. Applicants state their own qualifications and pay a fee of \$5. A third conviction for violation of the laws of the State operates to revoke a license for the period of one year. The Idaho statute (ch. 64) prescribes an age limit of 18 years, and for examinations as to ability; the fee is \$2, and the law contains no reference to the term or renewal of the license. In Illinois (p. 584) the same age is fixed, the fee being \$5 and renewals \$3. Examinations are to be arranged for by the secretary of state; intoxication cancels the license, which may not be renewed within one year. A Massachusetts statute (ch. 11) merely provides that chauffeurs of special vehicles, as in municipal employment and the like, are subject to the law as are other chauffeurs. The Michigan law (act No. 302) permits men over 18 years of age to have licenses on a verified statement of their own qualifications. The fee is \$2; annual renewals are at the same rate. The fee in Minnesota is reduced (ch. 33) from \$3 to \$1.50; annual renewals, \$1. Applicants in Utah (ch. 80) must be 18 years of age, pay a fee of \$2, and be vouched for as to skill, etc., by three employers of chauffeurs. The renewal fee is \$1 per annum. The Vermont statute (act No. 136) merely fixes an age limit under its existing law, the limit being 18 years.

Electricians are the subject of a Massachusetts statute (ch. 296), State examiners being provided for, who shall hold frequent examinations in Boston, and twice a year in at least five other places in the State. The fee for a master's license is \$25, annual renewals \$15, and for journeymen \$1, annual renewals 50 cents. No examination is required where there has been an experience of five years in the trade.

A new law was enacted in Massachusetts (ch. 259) repealing earlier legislation regulating the employment of stationary engineers and firemen. Like the earlier law it provides for grants of licenses for different classes of employment, local examiners being appointed, but examinations to be uniform throughout the State. Special licenses may be issued for special jobs, and licenses are continuing unless revoked for cause. The fee for issue is \$1. Hoisting-machine

operators are the subject of specific legislation in Massachusetts (ch. 211), where the examination is to have regard to efficiency for the special work in view; and in Montana (ch. 104) where the law is limited in its application to persons employed in hoisting men. License is required in the latter State to operate electric hoisting machinery or air hoisting machinery of over 25 horsepower. The State boiler inspectors have charge, experience and tests being the basis of issue; the fees are the same as for stationary engineers and firemen, and annual renewals must be made. Engineers of traction engines must be licensed in Pennsylvania (act No. 410), licenses being issued by the highway department on a statement of qualifications, the annual fee being \$1. In the Philippine Islands (act No. 2507) a board of marine examiners passes upon the physical, moral, and technical qualifications of masters, mates, and engineers of coastwise and ocean-going vessels of the islands.

Of peculiar interest on account of previous history is an act of the Illinois Legislature (p. 428) providing for the examination and licensing of horseshoers. An act to this effect was passed in 1897 and subsequently declared unconstitutional as not apparently necessary for the public welfare and unwarrantably interfering with the general right of a person to pursue any calling in his own way so long as he does not encroach upon the rights of others. The present law contemplates a State board of five examiners to be appointed by the governor; at least five examinations are to be held each year, two in Chicago, and others at such times and places as the board may decide. Those now at work may be registered on the payment of a fee of \$1. Future applicants must pass an examination on the anatomy of the leg and foot of the horse and pay a fee of \$5; annual renewals are at the rate of \$1.

Moving-picture machine operators are the subject of a law of Connecticut (ch. 217), applicable only to operators of electric machines. The fee for examination and original license is \$3, annual renewals \$1. A minimum age of 21 years is prescribed. Another law of this State (ch. 76) limits the application of chapter 205, Acts of 1909, to operators in places of public entertainment, regularly so used, where admission charges are made. In Florida (ch. 6955) local boards are to conduct examinations, charging a fee of \$1; applicants must be 18 years of age. In Maine (ch. 241) a fee of \$5 is fixed, instead of leaving the subject to the discretion of the board of examiners, as under the earlier law.

In cities of 10,000 or upward in the State of Florida (ch. 6944) local boards may conduct examinations for plumbers, the test being one of practical knowledge. The master's fee is \$5 and journeyman's \$2. Licenses are to be valid throughout the State; no reference is made to term or renewal. In Oklahoma (ch. 163) like provision

must be made in cities and towns of 2,000 population or above. The charge for a master's license is \$5 and for a journeyman \$1, with annual renewals. The New York statute is amended (ch. 467) by allowing corporations to engage in the plumbing business if one or more officers holding 51 per cent of the stock have licenses as master or employing plumbers.

Outside the usual field of laws of this class, and probably resting upon a different basis, are two laws of Illinois, one (p. 430) providing for the examination of mason contractors and employing masons in cities of 150,000 and upward, local boards to examine and to grant licenses; the other (p. 432) providing for a State board for the examination and licensing of structural engineers.

PUBLIC SERVICE.

The laws under this head for the current year relate chiefly to the preference of domestic workmen and domestic materials on public works. Thus an Arizona statute (1st sp. sess., ch. 3) directs that citizens must be employed for labor on public works, and the contractor's voucher must certify to the fact. A New York law (ch. 51) directs lists of employees of contractors on public works to show the citizenship of workmen employed, aliens being permissible only if citizens are not available; each contract must contain a provision that the provisions of this act must be complied with. In California (ch. 417) only citizens may be employed in any department of the State, county, city and county, or city governments, though this restriction does not apply to teachers in the public schools if they have declared their intention of citizenship, nor to the members of the faculties of any college or university supported from State funds. The Idaho Legislature memorialized Congress on this subject (S. J. Mem. No. 6), calling attention to the fact that the law of Idaho forbids the employment of aliens on public works of the State, and requesting that steps be taken to prevent their employment on contracts carried out on behalf of the Federal Government.

For lack of better classification there may be mentioned here an initiative measure of Arizona (p. 12) requiring that where a private employer had five or more workmen 80 per cent should be citizens, and a law of Washington (ch. 31) forbidding fishing for sale or profit by anyone not a citizen or who has not declared his intention to become one; Indians are excepted. The Arizona statute has been declared unconstitutional by the Supreme Court of the United States.

A Federal law (act No. 264) directs that domestic materials be given the preference in the manufacture of ordnance, etc., unless it be to the manifest interest of the United States to buy limited amounts of material abroad. In Minnesota (ch. 211) it is directed that in the

foundations, steps, approaches, and outer walls of public buildings, domestic products be used unless there be combinations to raise prices on the same. Present construction work is excluded, as also metal lath, and Portland cement necessarily used. In Oregon (ch. 240) the authorities in charge of the construction of public works are given discretion to prefer domestic materials if the cost of the same does not exceed 5 per cent more than the cost of other products. A similar statute of Porto Rico (act No. 13) directs such preference in so far as advantageous and desirable if the cost be not greater. A concurrent resolution of the Pennsylvania Legislature (No. 40) is of broader effect, and recommends that not only shall State and municipal officials, boards of education, and the like, specify American products in bids and contracts for work in hand, but that private institutions and private citizens should similarly specify domestic products. Closely related to the foregoing is the law of New Hampshire (ch. 45), which directs a preference for persons, firms, and corporations of the State in the letting of contracts if their work is of equal quality and the prices not greater than those of other bidders.

An act of Hawaii (No. 9) advances the rate of wages for labor on public works to \$1.50 per day instead of \$1.25 as formerly. A California law (ch. 671) directs that the rates of wages of employees of the State printing office shall be the current rates paid in the principal cities of the State. Another statute of the same State (ch. 666) directs the taking of a bond from contractors for public works to secure compliance with the eight-hour law, the payment of a minimum wage of \$2, and the nonemployment of Chinese or Mongolian labor. The Oregon eight-hour law for public employment is made not to apply to State institutions and departments (ch. 165). Under an Illinois statute (p. 18) providing appropriations for the waterways commission of the State, it is directed that bonds be taken, securing the insurance of the contractors to cover the cost of compensating injuries to employees, whose rights are to be those secured by the State compensation law.

WAGES.

Statutes regulating wages on public works have been noted in the foregoing section, while the matter of minimum wages will be considered under the heading "Employment of children and women." Laws of general application bearing upon the subject of wages from many points of view are considered in this place. The regulation of the time of payment was passed upon in several States, semimonthly pay days being prescribed in California (ch. 657), Iowa (secs. 2110-b1, 2110-b2), Kansas (ch. 165), Minnesota (ch. 29 amended by ch. 37), North Carolina (ch. 92), Texas (ch. 25), and Wisconsin (ch. 114);

while in Maine (ch. 296) and Massachusetts (chs. 75 and 214) weekly pay day laws were amended. The California statute applies to all private employments and to the State and its municipalities; employers of agricultural and domestic labor having fewer than six employees are exempt. Wages for 15 days prior to pay day may be retained. The Iowa law applies only to railway corporations and permits the withholding of 18 days' pay; all wages must be paid in full within 6 days after the termination of employment. The Kansas statute applies to all corporations doing business in the State, but does not apply to the State or its municipalities. The Minnesota law is applicable to all public-service corporations; 15 days' earnings may be retained, but on the discharge of a workman, payment in full must be made at once or on demand; if suit is brought to recover wages not thus paid, costs may be allowed. The North Carolina law is applicable to railroads and directs payments for services rendered up to the date of the preceding settlement; payments must be made in cash or by a redeemable check or order. Manufacturing, mercantile, mining, railroad, telegraph, telephone, and express companies or businesses employing over 10 persons and water companies other than municipal are within the scope of the Texas statute. The Wisconsin law is amended making the law applicable to corporations only; 18 days' pay may be withheld, employees leaving service being entitled to be paid in full in three days. The weekly pay day law of Maine is rewritten and made more inclusive in its scope; while the amendments to the Massachusetts statute affect, the one, the classes of work on buildings that are included in the law, and the other, procedure for enforcement.

In California (ch. 628), employers may issue nothing as pay or advances purporting to be redeemable otherwise than in money; however, they may guarantee the payment of bills incurred by employees for necessities of life or for tools and implements to be used in the performance of their duties. A Florida statute (ch. 6914) directs that checks or scrip used in payment of wages shall be redeemable in cash on the ninetieth day after issue. A South Carolina law (act No. 44) amends the State statute by permitting demand for redemption to be made within one week from the issue of scrip instead of two weeks as formerly, unless there be a weekly pay day on which the scrip is to be redeemed. Another act by the same legislature (No. 126) makes it a misdemeanor to discount scrip issued in payment of wages.

A law looking toward the procuring of the payment of wages on the termination of employment is that of Indiana (ch. 51) requiring settlement within 72 hours after the termination of employment, which failing, the wages shall continue to run until paid if de-

mand be made therefor. A similar penalty is provided in California (ch. 143), the period being limited to 30 days from the due date, or until action is commenced. The same law provides that a refusal to pay the wages or denying the amount due in an attempt to secure a discount thereon is a misdemeanor. The South Carolina law on this subject was amended (act No. 112) by making the penalty the daily rate of wages for not over 30 days instead of a fixed rate of \$5 per day; in order that this penalty may attach, there must be a written demand by the employee within 24 hours after his discharge.

A Georgia statute relating to the payment of wages due deceased employees is amended (p. 21) by allowing the sum of \$300, instead of \$100 as formerly, to be paid the widow or children of the deceased without administration.

The question of the assignment of wages and the licensing of wage brokers was taken up in Michigan (act No. 228), Nebraska (ch. 204), Ohio (p. 281), Texas (ch. 28), and Wisconsin (ch. 450), some of these laws being amendments. The Michigan statute requires a license for brokers charging more than 7 per cent interest, the fee being \$50 annually. Interest of 3 per cent per month may be charged if the amount loaned does not exceed \$100, and 2 per cent on larger amounts. The act also fixes charges, requires a bond of \$1,000, and directs that both husband and wife must sign any assignment of wages of married persons. In Nebraska a 10 per cent rate is the maximum unless license is procured, for which the fee is \$60 and the bond \$2,000. If license is revoked for cause no renewal may be had within one year; a separate license must be procured for each office conducted. The secretary of state makes inspections and enforces the law. Fees may not exceed one-tenth of the amount of the loan, plus 50 cents examination fee for loans not over \$50 in amount. The interest rate is 10 per cent, and renewal fees may be charged not oftener than every six months. The same provision is made as in Michigan for the signing of assignments of wages by both parties; this is also true in the laws of Ohio and Texas. The license fee in Ohio is \$100, and the interest rate allowable 3 per cent per month, with an inspection fee of \$1 for loans of \$50 or less running at least four months. No interest may be charged in advance and no bonus or compound interest charged. The Texas statute requires an annual tax of \$150 for each office, a bond of \$5,000, registry of all transactions in detail, and that the county clerk of the county in which the office is situated shall have power of attorney to accept service on behalf of the loan company. Another statute of Nebraska (ch. 171) applies generally to assignments of wages and makes them void unless signed by both husband and wife if the party making the assignment is married. The Wisconsin law fixes the maximum interest rate at 7 per cent per annum if the

amount loaned does not exceed \$100 and at 4 per cent if above that sum, these amounts being in addition to the legal contract rate of 10 per cent per annum, and including all charges, commissions, renewals, etc.

Laws of Michigan (act No. 314, ch. XX) and Vermont (act No. 141) relate to wage debts of corporations, the former making stockholders individually liable if an execution against the company is returned unsatisfied or if the company is bankrupt, while the later law makes wages for three months prior to the date of the filing of a mortgage or lien superior to such incumbrance, for the benefit of employees earning not in excess of \$1,500 per annum.

Suits for wages are regulated by a statute of Idaho (ch. 70) which permits action to be brought after 5 days instead of 15 as under the old amended law; the designation of the amount of attorneys' fees to be allowed is stricken out, though the right remains. A Montana statute (ch. 17) gives to the successful party in a suit for wages "reasonable" attorneys' fees.

Other laws relating to suits for wages are one of Michigan (act No. 314, Ch. LXVII), directing that security for costs of the suit shall not be required if the plaintiff makes affidavit that he has a good cause of action and is unable to give security. In the city of New York (ch. 279) no property is exempt against an execution in a suit for wages in an amount not exceeding \$100 if the action is brought within three months from the date when the wages were due. In Ohio also (p. 365) no stay of judgment is to be allowed on an execution if the debt does not exceed \$100 and is for wages for manual labor. A North Dakota statute (ch. 155) allows no exemption of personal property other than absolute exemptions where the execution is for a wage debt. Laws of Oregon (ch. 13) and Vermont (act No. 89) make personal property liable for labor performed thereon, without exemption.

Provisions exempting wages in the hands of an employer from attachment or execution are found in a number of statutes, chiefly amendatory. Thus in Connecticut (ch. 196) the amount exempt from attachment is reduced from \$25 to \$15. In Idaho (ch. 24) but 50 per cent of the wages are exempt if the debt sought to be recovered is for necessities for the workman or his dependents. In Michigan (act No. 314) 60 per cent of a householder's wages are exempt, but not over \$30 nor less than \$8, while those not householders are entitled to but 30 per cent as an exemption, in an amount not over \$15 nor under \$4. The Minnesota statute as amended (ch. 202) makes any wages paid if earned within the 30 days for which exemption is allowed a part of the \$35 classed as exempt. Under a New Jersey law (ch. 266) the garnishment will lie if the judgment debtor earns \$18 or more per week, but not for more than 10 per cent of the debt,

unless the employee is receiving over \$1,000 annually. Under a law of New Mexico (ch. 26) only 20 per cent of the last 30 days' earnings are liable under garnishment proceedings, unless the amount exceeds \$50; all earnings in excess of \$50 may be garnished. There is no exemption if the garnishment is for necessities or the person owing the debt is not a resident and the head of a family. The Oklahoma statute is amended (ch. 188) by exempting but 75 per cent of the last 90 days' earnings instead of the whole amount. A new section is added to the Wisconsin law (ch. 360), putting public employees on the same basis as other salaried persons or wage earners in this matter. A Pennsylvania statute (act No. 385) provides that any action at law brought outside the State that might or does deprive a resident of rights under the State law is prima facie evidence of an intention to violate the State law as to unlawful assignments of claims against wages. A statute of Hawaii, which may be mentioned in this connection (act No. 64), makes the garnishment once secured continuous as against the debtor and applicable to subsequent employers until satisfied.

Mechanics' lien laws were the subject of numerous amendments, many of them of slight effect and requiring but brief notice. An Alabama statute (act No. 63) gives a lien for farm labor when a share of the crop is the payment contemplated in the contract or agreement. An Alaska statute (ch. 13) repeals and rewrites in full detail the lien law of that Territory for the protection of mine labor. Another law (ch. 5) amends the provisions of the general statute on the subject of the filing of liens. The miners' lien law of Arizona is amended (ch. 67) by fixing the form for the posting of notice which secures the lien. A Colorado statute on the same subject is also amended (ch. 116), limiting the period of enforcement to six months from the time when the right accrues. The Florida statute is supplemented (ch. 6926) by providing a method for subjecting the property of married women. In Idaho it is provided (ch. 79) that one raising and selling crops must make a sworn statement as to any unpaid labor, on demand by the purchaser, and forfeits double the debt if a false statement is made. Amendments and additions made by the Legislature of Indiana relate (ch. 50) to the subject matter generally; (ch. 167) to liens for the repair, storage, etc., of automobiles and motorcycles; (ch. 112) to the rights of blacksmiths and horseshoers; and (ch. 88) to liens on drainage funds for labor performed on the project. The Iowa law is amended (sec. 3094) in the matter of the filing of claims by subcontractors. A statute of Maine (ch. 333) is made to include public buildings erected by cities, towns, and school districts in the list of properties which may be subjected to liens. The Massachusetts law relative to liens on lands and buildings is largely rewritten (ch. 292), giving a lien for not over 18 days' work actually

performed during 40 days prior to the filing of the statement. The law sets forth the rank, form of notice, bond required, etc. Statutes of Michigan (act No. 312) and Missouri (p. 327) relate to the subject of repairs, etc., of motor vehicles, the latter law including also other vehicles and the shoeing of horses. A Montana law (ch. 25) provides a lien for the threshing of grain if filed within 10 days of the completion of the work, when action is brought within 60 days. The Nebraska amendment (ch. 74) relates to subject matter. Amendments to the New Jersey law relate (ch. 86) to the rank of liens and work done for municipalities; (ch. 346) to liens on docks, piers, and for dredging work; and (ch. 312) to liens for repairs, etc., of motor vehicles. An Ohio law (p. 522) relates to the statement required from the contractor before payments are made, to the certificates of material men, and to the forms to be used, etc. Three amendments by the Oregon Legislature relate (ch. 17) to loggers and other workers in lumber camps and sawmills; (ch. 85) to proceedings for foreclosure on personal property; and (ch. 185) to the persons entitled to lien. A South Dakota statute (ch. 243) rewrites the lien law relative to labor on mining properties. One of Texas (ch. 143) rewrites the section describing the method of filing liens, and adds a section as to bonds of contractors to secure the rights of laborers and material men, and provides that these remedies shall be cumulative and in no wise substituted for other remedies. The Wisconsin Legislature passed three laws (chs. 44, 494, and 549) amending section 3318 of the Wisconsin statutes, which relates to the filing of claims and the beginning of action. The last chapter also directs that payments to a principal contractor shall be a trust fund, and if misapplied the act is punishable as embezzlement. The same legislature (ch. 211) added a section to the lien law to protect jewelers and silversmiths, and another (ch. 264) to cover labor in stone quarries not owned by the operator, giving a lien on the tools and equipment of the employer and on the products. Of like nature as one of the Wisconsin statutes above mentioned, is the law of Minnesota (ch. 105), which makes illegal the use of money paid to principal contractors for any other purpose than the payment of wages until all labor debts are discharged.

A method of protection supplementary to the mechanics' lien, or substituted for it as the case may be, is the requirement by principals that contractors shall give bonds to secure the payment of wage debts and debts for materials. This method is most frequently used in connection with contracts for public works where a lien law would not be appropriate. By a number of laws enacted or amended during the current year boards and officials are directed to procure such bonds. A California statute (ch. 549) requires that such a bond shall

be given for the benefit of persons making claim within 90 days. A Colorado statute (ch. 135) gives six months as the time within which action may be brought. A Florida statute (ch. 6867) requires a penal bond to secure prompt payment. In Indiana a law contemplating the construction of levees (ch. 115) directs the procuring of contractors' bonds to cover labor and material; payments due a contractor may be withheld on notice for the benefit of claimants. The law of Ohio (p. 574) relates to road work under county commissioners, while the statutes of North Dakota (ch. 67), South Dakota (ch. 129), and Washington (ch. 28) are of general application to public works. A statute of Utah (ch. 91) relates to private undertakings and directs the owner to procure the bond of a contractor, which failing, he himself will be held personally liable.

The question of the preference of wages, or the order of their payment, is the subject of a law of Michigan (act No. 314) relating to assignments in bankruptcy. According to this statute wages are third in order, payable after taxes and costs have been provided for. The Oregon statute is amended (ch. 19) by adding cooperative associations to the companies or bodies to which the law as to preference applies.

An indirect provision as to the amount of wages payable is found in an Ohio statute (p. 350) relative to the weighing of coal at mines. This amends an act of 1914 on this subject and permits agreements between employers and workmen as to the amount to be deducted for slack or impurities, and if no agreement is in effect, the State industrial commission is, on request of either party, to fix a scale to be enforced until agreements shall be made. The Arkansas statute on this subject is amended (act No. 49) by permitting the use of a screen in certain localities, and prescribing the construction and width of mesh of such screens.

HOURS OF LABOR.

The most general action taken under this head was that of the Alaska Legislature (ch. 58), submitting a referendum proposition to the people of that Territory to provide a general 8-hour day for all wage earners. The existing law of the Territory relative to labor in mines, smelters, etc., was amended (ch. 6) to include classes of establishments and mines other than those mentioned in the original act. Dispatchers are added to the groups of employees coming within the scope of the Massachusetts statute relative to the hours of labor of employees on street railways (ch. 277). The New York Legislature (ch. 343) enacted a law governing the hours of labor in groceries, limiting them to 70 per week and 11 per day, but permitting 15 hours work in one day if no labor is required on Sunday. One hour must be allowed for meals, otherwise the period of em-

ployment must be continuous. A statute of Utah (ch. 23) undertook to establish 6 p. m. as the time for the closing of all mercantile and commercial establishments in cities of 10,000 population and above, excepting on 6 business days before Christmas. Stores dealing in food supplies and drug stores were exempted. This act has been held unconstitutional by the supreme court of the State.

HOLIDAYS AND REST DAYS.

A statute of Arizona on the subject of Sunday labor (ch. 56) relates to barbers only, and makes the performance of the work of barbering on Sunday a misdemeanor. The Hawaiian statute permitting barber shops to be open until 11 a. m. on Sunday was repealed (act No. 19), and the Sunday law was amended so as to permit the transportation of freight to and from ships in port on Sunday. A Wisconsin statute (ch. 296) declares that the sale of groceries, meats, and meat products in cities of the first class on the first day of the week is not a work of necessity or charity.

Three chapters of the New York laws provide amendments to section 8a of chapter 31 of the Consolidated Laws of that State relative to a weekly day of rest. Chapter 321 rewrites one subdivision, leaving out the clause as to the discretion of the commissioner of labor in exempting establishments not named, which provision was held unconstitutional, and exempts all establishments using 8-hour shifts in continuous processes from the obligation to give their employees one complete day of rest in seven. Chapter 357 changes provisions relative to establishments handling milk and milk products, while chapter 648 rewrites the entire section, embodying the amendments made in 1914, but not all those of 1915, and enlarges the provisions of subsection 5 relative to variations in the law allowable by the industrial commission in cases of hardship. The Texas Legislature (ch. 9, 1st called session) directs that in towns of 25,000 population or more, city firemen shall be allowed a weekly day of rest.

A number of States took action on the question of legal holidays, New Mexico (ch. 67) adding Decoration Day and Labor Day to its former list; Missouri (p. 301) and Nebraska (ch. 98) added Lincoln's Birthday; Hawaii (act No. 20), general and primary election days; and Delaware (ch. 214) Good Friday; a new designation is provided in a Florida statute (ch. 6872) which sets apart the second Friday in October as a legal holiday to be designated Farmers' Day. Missouri (p. 301) designated the first Monday in October as a holiday, to be known as "Missouri Day."

Leave of absence or vacations for public employees are provided for in a statute of California (ch. 44) amending an earlier act, and directing that the 15 days annual leave allowable shall be 15 working days; while in Hawaii (act No. 199) 2 weeks per annum may be

allowed after 1 year's service, the time to be cumulative in an amount not exceeding 8 weeks in all. A Massachusetts statute (ch. 60) provides that cities may vote on the granting of 2 weeks annual vacation to their employees, under regulations drawn up by the civil-service commission.

REGULATION AND INSPECTION OF FACTORIES.

What appeared to be the most extensive change in this field for the current year was the reported enactment by the Illinois Legislature (p. 418) repealing its act of 1909. It develops, however, that this is merely a reenactment without change of their general factory law to meet certain questions raised as to its constitutionality. An important enactment is that of the Montana Legislature (ch. 96) giving the industrial accident board of the State power to inspect and regulate all places of employment. The law directs that all such places shall be safe, and gives the board authority to fix standards and issue orders after hearings, to make inspections, give certificates, and charge fees for inspections according to a scale given in the act. The causes of accidents are also to be investigated by this board. The inspection of mines is to be carried out by the present inspector. The New York statute was amended (ch. 650) in respect of its definition of the term "factory," dry-dock plants used in ship repairing being included. The Wisconsin Industrial Commission issued a number of rules, Nos. 21 to 60, relating to safety generally, requiring guards for engine wheels, protection for oilers and attendants about engines, guards for trip hammers, power presses, and the moving parts of machinery, and for runways, cranes, and cabs in which workmen must be. Eye guards are to be furnished as a protection against flying objects where necessary. Special classes of establishments are considered, as leather factories, in which pits, vats, and tanks are to be safeguarded; wood-working establishments, in which swing saws are to be provided with suitable counterweights (No. 205); and paper mills (Nos. 61-66), in which the barking and pulp-making machines are to be guarded. Other orders relate to protective devices to be used by window cleaners. In Delaware (ch. 219) the law providing for a female factory inspector for New Castle County was repealed, and by another act (ch. 220) provision was made for the appointment by the labor commission of the State of an inspector to have charge of the enforcement of female labor laws throughout the State and to act as an assistant to the child-labor inspector.

Many laws relate only to single classes of establishments or to single features. Thus the subject of protection against fire was taken up by the Iowa Legislature (secs. 4999-a5 to 4999-a11), amending the existing law as to the subject of fire escapes, giving the number for each class of building, the type of construction, the requirements

as to openings, etc. Doors of exit are to open outward and not to be fastened. It is made the duty of local officials, as well as of the commissioner of labor, to enforce these provisions. In Maine (ch. 252)-the amending law relates to enforcement by fire inspectors and fire chiefs in the various cities instead of by the boards of fire engineers as formerly. The New Hampshire law (ch. 123) prescribes the number of fire escapes, directs that doors shall open outward, and establishes alternative provisions where sprinklers are installed. The New York Legislature (ch. 4) repealed all provisions of law relating to the fire marshal, abolishing that office. By another law (ch. 347) provisions are added requiring the installation of fire-alarm signal systems in factories over two stories in height in which more than 25 persons are employed. Fire drills must be had if there are more than 25 employees above the second floor. Automatic sprinklers must be installed in buildings over 7 stories, or 90 feet in height, having wooden floor or wooden trim, if more than 200 persons are employed. An amendment relating to smoking permits it in protected portions of factories or classes of factories if the industrial board decides that safety is not endangered thereby. Rules made by the fire marshal are continued until superseded by rules of the industrial board. In this connection it may be noted, as will appear later, that the industrial board has been superseded by the industrial commission, which exercises the powers of the defunct board. Another chapter (719) relates to variations permitted in construction and equipment in the matter of fire escapes, exits, sprinklers, etc., in view of individual conditions. The industrial board, now commission, of the State, in accordance with its authority, drew up rules as to the type, construction, and location of fire-alarm signal systems (No. 374), as to the maintenance of existing fire escapes (No. 380), and as to fireproof construction and fire-resisting material (Nos. 500-513). The Legislature of Texas enacted a new law (ch. 12) relative to fire escapes on factories, etc., applicable to buildings over two stories in height. One fire escape is required, and more if directed by the head of the local fire department, or, if there be none, by the commissioner of labor statistics. Local officers as well as the State commissioner must enforce the law. The Wisconsin Industrial Commission, like that of New York, issued orders (Nos. 6100-6112), appearing in this bulletin, on the subject of fire protection for existing buildings, the number of exits necessary, fire escapes, stairways, the lighting of halls, the installation of standpipes and sprinklers, and of a fire-alarm system; the maximum floor load is also regulated.

The removal of poisonous dusts, gases, and fumes is the subject of rules of the New York Industrial Board (Nos. 700-723), which direct the installation of an exhaust system, giving in much detail sizes, proportions to various needs, construction, point of discharge, etc.

The production of certain gases or the manufacture of certain products enumerated call for specific provisions. Special mention is also made of lead processes. An Illinois statute (p. 431) requires that factories in which metal polishing, grinding, plating, and dipping are carried on shall be wholly above ground.

Specific provisions of general application are the requirements as to toilet rooms issued by the New York Industrial Board (rules Nos. 100-147) giving in much detail the nature of the conveniences required, their number, type, location, provisions for privacy, and ventilation; also as to washrooms, dressing rooms, rest rooms, etc., (Nos. 148-177), with special reference to those in establishments producing poisonous dust, etc. Ventilation, lighting, and heating are mentioned. The same regulations prescribe a supply of drinking water and prohibit the use of a common drinking cup. The Massachusetts statute relative to the supply of pure drinking water is amended (ch. 117) by requiring a supply to be furnished by all industrial establishments, instead of only by manufacturing establishments, as heretofore. Of similar inclusiveness is the California statute (ch. 485) which directs every employer of labor to furnish a suitable supply and to give opportunity to his employees to avail themselves of it.

The New York Industrial Board provided a series of rules (Nos. 400-447) governing the construction and equipment of elevators in factories, giving details as to inclosures, guards, gates, trapdoors, safety catches, capacity, clearance, regulation of speed, factors of safety, etc. Operators of passenger elevators must be at least 18 years of age.

A Connecticut statute (ch. 42) directs the provision of an emergency kit for administering first aid to the injured, the contents being prescribed. Similar provisions are made by the New York Industrial Board (rules Nos. 178-180). The Massachusetts statute on the subject is amended (ch. 216) by requiring every employer of 100 or more persons to make first-aid provisions if directed to do so by the board of labor and industries.

More limited classes of establishments are the subjects of several laws, the Oregon Legislature passing a law (ch. 343) on the construction and sanitary conditions required in bakeries. Living or sleeping in workrooms is forbidden, and persons having communicable diseases may not be employed. Very similar provisions are embodied in rules and orders of the New York (Nos. 305-346) and Wisconsin (rules Nos. 83-118) industrial commissions. Sanitation, ventilation, wash and toilet rooms, etc., are items mentioned. The New York rules require medical certificates for employees, which must be renewed every six months, while those of Wisconsin forbid the employment of persons afflicted with specified diseases.

A cannery inspector is provided for in Delaware (ch. 228), who is charged with the duty of enforcing regulations as to sanitary conditions in cannery establishments, including the provision of washrooms, toilets, and living quarters of employees, and as to the outer clothing worn, personal cleanliness, etc. This inspector is given a salary of \$1,000, with allowance of \$500 for expenses. The Industrial Board of New York drafted rules (Nos. 200-232) governing cannery labor camps, covering points of sanitation, details as to beds and bedding, the supply of toilet conveniences, drainage, etc. A California statute (ch. 329) takes up the subject of labor camps in general, rewriting entirely the former law on the subject and extending its regulations to the subjects of mess houses, dining rooms and tents, toilet conveniences, garbage disposal, and the like. The commissioner on immigration and housing is to enforce the law, and the sum of \$10,000 is placed at his disposal. In this connection may be mentioned a Michigan statute (act No. 3) which extends the power of the factory inspector to the enforcement of regulations governing railway cars used for sleeping or living quarters and to other premises used by railway construction men. Proper heating, lighting, and ventilation are prescribed, and the supplying of a suitable place for the drying of clothing.

A Missouri statute (p. 326) relates to safety in foundries, prescribing width and floor construction of gangways and requiring water tanks to be elevated sufficiently to safeguard against persons falling into them, and drainage for their overflow. Other requirements relate to the carrying off of injurious fumes and dust. More detailed in these respects are the rules (Nos. 550-599) of the New York Industrial Board in the same field. The construction of entrances to avoid drafts, the width and safety of gangways, the elimination of obstacles, provisions for lifting heavy ladles, and the supply and equipment of toilet and wash rooms are among the subjects mentioned. Special rules are drawn up for safety in brass foundries, one of the requirements being that leg guards shall be furnished to prevent burning by splashing metal. The use of cellars and basements is prohibited.

Public laundries are the subject of a single statute, one in Delaware (ch. 59), which forbids the employment of diseased persons and prohibits sleeping in any laundry or wash house or room adjacent to or opening into the same. The milling industry and malt-house elevators are also the subject of regulation in one State, the New York Industrial Board establishing rules (Nos. 650-664) having for their intent the prevention of the accumulation of dust and the possibility of its ignition from the fireroom of the establishment.

Electrical construction and installation are the subjects of laws of California (ch. 600), amending an earlier law, and of Iowa (sec. 2033-k). These laws make no mention of their purpose to protect

workmen and are not reproduced in the present bulletin, but it is obvious that the proper adjustment as to distances separating wires of high tension from others, adequate insulation, and suitable guy wires are elements of safety for linemen engaged in erection and repair work.

The Connecticut Legislature passed a law (ch. 183) amending its existing provisions on the subject of the inspection of steam boilers, giving further detail as to the scope of inspectors' duties. A fee of \$5, to be paid by the owner, is provided for. The Indiana Legislature (ch. 111) passed a new law on the subject, repealing existing statutes and establishing rules as to equipment and construction, furnishing formulæ for technical computations as to proportions, thicknesses, etc., in full detail.

A Pennsylvania statute (act No. 420), regulating the construction of tenement houses, prescribes the air space to be allowed in rooms in which manufacturing is carried on, and permits the use of any room in a tenement as a bakery or for fat boiling only if such rooms are properly fireproofed. A new provision of the New York laws is found in a prohibition against employees sleeping in any room in or connected with any grocery which does not comply in construction, etc., with the sanitary regulations of the local board of health (ch. 343). In the same State (ch. 234) a new article is added to the labor law on the subject of explosives, but the entire bearing of the law seems to be rather on public safety than on that of the workmen. Violations of factory laws is the subject of an amending statute (ch. 116) in Massachusetts, the former provisions as to prosecutions by district attorneys being stricken out, and enforcement of laws as to the ventilation of dust-producing establishments being intrusted to the State board of labor and industry instead of to the State board of health, as formerly. A bit of new legislation appears in the law of South Carolina (act No. 69) directing operators of factories to provide for the segregation of races in workrooms, at entrances and exits, and at pay windows. In some of these cases separate use of the same conveniences is permissible, but they are forbidden to use at any time the same wash or toilet rooms, drinking vessels, etc., though equal accommodations are prescribed. Firemen, truckmen, scrubbers, and carpenters and mechanics on building and repair work are exempted.

MINE REGULATIONS.

A considerable number of enactments appear under this head, but in practically every instance they are amendments of existing laws. The principal piece of work of the year was the enactment of a new mining code (ch. 10) by the Legislature of West Virginia. This code embodies existing legislation, but is much more extensive and detailed

than the former law, and embraces the subject of electric installation and other details looking to safety in operation. Special provision is made as to the employment of boys, and age and schooling certificates are required up to the age of 16 years.

A law relative to inspectors is found in Alaska (ch. 69), which removes the subordination of the Territorial inspector to Federal inspectors that was prescribed in the act of 1913. The same act extends to adjunct operations appropriate requirements as to mining, and requires sanitary conveniences in mines, guards for dangerous machinery, regulates the construction of shafts and ways, the work of hoisting and the use of explosives, requires provisions for first aid in accidents, etc. Another act (ch. 63) raises the salary of the mine inspector from \$2,500 to \$3,000 per annum. A bureau of mines is created in Arizona (ch. 17), which is to serve without salary, though expenses are allowed. Among the duties of this bureau are the establishment of a rescue car and the training of persons to rescue work, the rendering of first aid, and the general observance of safety conditions. An amendment (ch. 8) to the law of Nevada directs the inspector to post recommendations within 24 hours after inspections are made. In Pennsylvania (act No. 285) the number of inspectors is increased in two districts, while other acts (Nos. 349, 388, 390) make increases in the salaries paid to the chief and deputy chief of the department of mines and to mine inspectors.

Provisions for safety are found in the law of Colorado (ch. 119) which makes more explicit the law as to the safety of cages and their protection against falling; gates are required where men are hoisted or lowered. The Idaho statute (ch. 46) prescribes a code of signals for the operation of hoists and strikes out the requirement as to cage men. In Missouri (p. 331) the inspector is authorized to close any mine in which he finds poisonous damps not adequately removed, rotten ropes, or unsafe cages. The statute of New Mexico is amended (ch. 49) by requiring but one drag to be attached to each rope trip instead of two as formerly required. The requirements as to the employment of shot firers and undercutting before blasting are made nonapplicable to anthracite mines free from gas. A Kansas statute (ch. 244) makes more specific the regulations as to the time when shot firers shall perform their duties during the day or shift; another law of the State (ch. 246) extends the time within which the second shaft or exit must be made available. The system of management of rescue stations under the Illinois statute is changed (p. 527) by abolishing the manager and placing the work in the hands of the commission appointed under the act of 1910 for the purpose, the commission itself appointing superintendents, etc., and supervising operations. A minor change in the law of this State is made (p. 524) in the substi-

tution of chemical extinguishers of a content of $2\frac{1}{2}$ instead of 3 gallons as formerly prescribed.

The lead and zinc mines of Missouri were up for consideration in an act (p. 329) which adds provisions as to inspection for purity of air, and requires an equipment for sprinkling if the mine is dusty, directing that where drilling and blasting are being done the surroundings shall be kept in a condition to prevent the raising of dust. Another act (p. 331) requires sanitary drinking devices to be supplied in lead and zinc mines if 10 or more men are employed. Zinc mines are also considered in orders of the Industrial Commission of Wisconsin (Nos. 300-314, 2223, 2224) which took up the subject of hoisting compartments, ladders, guards at shafts, lighting, cable hooks, tamping bars, and explosives. A dressing room is to be provided if 20 or more men are employed underground. Dressing rooms are also required for such mines by a statute of Missouri (p. 330), the law specifying the requirements as to lockers, washing conveniences, heating, lighting, and cleanliness. In Missouri also is found a new law (p. 332) on the subject of washhouses at coal mines employing 10 or more persons. The employer is required to heat the building furnished, but it rests with the employees to keep it in sanitary condition, to carry the water needed, to furnish towels, basins, and soap; the employer is not to be held responsible for property left at the room. A separate room is to be furnished for Negroes. Quite similar are the provisions of the Texas statute on this subject (ch. 51), except that the employer is to furnish hot and cold water and shower baths. A Kansas statute (ch. 245) adds new details as to equipment of wash rooms, to be provided under a statute of 1913. Fresh, clean drinking water must be supplied in underground workings in Nevada (ch. 73) in places convenient of access to the workmen.

The matter of the examination of certain classes of employees is taken up by an act of the Illinois Legislature (p. 505) which treats of the subject of mine inspectors. Two years' experience in the mines of the State is prescribed, but applicants need not hold certificates as to knowledge of first-aid and rescue methods as previously required. More liberal provision is made for engineers at smaller mines. Other provisions in this act relate to safety in shafts, the provision of refuge holes, etc. Another law of the State (p. 525) amends the provisions governing the certification of miners, giving validity to certificates issued by county boards; the State board grants its certificate where it is shown that a miner has held a county certificate. A Pennsylvania statute (act No. 324) exempts from further examination as inspector in bituminous mines one who has served as inspector continuously for eight years and passed two consecutive examinations. Assistant mine bosses and fire bosses as well as mine bosses are required by a

statute of Wyoming (ch. 67) to have certificates. The examining board must hold at least three examinations per year.

The vexed question of the status of certified foremen is passed upon by acts of the Pennsylvania Legislature (Nos. 329, 330) applicable to anthracite and bituminous mines, respectively. These acts give the operator discretion in the choice of foremen and assistants, and make them his agents for whose acts he is responsible, thus making the owner or operator himself liable for negligent acts instead of the mine foreman, as has been heretofore held by the courts of Pennsylvania.

The Indiana Legislature provided (ch. 151) for a commission of five persons appointed by the governor to codify the mining laws of the State and suggest any appropriate changes therein, reporting to the next session of the legislature. The commission is to consist of two operators of mines, two mine workers, and an engineer appointed by the director of the Federal Bureau of Mines and approved by the governor; \$500 is appropriated for expenses. In Illinois (p. 80) the governor is to appoint three mine owners, three miners, and three representatives of the public to investigate the subject of coal mining, with particular regard to safety and to the conservation of coal. Owners and miners serve without compensation for their services. The representatives of the public receive \$10 per day and their expenses while on duty. The amount of \$7,000 is appropriated.

RAILROADS.

Provisions of law under this head are chiefly of minor importance, though covering quite a variety of topics. The Railroad Commission of California is given the power (ch. 91) to make rules and regulations as to the equipment and operation of public utilities with regard to safety, and to investigate accidents when in their judgment such action is desirable. In West Virginia also (ch. 8) it is required that employers in any public-service business shall establish and maintain adequate and suitable facilities and appliances for the safety and comfort of their employees. The same law authorizes the public service commission to prescribe what is an adequate train crew on any steam railroad. An inspector is provided for by an act of Maine (ch. 169), the public utilities commission being authorized to appoint a practical railroad man as chief inspector of utilities.

The subject of sufficient crews was taken up by a Nevada statute (ch. 86) exempting railroads operating but one train daily each way. A California statute is extended (ch. 501) to include mixed trains, also pile drivers moving under their own power from a siding or other similar place to a working place more than one-half mile distant. A locomotive running alone must have at least an engineer and

fireman. Another law of this State (ch. 494) directs that engineers, firemen, conductors, and trainmen may not be employed in the transmission of orders on roads operating more than four trains daily.

The United States locomotive-boiler inspection act was amended (act No. 318) so as to include the entire locomotive within the scope of the act. More restricted is the provision of a California statute (ch. 499), which relates only to the installation of water glasses on locomotives, prescribing the permissible type of this appurtenance. The subject of headlights on locomotives was taken up by laws of Missouri (p. 228), Nevada (ch. 128), and New Mexico (ch. 37). The Missouri statute is an amendment which permits a locomotive with a defective light to run to the most convenient division point or terminal, but does not relieve the company from liability for any injuries that may result from the defect. The Nevada statute is an amendment fixing the standard at a light that will show a man in dark clothing at a distance of 1,000 feet; the provision requiring rear headlights on locomotives running backwards is repealed. The law of New Mexico requires a light that will disclose a man at a distance of 800 feet, exempting switch engines, railroads not over 16 miles in length, and emergency and relief engines running short distances. Block signals at tunnels are required by a statute of Arkansas (act No. 74), which also requires signboards to be set at a distance of one mile from entrances of tunnels. A Missouri statute (p. 229) requires switch lights to be placed on main-line switches and lead switches in yards where trains are broken or made up; lines having less than 50 miles of road and those not operating at night are exempt.

Clearance is the subject of laws of Kansas (ch. 281), requiring an overhead clearance of 22 feet; of Nebraska (ch. 202), requiring an overhead clearance of 25 feet, except that trolley wires may be but 22 feet above track level; and of Minnesota (ch. 171), the act amending an earlier statute prescribing safe clearance of objects along the roadway. A proviso is added that the prescriptions do not apply to yards and terminals used for passenger service only, but if any injury occurs in such places on account of the lack of provisions the company will be liable for damages. The section as to variations in the discretion of the railroad and warehouse commission is also amended. The law of Ohio as to the construction and maintenance of caboose cars is amended (p. 429) by exempting lines having less than 10 miles of interstate road within the State. A statute of Illinois (p. 559) designates the contents of first-aid packages that are to be supplied for use in case of accident, and directs that instructions as to first aid shall be given to enginemen and trainmen. A law of Arkansas (act No. 220) directs that any repair work needed by rolling stock within the State shall be done inside its boundaries

if the company has shops therein; it is further designated that the nearest available shop must be used. Railroads operating less than 60 continuous miles of line within the State are exempt.

Another law, not bearing on the subject of equipment, is one of Washington (ch. 118) authorizing the governor to appoint railway police for steam and electric roads at the request of officials of such roads. They must make affidavit as to the character and competency of the persons recommended. Not over five employees may be so appointed for each division, and their duties are restricted to the protection of railroad property. Their commissions may be revoked by the governor at pleasure. In this connection may be mentioned a West Virginia statute (ch. 21), which directs that surety companies must give reasons for canceling, refusing or failing to renew any bond of an employee of a railroad company, though they need not disclose the source of their information. The employer must accept any other bond which the employee may secure.

STREET RAILWAYS.

The laws under this head are one of Ohio (p. 128) amending the statute as to inclosed vestibules for the protection of employees, directing that they shall be maintained throughout the year instead of during the winter months only as previously required, and that they shall afford protection also against dust. The Iowa statute on this subject (secs. 768-h to 768-j) directs that inclosed vestibules be in use from November to April. This law also requires the furnishing of toilet rooms for the use of employees and the arrangement of schedules so as to permit their use. A similar law was passed by the Legislature of Kansas (ch. 285) for the benefit of employees on street and interurban roads. A statute of Connecticut relative to seats for employees on street railways was amended (ch. 221) directing the unrestricted use of such seats except within a radius of 1 mile from the center of the city in which the road is operated.

INSPECTION OF STEAM VESSELS.

Besides the provisions of the seamen's act referred to under the first heading of this review, Congress passed laws making slight changes in the existing provisions as to inspection, act No. 267 directing that officers shall assist in inspections required by sections 4448 and 4449, Revised Statutes; while act No. 333 amends section 4421, Revised Statutes, on the general subject of inspection and certificates. A New Hampshire statute (ch. 117) amends existing law so as to provide for assistant inspectors of water craft coming under the State law.

INTOXICATING LIQUORS.

The sale of intoxicants near lumber or other labor camps is regulated by an act of the Michigan Legislature (No. 110) which makes it unlawful to sell or deliver intoxicating liquor at any lumber camp, sawmill, yard, or along the right of way of any railroad, though an agent of the employer may sell intoxicants for medical purposes; also by one of the Montana Legislature (ch. 79) covering labor camps generally, the act requiring a local population of 50 within the forbidden area instead of 30 as formerly and requiring a residence of one year instead of but six months in order to make its provisions applicable. Any established business must have a standing of two years in order to be exempt, instead of six months as under the earlier law.

A Pennsylvania statute (act No. 410) makes it a misdemeanor for a driver of a traction engine to be intoxicated; while a law of Washington (ch. 165) extends the law of that State to cover intoxication of employees on highways and other public places as well as on streets, which alone were included in the earlier act. The Iowa statute (sec. 2448-a) as to the sale of liquor to employees is repealed, in view of the general restrictive legislation of the State.

EMPLOYMENT OF CHILDREN AND WOMEN.

The volume of legislation in this field continues to be considerable, there being evident a gradual approach to uniform standards, particularly with regard to the classes of occupations regarded as unsuitable for children of tender years—in most States up to the age of 16—to engage in. One of the most important laws is that of Alabama (No. 169) which fixes the minimum age for the employment of children at 13 years in September, 1915, and at 14 years a year later, covering all gainful occupations with the exception of agriculture and domestic service. Boys of 12 years may engage during vacation in work in business offices and mercantile establishments in towns and cities having a population of less than 25,000. Work is permitted for 60 hours per week of six days and a maximum of 11 hours per day, but is prohibited between 6 p. m. and 6 a. m. Presence in an establishment is evidence of employment. Schedules of time of service must be posted where boys under 16 and girls under 18 are employed. Dangerous occupations, the standard list, are forbidden for children under 16 years of age, and employment certificates and registers must be maintained for children up to the same age. Eight weeks per year of school attendance is also required until the age of 16 is reached, six weeks of which must be consecutive,

superintendents and principals of schools issuing certificates requiring reliable evidence as to age; the certificate belongs to the child. In cities of 25,000 or more, messengers under 18 years of age may not serve between the hours of 9 p. m. and 5 a. m.; in smaller cities not between 10 p. m. and 5 a. m. Engaging in street trades in cities of 25,000 or above is forbidden to boys under 12 and girls under 18, except that boys of 10 may serve a newspaper route. Boys under 16 must have badges, and may not work between 8 p. m. and 5 a. m. Enforcement rests with the State prison inspector and his assistants, who are to inspect all places where children are employed. Such places must be sanitary, have sanitary conveniences in suitable numbers, and be kept in order. Inspectors may have free access to all premises subject to such inspection.

An initiated measure (No. 1) of the State of Arkansas fixes 14 years as the minimum age for the employment of children, except during vacation or by parents or guardians. Immoral and dangerous occupations may not be engaged in by children under 16, for whom also a six-day week is prescribed, with eight hours of service daily; no work may be engaged in between 7 p. m. and 6 a. m. Children under 16 must have certificates issued by the superintendent of public schools or the commissioner of labor and statistics or a person authorized by one of these parties. Enforcement rests with the commissioner and with inspectors of mines and factories, etc. The California law is largely amended by a statute of this year (ch. 625) retaining the 15-year age limit for employment during the school term if a permit is secured. No child under 14 may work during school hours, though vacation permits may be granted those 12 years of age. An eight-hour day is prescribed for children to 18 years of age, with night work forbidden between 10 p. m. and 5 a. m. The restriction on dangerous occupations extends to the age of 16. Messenger service and street trades are regulated and an important provision is made requiring the employer to give notice of the stoppage of work by a child who, if not employed, must attend school until the age of 16. The statute of Maine was rewritten (ch. 327), the old law being repealed. The new law retains the same general provisions, but requires certificates for children up to 16 instead of 15, as formerly. In Pennsylvania also there was a general repeal of former laws and a new code enacted (act No. 177). The age limit is fixed at 14 years for any employment, and school attendance of eight hours per week to the age of 16 is required. Such attendance must be between the hours of 8 a. m. and 5 p. m., and if the child is employed the time in school counts as work time. A nine-hour day is prescribed, with 51 hours as the maximum for the week, and work between 8 p. m. and 6 a. m. is forbidden until the age of 16 is reached.

The standard list of dangerous occupations is forbidden to children under 16 years of age, and occupations declared dangerous by the industrial board of the department of labor may not be engaged in by children under 18 years of age; a proviso is made as to this section that if it be found unconstitutional its unconstitutionality shall not affect any other portion of the law. No minor may be employed in any establishment in which intoxicating liquors are made or handled, nor may minors engage in messenger service between the hours of 8 p. m. and 6 a. m. Males under 12 and females under 21 may not engage in street trades. Boys under 16 may not so engage between the hours of 8 p. m. and 6 a. m., and certificates are required to the age of 16. Physicians' certificates are required in all cases of the issue of employment certificates. Employers must acknowledge the receipt of certificates, and return them to the official issuing them on the termination of employment. Enforcement is in the hands of the commissioner of labor and industries, school attendance officers, and the police. Other amendments are less significant in effect, as one in Delaware (ch. 221) relating to the supply of blank certificates, the posting of the law, and the appointment of a child labor inspector once in four years by the labor commission of the State; a Florida statute (ch. 6918), which adds pool rooms, billiard rooms, and breweries to the list of places in which minors may not be employed, and increases the salary of the labor inspector to \$1,800 from \$1,200, and also allows larger office expenses; and one of Iowa (secs. 2477-a to 2477-d), which adds livery stables, garages, and places of amusement, as well as messenger service, to the list of prohibited employments for children to 14, unless for their parents; a section is also added on the subject of street trades, excluding boys under 11 and girls under 18. Boys under 16 must be licensed, and may be employed between 4 a. m. and 7.30 p. m., except during school hours; in vacation employment may be extended to 8.30 p. m. The list of employments forbidden to children under 16 is extended, and seats are required for females under 21 instead of under 16, as formerly. Night work is forbidden between the hours of 6 p. m. and 7 a. m., instead of 9 and 6, as formerly. Eight hours instead of ten constitute a day's work, and the provision exempting canneries is stricken out. Messengers under 18 years of age may not work between 10 p. m. and 5 a. m. in cities of 10,000 or more population. The provisions as to certificates and evidence of age are rewritten and added provisions are made on the subject of law enforcement. In Michigan (act No. 255) offices and restaurants are added to the list of establishments covered by the act, and the age limit is advanced from 14 years to 15. Vacation work in canneries is permitted to children 14 years of age. The educational requirements are advanced to the sixth grade of

school instead of the fourth. Boys 16 to 18 years of age may work 10 hours per day, but not over 54 per week, and may not be employed to clean moving machinery or where malt or alcoholic liquors are made or handled. Other places may be excluded if regarded by the department of labor as injurious to health or morals or unduly hazardous. The New Hampshire law is amended (ch. 61) so as to allow the use of vacation certificates good for three months, without school attendance or educational tests. In New Jersey (ch. 246) it is declared an abuse of children to employ them or permit their employment in any dangerous, immoral, or forbidden occupation.

The amendment in Rhode Island (ch. 1253) relates to physical examinations in the city of Providence, two physicians being appointed by the commissioner of public schools, to be paid by the city, who are to examine free of charge all children 14 to 16 years of age desiring employment certificates. The law of Utah is amended (ch. 61), adding pool rooms and places where tobacco is sold to the list of places where children under 16 may not be employed. An amendment to the Wisconsin statute (ch. 421) relates to violations, and eliminates certain sections from the penalties prescribed in section 1728h, and fixes a lower minimum and higher maximum fine for violations.

Specific points are taken up in laws of Connecticut (ch. 175) relating to acrobatic, mendicant, etc., occupations, raising the age of restriction to 16 years instead of 14 as formerly. Another law of this State (ch. 195) forbids the oiling of machinery by children while power is attached, and adds other prohibited occupations. In Wyoming also (ch. 77) employment to the age of 18 is forbidden in breweries, distilleries, concert halls, or other places where liquor is sold or handled; to 14 as messengers to such places; and to 16 as performers in concert halls or at work in any illegal, immoral or dangerous place. This law enumerates the standard list of dangerous occupations as forbidden to children under 14, and fixes a 9-hour day and 56-hour week for the term of employment. Seats must be furnished females under 18 in any occupation. Employment of minors in barrooms is forbidden in Florida (ch. 6860). A Rhode Island statute (ch. 1264) fixes 12 years for boys and 16 for girls as the minimum age for engaging in street trades in cities having a population of 70,000 or above. Boys under 16 must secure permits, which must be applied for by parents or guardians, and work between 9 p. m. and 5 a. m. is forbidden. The school authorities must retain a list of the permits issued. A Massachusetts statute (ch. 70) adds to the existing law a penalty for the unauthorized alteration of employment certificates.

The subject of school attendance is considered in a number of laws, a Florida statute (ch. 6831) drafting a law requiring compulsory

attendance to the age of 14, subject to exemptions if the labor of the child is necessary to his own support or that of his parents. Local elections must be held for the adoption of this law before it becomes effective in any locality. An amendment to the Massachusetts law (ch. 81) permits excuses for absence from school to be made for 7 days or 14 half days in any period of 6 months instead of for 5 days or 10 half days as formerly. In Pennsylvania (act No. 97) an employer must give immediate notice to the school officials when a child having a certificate leaves employment. A compulsory school attendance law was enacted in South Carolina (act No. 98) requiring an attendance for the entire school term for children between the ages of 8 and 14 years, except in the agricultural districts where four months' attendance is prescribed, or for the full term if of shorter duration. Exemptions are permitted if poverty makes the labor of the child necessary for his own support or that of his parents, but attendance is required to the age of 16 unless a child is regularly and lawfully employed, or in any case if he is illiterate. Like the Florida statute this act must be voted upon in the district or may become operative by a petition of a majority of the qualified electors. In Texas also a compulsory attendance law applicable to children from 8 to 14 was enacted (ch. 49), the period being fixed at 60 days for the year beginning September 1, 1916, 80 days in 1917, and the full year for the term of 1918-19; thereafter the year shall be not less than 100 days. Exemptions are permitted if the child is 12 years of age and is past the fourth grade of school and poverty makes his labor necessary. It is forbidden for anyone to employ a child under 14 years of age not lawfully excused from school attendance. The Vermont statute (act No. 64) requires attendance for the full term to the age of 16 unless the child is 15 years of age, has finished six years of school, and his services are needed for self-support or that of dependents or for other sufficient reason. Amendments are made to the statutes of Wisconsin by acts (chs. 266, 420) relative to the attendance of children in continuation schools. In accordance with these, children between 14 and 16 years of age, not otherwise required to be in school continuously, must attend for 5 hours per week for 8 months, or 4 hours per week for 10 months, if suitable schools are kept; also to the age of 17 years for 5 hours per week for 6 months, and 4 hours per week for 8 months, the time of school attendance to be considered as working time for employed children. Another act of this State (ch. 250) provides for prosecutions in the juvenile courts for violations of school attendance laws.

The Ohio Legislature (House joint res. No. 18) indorsed the proposed Federal child-labor bill which was before the Sixty-third Congress, and urged its enactment.

A number of laws relating to hours of labor affect both children and women, while others relate to women alone. In Maine (ch. 350) there is a general repeal of existing laws, and a nine-hour day is prescribed for females and for boys under 16 years of age in manufacturing, mechanical, etc., establishments. Fifty-four hours may be worked per week and work between 6 p. m. and 6.30 a. m. is prohibited. In mercantile establishments a 54-hour week is prescribed except for eight days before Christmas and a like period before Easter. Time for meals must be allowed. Canneries are exempted from the operations of this act. This statute is barred from present effect by a referendum petition. The New Hampshire statute was applicable in its original form to minors, but by an amendment of this year (ch. 164) it is limited to those under 18 years of age as far as males are concerned. Females may be employed after 8 p. m. for two nights in the week instead of one as formerly, though the 55-hour limit may not be exceeded. The statute fixes time for meals in mercantile establishments, and exempts from the operations of the law seven days before Christmas, though the annual average of regular employees must not exceed 55 hours per week. Lost time in factories may be made up, but no work in excess of 10 hours in one day may be required. Overtime work on account of stoppage is not allowed under an amendment to the Massachusetts law (ch. 57) where the stoppage is on account of a holiday. A law of New York is amended (ch. 386) by allowing women and children to be employed more than 9 hours in one day of the week on condition that a shorter day be allowed on one or more days; longer employment may also be required for 2 days in the year for purposes of taking stock. A statute of North Carolina, as amended, provides that no minor or woman may work over 60 hours per week, nor adult males unless on written contract and for extra compensation, but no employee may work in excess of 11 hours per day (ch. 148). Exceptions are made in the case of engineers, firemen, superintendents, overseers, section and yard hands, and office men. This law requires parents to furnish certificates for their children as to age and school attendance.

A law regulating the hours of labor of women only was enacted in Oklahoma (ch. 148) applicable to manufacturing and mercantile establishments, laundries, offices, hotels, restaurants, and places of amusement in towns of 5,000 population or over. A 9-hour day is fixed, with provisions for emergency employment, double pay being required for overtime work. Pharmacists, stenographers, and nurses are exempt from the provisions of this act. The statute also provides that seats shall be provided for females and their use permitted. Similarly a Texas statute (ch. 56) fixes a 9-hour day and 54-hour week for employment generally, with provisions for emergencies.

Mercantile establishments in the country and in towns having less than 3,000 population are excepted. A 10-hour day and 60-hour week are prescribed in cotton and woolen mills, while in laundries 54 hours may be worked within the week, the hours per day to be arranged, but not to exceed 11, and double pay is required after 9 hours' work. This statute also requires seats to be furnished. The statute of Wyoming (ch. 45) is applicable to manufacturing, mechanical and mercantile establishments, printing offices, bakeries, laundries, canneries, hotels, telephone offices, restaurants, theaters, and places of public amusement. Excepted are telephone offices where there are not more than three employees, and railroad hotels and restaurants. Work for not more than 10 hours within a 12-hour period is prescribed, 56 hours being the maximum per week. Lunch time of not less than one-half hour or more than two hours must be allowed. Amendments to existing laws were made in Nebraska (ch. 71) and Pennsylvania (act No. 327). The former law is made to apply to cities above 5,000 population only, and the restriction of employment during "eight consecutive hours" in work for public-service corporations between 10 p. m. and 6 a. m. is stricken out. The Pennsylvania statute is an amendment allowing the weekly day of rest in hotels, boarding houses, and in charitable, educational, and religious institutions to be given in two periods of 12 hours each instead of a single whole day, within the discretion of the industrial board of the State. An Arkansas statute (act No. 191) regulating work time is noted in a subsequent paragraph.

The Massachusetts statute relative to the moving of boxes, etc., by women is again amended (ch. 27) by designating pulleys or casters as the only devices to be used, alternative provisions being stricken out. Rules of the New York Industrial Board (Nos. 582-585) regulate the employment of women in core rooms, directing that rooms in which cores are made and those in which they are baked shall be partitioned off and that openings between them shall be vestibuled. Provisions are made as to temperature and ventilation, and the weight that women may lift is limited. A Vermont statute (act No. 209) relates simply to the provision of seats for female employees, requiring them to be provided in mercantile establishments, hotels and restaurants, and other places where female clerks or help are employed.

Other laws that may be noted under this head are one of Idaho (ch. 75) declaring that the wife's earnings are her personal property; one of Florida (ch. 6860) forbidding the employment of women in barrooms; and one in Iowa (ch. 2448-a) repealing the law forbidding the employment of females in barrooms in view of the general prohibitory legislation in that State.

Under this head also fall the activities of minimum wage commissions or other bodies of like purpose found in an increasing number of States. Thus in Arkansas (act No. 191) is a new law prescribing a 9-hour day and a 6-day week for the employment of females, but not affecting children under 16. Night work between 9 p. m. and 7 a. m. is forbidden and time for meals is required. A minimum wage is prescribed by statute, the rate being \$1.25 per day after six months' experience and \$1 for inexperienced adult workers. A special commission is to consider cannery and confectionery employments, and other industries on proper representation. In Kansas also is a new law (ch. 275) providing for an industrial welfare commission, whose duty it is to fix wages, hours, and standard conditions of labor. This commission consists of the State commissioner of labor and two persons appointed by the governor to make investigations, and if conditions seem to warrant it boards must be appointed to investigate and propose standards. On review and hearing orders may be issued by the commission, which are of binding effect, though appeals lie to the courts. Special licenses may be issued for defective or crippled persons, learners, and minors under the age of 18 years. Amendments are found in the States having laws in this field, one in California (ch. 571) authorizing the issuing of special licenses to apprentices or learners, the commission to fix the number of such employees in any occupation, trade, industry, or establishment; in Massachusetts (ch. 65) the commission may require such notices to be posted as it may issue for the information of employees; in Oregon (ch. 35) overtime may be permitted in emergencies under rules to be fixed by the commission; while a statute of Washington (ch. 68) directs that standards shall be fixed by the commission of that State relative to wages, hours, and conditions of labor in the telephone industry in rural communities and cities of less than 3,000 population. The Legislature of Idaho (ch. 136) provides for a commission to be appointed by the governor, consisting of three persons—one a woman, one representing employers, and one representing labor—to study and report on the subject of a minimum wage board. An appropriation of \$1,000 was made to cover expenses, and a report of bills and recommendations was directed in time for the legislature of 1917.

A matter of temporary interest was the act of the Delaware Legislature (ch. 273) calling for the investigation of the child-labor commission of that State. This act bears date of January 12, 1915, and the commission investigated was abolished February 19 following.

MOTHERS' PENSIONS.

Under this title is considered a body of social legislation of quite recent enactment which may be treated as labor laws only by a somewhat broad inclusiveness. These laws provide, in general, that

widows, or the wives of men confined for crime or in State institutions for the insane and the like, or in some cases abandoned wives, shall receive aid for their support in cases in which children under the age of employment are dependent upon them and where the aid to be furnished will enable the maintenance of a suitable home and avoid the necessity of committing the children to child-caring institutions. The laws are quite uniform in their provisions as to conditions to be met by applicants, which relate to citizenship, character, the necessity of assistance, etc. Quite a variety of methods of administration may be found, and the laws differ in other details; only the principal features are of course noted in this review.

In Arizona an initiated measure (p. 10) looks toward the granting of pensions not only for widows and the wives of insane persons and prisoners, but also makes a general provision for an old-age pension to care for infirm persons of either sex above the age of 60. In the latter case the provision is an allowance of \$15 per month to citizens of the United States who have been for 5 years residents of Arizona and are without visible means of support. Widows having children under 16 years of age receive \$15 a month for the first and \$6 for each additional child. This law has been declared unconstitutional in a county court of the State. In Idaho (ch. 135) an act of 1913 was amended so as to extend its benefits to the wives of inmates of institutions for the insane and feeble-minded. Payments may be made to institutions in behalf of the mother as well as to her directly. The Illinois statute was amended (p. 243) by a provision allowing the county court to decide what amount should be paid on account of the second and other children, fixing the maximum at \$60 per month instead of \$50 as formerly. A new section defines the conditions as to citizenship with more detail. The law of Kansas (ch. 261) now includes widows, divorced persons, and those whose husbands are disabled or confined in State institutions, having children under 16 years of age. The maximum monthly benefit allowable is \$25. The Montana law (ch. 86) provides for widows or those whose husbands are disabled or confined in the State penitentiary or other institutions, having children under 14 years of age. Payment is \$10 monthly for the first child, \$7.50 for the second, and \$2.50 for each additional child. The Nebraska statute (ch. 187) includes any person having charge of a needy child, allowing for such child (age not given) the amount of \$10 per month. Orders are limited to six months' terms, but may be renewed.

In Nevada (ch. 131) widows, deserted wives, and wives of persons held in confinement, having children under 15 years of age, may receive \$15 per month for the first child and \$5 for each other. The age limit in New Hampshire (ch. 132) is 16 years, the amount being \$10

for the first child and \$5 for each additional one, benefits payable to mothers who are dependent upon their own efforts for support. The law of New Jersey is rewritten (ch. 118) with greater detail as to administration, but without change as to the age of the children and the amounts allowable. A new section added to the Consolidated Laws of New York by chapter 228 benefits children under 16 years of age only if assistance is necessary to keep them out of child-caring institutions, and the amount payable may not exceed that necessary to pay for their support in an institutional home. Allowances are for terms of six months, subject to renewal. The statute of North Dakota (ch. 185) applies to any mother on whom a child under 14 years of age is dependent, and allows not more than \$15 per month for each such child. The Ohio Legislature enacted an amendment (p. 436) allowing investigation to be made and payment supervised by sheriffs of counties in which there are in existence no other agencies of the classes designated in the statute. The statute of Oklahoma (ch. 183) includes widows and wives of prisoners or insane persons, having children under 14 years of age, and allows \$10 for the first child and \$5 for each additional child. The Oregon law is amended (ch. 90) by requiring applicants to have had three years' residence in the State and one in the county, and providing that an infirm husband may be taken away from the home if he is a menace to the physical or moral welfare of the wife or children; \$40 is fixed as the maximum monthly payment.

The law of Pennsylvania is rewritten (act No. 439) and provides for the benefit of children under the age of employment or until the age of 16 if physically unable to earn wages or if the child is attending school with a good record. The amounts are fixed at \$12 for one child, \$20 for two, \$26 for three, and \$5 for each additional child. An amendment to the South Dakota statute (ch. 251) adds women obtaining divorces within the State to the list of those who may apply for assistance. An amendment (ch. 21) to the law of Utah raises to \$20,000 the annual total that counties having a population of 100,000 or more may spend, instead of confining them to the general limitation of \$10,000 embodied in the original law. The Washington statute is amended (ch. 135) by withdrawing its benefits from abandoned wives, and requiring three years' residence within the State. In West Virginia (ch. 20) widows, abandoned wives, and those whose husbands are totally incapacitated or are confined in State institutions may receive a monthly allowance of \$10 for the first child under 14 years of age, and \$5 for each additional child, the maximum being \$25. Under the Wyoming law (ch. 32) widows, abandoned wives, or those whose husbands are permanently disabled or are imprisoned may receive \$20 monthly for the first child under 14 years of age and \$10 for each other such child, grants being

made in six-month periods. The Florida Legislature (ch. 6911) provided a commission on this subject. Five persons are to be appointed by the governor, two of whom shall be women. The commission is to consider the needs, practicabilities, and methods of this form of relief, and report to the legislature of 1917. The act contains no reference to salaries or expenses.

RETIREMENT FUNDS.

Mentioned here for lack of another classification, and perhaps hardly entitled to be mentioned at all in this connection, not being a labor law, is an act of the Alaska Legislature (ch. 64) which provides a pension for pioneers of the age of 65 years and upward who have lived for 10 consecutive years in the Territory, and who are in need of assistance. There are no restrictions as to sex, and the amount to be paid may not exceed \$12.50 per month. The remaining acts under this head relate to the pensioning of employees of States and municipalities, the Legislature of Illinois having made three enactments on this subject. Two of them (pp. 298, 302) amend an act of 1911 relative to pensions for employees of cities having a population in excess of 100,000. The first act, among other amendments, provides that such cities shall set off from license receipts an amount equaling the employees' contribution to the retirement fund. The second makes provision for term of service, retirement to take place after 20 years if the age of 55 has been reached, or after 5 years' service if disabled. In the latter case benefits are to be paid for but 2 years, but this term may be extended. Special provision is made for soldiers and sailors of the Civil War. The third act (p. 342) establishes a system of pensions for employees of counties having 150,000 population or above. Laborers on a per diem basis must take prescribed steps to be included within the act. Fifty dollars monthly may be paid after 20 years' service, the age of 55 having been reached. The same provision as to disability is made as is found in the case of city employees. Prospective beneficiaries pay in the sum of \$2 per month as their contribution, and 5 years' contributions must accumulate before any disbursements are made. The Massachusetts statute is amended (ch. 47) by allowing employees of cities and towns to have an aggregate period of absence of 2 years on account of sickness within the service period fixed by law without deduction for such absence. Other minor amendments are made in chapters 198 and 234.

A New Jersey statute (ch. 324) contemplates an initial action on the part of employees of street and water departments in cities of the first class, who may unite to provide for themselves funds for retirement after 25 years of service. Two-thirds of these employees may

form an association, which shall not, however, include laborers, unless they are paid by the week, month, or on a yearly basis and are permanent employees. Funds are to be augmented by fines, fees, gifts, rewards, appropriations, and assessments, and no payment may be made for the first 5 years. A man who has paid in assessments for a term of 5 years may retire on 20 per cent of his salary, with increases for the number of years contributions have been made until a maximum of 50 per cent of his salary or wages has been reached. In Pennsylvania (act No. 176) counties having a population between 1,000,000 and 1,500,000 may provide a fund for employees of 20 years' service who are 50 years of age, from which shall be paid a pension equal to one-half the salary of the last year's service, but not over \$100 per month. Special provision is made for those totally and permanently disabled. Employees contribute 1 per cent monthly from their salaries, and the counties may appropriate from one-half to 2 per cent of all taxes collected. Another law (act No. 242) authorizes pensions funds for employees of cities of the first class, the amount being one-half the average annual salary or wages for 5 years last past, but not more than \$100 per month. Employees are eligible after 20 years of service, if they have reached the age of 60. Provision is made for earlier retirement and for disabled persons. Membership of per diem employees is optional. The contributions are to be 2 per cent of the monthly salary, but not over \$4, the cities themselves appropriating whatever amount may be necessary to carry the payments. Payments are to begin January 1, 1917. Practically the same provisions are made by another act (No. 259) for employees of cities of the second class. Within the purview of still another law (act No. 423) are State employees who, after 25 years of service, or if 70 years old and having rendered 20 years' service, may be retired on half pay on their own request, but may be called on for special service in the departments in which they were formerly employed.

The Illinois Legislature (S. J. res. No. 17) authorized the governor to appoint a commission of four persons, one representing existing pension funds, one to be an actuary, one a financier, and one an attorney, to consider the subject of pensions for public employees, findings and recommendations to be reported by December 1, 1916. The members of this commission are allowed \$10 per day and expenses, and the sum of \$15,000 is appropriated therefor. Of broader scope is the commission provided for by a California statute (ch. 275) authorizing the governor to appoint a commission of five persons to investigate forms of social insurance in use in the counties of California and in other States and in foreign countries. This commission is authorized to conduct hearings, subpoena witnesses, etc., and the sum of \$20,000 is appropriated for its use.

EMPLOYERS' LIABILITY AND WORKMEN'S COMPENSATION.

As already stated, the chief activity in this field is in the enactment of compensation laws, which receive attention in Bulletin No. 185 of this bureau. The Minnesota Legislature passed a law (ch. 193) exempting railroad companies from the scope of the compensation law of that State and enacted a liability statute (ch. 187) applicable to them. Persons for whose benefit suits may be brought are the widow, children, and next of kin dependent upon the deceased person, as well as the injured employee if he survives. The defense of fellow service is abolished, and liability exists for defective appliances, no risks being assumed if a safety statute has been violated. Contracting out is forbidden, and contributory negligence is to be measured, the law practically embodying the provisions of the Federal statute on the general subject. Very similar is the statute (ch. 207) enacted by the North Dakota Legislature in the same field. In Iowa (sec. 3593-a) contributory negligence is declared to be a defense, the burden of proof of which is on the defendant, and goes only to mitigation of damages. The Massachusetts statute is amended (ch. 179) by adding injuries due to the negligence of the employer himself to the list of those named in the act as basing liability. A North Carolina statute (ch. 256) has for its purpose the construction of chapter 6, Acts of 1913, declaring this to be merely supplementary to section 2646 of the revisal of 1905, and not a repealer of that section. A law of the Philippine Legislature (No. 2473) goes to the extent of making the negligence of the employer a presumption of law in actions under the liability act in force in the islands.

ACTIONS FOR PERSONAL INJURIES OR DEATH.

Legislation under this head is considered, not because it in form relates to employers and employees, but because the provisions found therein come into frequent play in suits for damages for injuries to employees. Under a Washington statute (ch. 63), where proceedings have been taken to recover damages for personal injuries, the court may order a physical examination of the claimant on or before trial, in order that the examining physician or surgeon may be qualified as a witness in the case. This order of the court does not bar other physicians from testifying. In New Hampshire (ch. 148) where an action is brought for personal injuries and contributory negligence is charged the burden of proof is made to rest upon the defendant. The provisions of a Nebraska statute (ch. 210) relate to the lien of the attendant physician on any amount that may be recovered in a suit for damages for personal injuries. This act does not apply,

however, to proceedings under the workmen's compensation act of the State.

ACCIDENT INSURANCE.

This subject largely falls within the scope of compensation legislation, either by the provisions of the acts themselves or by construction or in connection with the organization of mutual insurance companies, which subjects are considered in Bulletin No. 185. A law of South Carolina (act No. 81) contemplates the organization of mutual companies to cover employers' liability, not less than 20 charter members being necessary. Plans must be approved by the insurance commissioner, and when incorporation is made such companies have the general rights of corporations under the State laws. Employing corporations may join such companies as members. An act of the Massachusetts Legislature (ch. 155) directs that payments for accident insurance and the like shall be made at least monthly by insurance companies.

REPORTS OF ACCIDENTS, ETC.

Provisions on this subject appear in the compensation legislation, and also in connection with factory-inspection and public-utilities laws. The law of Oregon (ch. 76) requiring the reporting of accidents relates to railroads and public utilities having three or more employees, and directs them to report to the State industrial accident commission within five days from the occurrence of any accident such details as said commission may prescribe; the time, place, cause, and nature of the accident and injuries, with other items, are prescribed by the law. In addition to this, the same bodies are to give immediate notice to the railroad commission of the State of the occurrence of any accident on their grounds, premises, or lines attended by loss of human life or limb or serious injury to property. The reports required by this act may not be used as evidence in any action for damages. Section 1022-53 of the Wisconsin statutes is repealed (ch. 38), thus relieving physicians from the duty of making reports of accidents. A Rhode Island statute (ch. 1226) specifies a number of occupational diseases which physicians must report to the State board of health. Besides the diseases named, they may be required to report any others which are due to employment.

LABOR ORGANIZATIONS.

Legislation under this subject was of minor importance this year, with the single exception of a statute of Washington (ch. 181), which defines picketing in cases of labor disputes and forbids the acts de-

fined, which include the stationing of watchers, parading, displaying of banners, signs, etc. A referendum has been filed against this act, and it will be inoperative until decided by the election of 1916. A statute of California (ch. 487) makes it a misdemeanor for manufacturers, etc., to make false representations as to employment of union labor on products put out by them. The same act contains a provision giving unions the right to register labels and retain the exclusive right of use of the same, making it a criminal offense to counterfeit them. In Missouri also (p. 404) the law relative to the use or display of a union card or label without authority from the union was amended.

An act bearing only indirectly on labor organizations is one of the Massachusetts Legislature (ch. 62) relating to banks, requiring, among other data to be reported quinquennially, the amount of deposits made by labor organizations.

COOPERATIVE ASSOCIATIONS.

Several States enacted or amended laws on the subject of the organization of cooperative associations, some of them making but slight distinctions between such bodies and corporations generally, while in other cases the separation is more complete. In practically all cases both productive and consumptive associations are provided for, while in most cases reference is made to the distribution of profits, based either on the amount of purchases or on the amount of wages or earnings of the employees, according to the nature of the association. These acts are not reproduced in the text of the bulletin, since their provisions on the subject of labor are very scanty, and in many cases absolutely lacking. The Colorado statute (ch. 57) is supplemental to an earlier act, and authorizes three or more persons to incorporate for productive activities in agriculture, horticulture, etc. The Illinois statute (p. 325) restricts the number of shares an individual may hold to five, the value of each share being not less than \$5 nor more than \$100. In Iowa (secs. 1641-r1 to 1641-r20) an individual member may have not more than \$1,000 of stock and not more than 1 vote. The Kansas law (ch. 159) restricts individual ownership to 5 per cent of the capital stock. In North Carolina (ch. 144) a single member may hold 20 per cent of the stock, but is entitled to but 1 vote. In Oregon (ch. 226) at least five persons must incorporate, and any member may have but one-fifth of the stock, and not more than 1 vote, no proxies being allowed. The Wyoming statute (ch. 145) requires five organizers, but permits an individual to hold one-third of the stock, not more than \$1,000 in value; members have but 1 vote each, regardless of stock held.

ARBITRATION OF LABOR DISPUTES.

The most interesting action in this field for the current year is that taken by the Legislature of Colorado (ch. 180) in connection with the creation of a State industrial commission. This body is required "to do all in its power to promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees, and to avoid the necessity of resorting to strikes, lockouts, blacklists, discriminations, and legal proceedings in matters of employment." Employers and employees are directed to give notice at least 30 days in advance of any intended change affecting conditions of employment with respect to wages or hours. It is made an unlawful act for any employer to declare or cause a lockout, or for any employee to go on strike on account of any dispute prior to or during an investigation, hearing, or arbitration by the commission or an arbitration board appointed by it, and both parties to a dispute are forbidden to make any change in the conditions of employment where a dispute has been made the subject of an arbitration, hearing, or investigation by the commission or board until such dispute has been finally dealt with. The findings of the commission or any board of arbitration appointed by it are not binding upon the parties unless they have made a prior agreement in writing to accept and be bound by them, or have agreed to accept and be bound by any rulings made known to them. Findings of the commission are subject to review by the courts on appeal. In Indiana (ch. 118) boards may be appointed for the occasion for the adjustment of labor disputes, the governor appointing either on his own motion or on application by either party. The boards have power to compel attendance of witnesses, and may mediate or arbitrate, if an agreement is made to that effect, and are authorized to investigate and publish their findings. In Michigan (ch. 230) the State board is to be appointed by the governor, consisting of a commissioner on salary and one other who receives a per diem for services when employed. The act applies to railroads, mines, and public utilities, though other employments may come within the operation of the law on agreement of the parties in interest. If this board is unsuccessful in mediation, four arbitrators are to be chosen, one by the employer, one by the employees, these two to choose the others; if these four fail to reach an agreement, the board may name an umpire. Parties must make and acknowledge agreements of submission, and hearings and findings by such arbitration boards are to be reported to the State board.

CIVIL RIGHTS OF EMPLOYEES.

A statute of West Virginia (ch. 27) relates to the protection of employees as voters, classing as "corrupt practice" the giving of any notice or information containing threats express or implied for

the purpose of influencing employees in their political views or acts. In California (ch. 38) and Nevada (ch. 62) laws were enacted for the protection of employees as candidates for political office. The California statute applies only to employers of 20 or more persons, while in Nevada damages may be recovered by an injured employee in addition to the penalty assessed under the criminal phase of the law. In Alaska (ch. 25) employers are directed to allow their employees two hours in which to vote, without loss of wages. Employees must give notice in advance of their intention to absent themselves.

A type of legislation that has received attention hitherto as labor legislation related to voting by railroad employees, providing for their voting at other points than the place of residence. A later development of this law includes any person who is necessarily absent from his home precinct, so that the labor aspect is in a sense swallowed up in the more general provisions, though of course railroad and similar employees may still enjoy the benefits. Laws of this type were enacted this year in Colorado (ch. 76), Iowa (secs. 1137-b to 1137-o), Nevada (ch. 285), Washington (ch. 189), and Wisconsin (ch. 461). The laws of California, Nevada, and Washington provide that duly registered voters may procure certificates of registration from the proper officers, and may vote anywhere in the State by presenting such vouchers and complying with prescribed formalities, the ballot being forwarded to the home precinct to be counted. In Iowa and Wisconsin ballots are furnished, with self-addressed envelopes, the marking of the ballot to be done in the presence of some official, who forwards the same in a sealed envelope to the precinct where the voter is entitled to cast his ballot, where it is retained until election day and the envelope opened.

EMPLOYMENT OFFICES—UNEMPLOYMENT.

Of the two types of employment offices, the free public office and the private office for gain, the former is in so large a degree a method of relief for unemployment that the increasing legislative activity relating specifically to unemployment will be considered under this head.

The Legislature of California (ch. 302) provides for the establishment of free public employment offices in four designated cities, authorizing also others to be established if the commissioner of labor should deem it necessary; \$50,000 is appropriated to pay the expense of this undertaking. In Idaho (ch. 169) public offices are to be established by municipalities having a population of 5,000 and upward, and smaller municipalities also if deemed advisable, in which fees are to be charged for the maintenance of expenses; the amount of the fee

is fixed at \$1 for jobs outside the municipality and 50 cents for those inside. If no separate office is established one is to be opened in an office of the police judge or justice of the peace of the locality. Private employment offices charging fees from persons seeking employment are forbidden. This prohibition does not interfere with the operation of teachers' agencies or with bureaus maintained by benevolent and charitable institutions. In Illinois (p. 414) an act establishes a general advisory board of five persons to be appointed by the governor, who are to serve without compensation; however, they are allowed \$200 each for expenses. It is the duty of this board to promote the efficiency of public employment offices which are to be established in cities of prescribed population, the law providing for numbers of such institutions varying with the population of the city. This board must also cooperate with other agencies interested in the placing of workmen, including Federal agencies. Local boards may be appointed by the State board and the secretary of the bureau of labor statistics, and all appointees are instructed to seek to remedy unemployment by various methods named in the act. Applicants for employment are to be informed as to the existence of any labor difficulties in the places of employment recommended to them.

A law of Iowa (secs. 2477-g1 to 2477-g3) provides for the establishment of a State bureau of employment at the capital, where a registry of unemployed persons is to be maintained, copies of which are to be sent to the clerks of all towns of 500 or more population at least once per month, but not oftener than once per week. The Michigan statute on this subject was amended (act No. 216) by naming three additional cities in which free public offices are to be maintained, and providing that salaried managers must give all their time to the duties of their appointment. In Nebraska (ch. 75) the Omaha welfare board, to be selected as provided by city ordinance, is given power to establish a free public employment office. Such offices are authorized in the department of labor of New Jersey (ch. 47) and elsewhere in the State as the commissioner of labor may deem best. These offices are not only to serve as places of registration, but are to promote industrial and agricultural training and employment, investigate the extent and causes of unemployment, provide employment, keep records of strike and labor disturbances, etc. In the performance of these duties they may cooperate with municipalities, other States, and the Federal Government. An Oklahoma statute (ch. 222) provides for the establishment of a free public office at Tulsa. More general is the act of Pennsylvania (No. 373), which contains provisions largely comparable to those of New Jersey above. A central office is to be maintained at Harrisburg, with a director who serves at the will of the commissioner of labor and acts as the agent of employer and workman, and investigates causes and

remedies of unemployment. A board and advisory councils are provided for, with a superintendent for each branch office, appointed by the commissioner. Cooperation with municipalities is permitted for the purpose of establishing local offices, and in general the director is to cooperate with any person or authority whatever in the performance of his duties generally. A statute of the Philippine Islands act (No. 2449) amends existing law so as to permit public employment offices to charge a fee from employers, the amount to be fixed by the director of labor and approved by the secretary of commerce and police.

The regulation of private employment offices is involved in the statute of Idaho already mentioned, which forbids the taking of any fees from persons seeking employment. A statute of Washington (ch. 1) is in effect prohibitive, forbidding fees "directly or indirectly" from anyone seeking employment or from anyone in his behalf. In Alaska (ch. 76) practically the same end seems likely to be accomplished by the fixing of a license fee of \$500 per year from any agency collecting fees from employees. More properly regulative in its form is a statute of California (ch. 551) amending the act of 1913 on the subject, which increases the license fee from \$50 to \$100 in cities of the second class and above and from \$25 to \$50 in cities of the third and fourth classes. No registration fee is to be charged, and no fee whatever collected unless a bona fide order for employment was received by the agency. The requirement of the return of the fee where employment is not actually secured is modified so as to permit but a partial return if the commissioner of labor so approves. If a license has been revoked for violations of the law, no reissue may be had for three years thereafter; methods of hearing an appeal after revocation are provided. An amendment of the Connecticut statute consists (ch. 238) in striking out the provision as to a delay of one month before the return of the fee if no place is secured, and also the proviso as to demand to be made within 30 days after the end of the month, returns to be made "forthwith." The law of Maine is amended (ch. 38) by permitting a registration fee if charges are not paid in advance to be \$1.25, the cash fee for registration being \$1. This charge is to be canceled if no job is secured. Sixty dollars is the annual license fee for private employment offices in Nebraska (ch. 209), and a bond of \$2,000 must be given as a guaranty of compliance with the terms of the act. The statute places restrictions on the places where offices may be maintained, requires a register to be kept, and provides for inspection by the State labor commissioner. Receipts given to workmen must show all charges, the fee to be returned if no place is secured if failure is not due to fault of the applicant—also travel expenses if the applicant was sent beyond the limits of

the city. Dividing fees with employers is forbidden, and employers importing labor are required to fulfill their contracts.

The Oregon statute (ch. 128) fixes the scale of license fees according to the population of the locality, and requires an approved bond. The law also establishes a scale of fees to be charged applicants for employment, varying with sex and salary or wage. Correct receipts must be given and the return made of the fee and railroad fare, if any, if the facts are not as reported by the agent. Partial returns are to be made if the workman is discharged after two days and before the expiration of six days of employment. Employers are liable for acts done in bad faith and must fill out a statement printed in blank on the back of the workman's receipt if the employee is discharged within six days. A new statute was enacted in Pennsylvania (act No. 397) repealing existing laws, providing a license fee of \$50, and requiring a bond in the amount of \$1,000. The commissioner of labor is to issue rules for the governing of such offices. A copy of any contract used by agents, and schedules of fees to be charged by them must be filed with the commissioner and be approved. No registration fee can be charged, and fees are returnable if the workman fails through no fault of his own to secure a position. Dividing the fees is prohibited, and the schedule of all fees is to be posted in the offices affected by the law. Other provisions of the statute authorize the commissioner of labor to inspect labor camps, taking note of the education and social welfare of aliens, and of the sale of steamship tickets, orders for transportation, and the like. In the Philippine Islands (act No. 2486) an annual tax of ₱500 (\$250) is levied on persons or corporations engaged in securing workmen for service outside the Province of their residence. This tax is charged for each Province in which operation is carried on, and is in addition to a general license fee of \$3,000 payable to the insular treasury. Such agents must return workmen to their homes when the term of their employment has expired. The Governor General of the islands may appoint a commissioner or commissioners for service outside the islands to hear complaints of Filipino laborers, arrange differences between employers and workmen, and look after contracts. No contract may be made with minors between 15 and 18 years of age without the written consent of parents or guardians. A statute of Rhode Island (ch. 1233) provides that the board of police commissioners, or if no such board, then other local authority shall issue licenses to private agencies; such licenses may be of different classes, and the board or other authority is to fix the license fees, rates of charges, and make regulations for the conduct of the business.

In Texas (ch. 108) an annual fee of \$25 is charged for license, and the amount of the bond is fixed at \$500. A registry is to be kept, and

the commissioner of labor statistics is charged with the enforcement of the law. The amount of the registration fee may not exceed \$2, for which a receipt must be given, and return may be had on demand within 30 days if no place of employment is secured. A new section is added to the laws of Wisconsin (ch. 115) relative to the establishment of agencies for women only. Persons applying for help are to be furnished by the agent with an application blank in which must be stated the nature of the work to be done and the wages to be paid. This act, like practically all other acts of this class, forbids the sending of any female to places of immoral resort, and likewise prohibits any immoral person from frequenting the offices. A permanent registry must be maintained of persons sent out and places filled, which registry must be open to inspection by the proper officers and by parents or guardians of girls who have been patrons of the office.

Direct provision for unemployment is made by a statute of Idaho (ch. 27) which authorizes county boards of commissioners to provide emergency employment for citizens of the United States who have been six months in the State of Idaho. Such employment is to be furnished on highways or at other work, at rates to be fixed by the boards. Failure or refusal to perform with reasonable diligence the labor furnished is punishable by debarring the applicant from any work for one week, the penalty for a second offense being a bar from employment for one year. Not more than 60 days' emergency work of this kind may be furnished a single person within the period of one year. Accounts are kept of expenditures on this behalf, and the State reimburses the county for one-half such expenses. Acts of Massachusetts (ch. 4, 5) direct the metropolitan park commission to furnish work for unemployed persons on parkways and boulevards, and on the park reservations under the control of the commissioner. A resolution of the same legislature (res. 2) directs the State forester to furnish employment to needy persons, preference being given to residents of the State and to those having dependents. The New Jersey Legislature (ch. 43) authorizes the common council of cities or other bodies in charge of departments of municipalities employing unskilled labor to select "from the needy poor of such city or other municipality" residents for the purpose of performing such public work as may be assigned to them by way of relief. More of an advisory nature is a resolution of the Oregon Legislature (H. J. res. No. 14), urging the State board of control to have State work done at times when there is the largest amount of unemployment in the State; municipalities and all other employers are also urged to so arrange work desired by them as to furnish employment at all seasons of the year. The California Legislature (J. res. No. 14, ch. 26) preferred a request to Congress to the effect that that body should

investigate the causes of unemployment and adopt suitable remedies therefor; while the Legislature of Illinois took the matter in its own hands (S. J. res. No. 12) and appropriated \$5,000 for the use of a commission to be appointed by the governor, consisting of three laborers, three employers, and three representatives of the public, whose duty it is to investigate the causes of unemployment and its effects in the State. Ten dollars per diem is allowed while on this service, and a report is to be made to the governor and general assembly at its next session, including findings, bills, etc.

A form of unemployment insurance is the subject of an act of the Michigan Legislature (No. 37), which authorizes not less than five railway conductors, engineers, and officials to form mutual companies for the purpose of insuring themselves against loss of position by discharge or retirement. Articles of agreement are to be submitted to the commissioner of insurance and approved by him, and a minimum capital of \$25,000 must be provided before business is begun. Another act of this legislature (No. 39) amends an earlier law of similar intent, applicable to railway and street railway employees, authorizing the formation of associations of not less than seven members, providing for an indemnity not in excess of \$500 in case of discharge or retirement. Such corporations are to be conducted in accordance with the provisions of the general cooperative and mutual benefit laws of the State.

Noticed here partly because of its potential effect on the question of employment and partly for lack of a better classification is an initiated measure of the State of Arizona (p. 19) authorizing the State to engage in any work of manufacture or public utility. The business of banking may be engaged in and a State printing establishment may be set up for the printing of school books and doing the State printing. A general appropriation of necessary funds is made.

VOCATIONAL EDUCATION.

The subject of vocational or industrial education has received increasing attention in the legislatures of the United States, and while the laws are outside the scope of labor legislation, strictly speaking, a list of the laws enacted this year is here introduced as showing the extent of the interest and furnishing a reference list for the benefit of any who may desire to make use of it. Enactments in this field, new or amendatory, are to be found in the laws of Connecticut (ch. 263), Delaware (ch. 256), Indiana (ch. 78 applicable to the city of Indianapolis only), Maine (chs. 90, 143), Minnesota (ch. 239), Nebraska (ch. 234), Nevada (ch. 149), Pennsylvania (act No. 162), Vermont (act No. 69), and Wisconsin (chs. 238, 515).

BUREAUS OF LABOR.

A number of important changes were made under this head, either by way of creation or reorganization. In Colorado (ch. 180) an industrial commission was created with authority to inspect factories and mines and enforce the laws applicable thereto, as well as other laws having regard to the safety of employees. The commission is authorized to adopt rules to this end, supervise employment agencies, public and private, and is to take action in general for the promotion of the welfare of labor. The body is charged with the administration of the compensation law of the State and with the duty of arbitration and mediation as discussed under another head. In Connecticut (ch. 255) a department of labor and factory inspection is created, which unites the bureau of labor statistics and the office of factory inspector, the title of the head of the office being the commissioner of labor and factory inspection. The office is to consist of a labor bureau and a department of factory inspection, the duties being those designated in existing statutes. The salary of the commissioner is \$3,000 and expenses, and that of the deputies \$1,800. A member of the State Industrial Commission of Nevada is designated by the governor as labor commissioner (ch. 203), with the duty of enforcing labor laws, to which end he may cooperate with State and national authorities. It is his duty to enter and inspect all work places and report on sanitary and labor conditions in the State, including convict labor, employers' hospitals, labor organizations, employment offices, etc. In New Jersey (ch. 351) the department of labor absorbs the bureau of industrial statistics, taking over both its duties and the employees of the bureau. The Industrial Commission of New York, created by chapter 674, is the head of the State department of labor, and consists of five commissioners appointed by the governor with the advice and consent of the senate for terms of six years each. There is also an industrial council of 10 persons appointed by the governor, consisting of five employees and five employers, who act in an advisory capacity with the industrial commission and the civil service commission, but receive neither salary nor expenses. Deputy commissioners are to be appointed for inspection, workmen's compensation, and mediation and arbitration. There are to be six bureaus, named in the law, and others may be added as the commission may deem necessary. The commission must meet at least once a month, make investigations as to labor generally, and make rules governing safety, sanitation, and labor conditions. These rules have the force and effect of law, but may be reviewed on petition; appeals lie to the courts. A legal-aid service for the benefit of working people is also to be maintained. This statute abolishes the office of commissioner of labor, with which falls the industrial board,

and also the workmen's compensation commission. The orders and rulings of the abolished bodies stand until superseded. The West Virginia statute on this subject is entirely rewritten (ch. 12), but without much material change. It provides, however, for two factory inspectors at \$1,200 each and expenses, for a chief clerk at \$1,200, and a stenographer at \$900. The salary of the commissioner is increased from \$1,200 to \$2,400 per annum.

Of less general effect are amendments of the California statute (chs. 484, 547, 550), the first committing the enforcement of all labor laws not specifically committed to other officials to the hands of the commissioner of labor statistics; the second expanding the law as to the power of the commissioner with reference to subpoenaing witnesses and industrial inspections; and the third authorizing the appointment of two deputies not localized as in the former law. The limitation of \$5 per diem as payment to agents is removed. Separate offices may be maintained in four cities named, and elsewhere if desirable, subject to a limitation of \$400 per month for rent. The salary of the commissioner is increased from \$3,000 to \$4,000, and the expense fund of the bureau from \$20,000 to \$40,000. By a statute of Delaware (ch. 66) the child-labor commission of that State is abolished and a labor commission created. This commission consists of five members appointed one from each of the three counties of the State and two members at large. It is the duty of this body to appoint all officials and employees charged with the enforcement of the laws relative to child and female labor. No salaries are provided, though a secretary may be paid the amount of \$100 per year. The Iowa statute is amended (secs. 2470, 2473) by authorizing the commissioner of labor statistics to issue bulletins from time to time, and by striking out the limitation "five or more employees," so as to make all places of employment subject to inspection instead of only those having the number of employees above named. An amending act of the Legislature of Maine (ch. 348) increases the amount to be paid to agents of the department of labor and industry to \$5 per day instead of \$3. The same act fixes the appropriation for all purposes for the department at a total of \$7,000 instead of \$8,000 as before. The Michigan Legislature (act No. 218) increased from \$40,000 to \$45,000 the amount at the disposal of the department of labor of that State for the performance of all its duties except that of printing the report of the department. Amendments to the North Carolina statute (chs. 157, 177) relate only to salaries, that of the commissioner being fixed at \$3,000, and the assistant commissioner being advanced from \$1,600 to \$2,000. The Ohio Legislature (p. 26) reverses the customary procedure, and reduces the salaries of the members of the industrial commission from \$5,000 to \$4,000 per annum. Another act (p. 508) relates to the duties of this commission as to

the making of annual reports, which are to cover the operations and execution of all laws administered by it. A number of additional officers are provided for in the department of labor and industry of Pennsylvania (act No. 88); another act (No. 314) provides for a municipal statistician in the bureau of statistics and information of the department of labor and industry, but this official would appear to have no connection with questions concerning labor. A statute of Utah (ch. 63) relates only to salaries and expenses of officials, the salary of the commissioner being advanced from \$1,800 to \$2,400, with a travel fund of \$600 instead of \$500 as formerly. Deputy commissioners receive \$1,000 per annum instead of \$800 as formerly, while the deputy acting as chief clerk receives an additional sum for this service of \$800 instead of \$600 as formerly. The annual appropriation, general and special, for the Industrial Commission of Wisconsin is \$116,650 for the year 1916 (ch. 541).

HOUSING.

Here again is a subject which lies rather beyond the scope of labor legislation, though its purpose is the aiding of persons of small means, and in some cases avowedly employed persons, to secure homes or other real estate. The Massachusetts law providing for a homestead commission whose duty it is to seek to assist mechanics, factory employees, etc., in acquiring homesteads or small plots of ground was amended (ch. 129) by mere verbal changes; an Oklahoma statute (ch. 34) authorizes loans of the educational funds of the State on homes occupied by the borrowers in amounts not exceeding \$2,000 to an individual or family. Loans are to run for $23\frac{1}{2}$ years with semiannual reductions, interest to be paid at the rate of 6 per cent on unpaid balances. Home-ownership bonds may also be used in amounts convenient for small investors, all loans to be used only for the purpose of buying a home, paying for a mortgage, or making permanent improvements. In Porto Rico (act No. 35) the commissioner of interior is to set aside lands for dwellings and for farming purposes, selling the subdivided property to persons of small means, allowing 11 years for payment for lots and 13 years for payment for farms. Mention may be made of other acts which lie still further outside the usual range of labor legislation, one of Kansas (ch. 96) providing for rural credit loans, and laws of Massachusetts (ch. 268) and North Carolina (ch. 115) providing for the organization of credit unions.

CONVICT LABOR.

A very considerable number of laws were enacted on this subject, most of them being of minor importance. One of California (ch. 13) relates to the sale of jute bags made by convicts, while

chapter 124 regulates the use of convicts on highways. A Connecticut statute (ch. 180) also authorizes the county commissioners to employ convicts on bridges, highways, and adjacent property; while another act (ch. 278) authorizes their employment generally outside the prison walls under the control of officers of the prison. In Florida (ch. 6915) State convicts may be hired to the county for road work, the charge for first-class convicts being \$10 per month and third class \$1 per month. Ten hours constitute a day's labor, counting from the time of leaving the stockade to the return thereto. If convicts are not thus leased, they are to be employed on State farms. In Idaho three statutes (chs. 64, 77, 141) provide in various ways for the employment of convicts of different classes on highways or other public or county work. When employed on highways convicts are to receive \$5 per month as wages. In Illinois also (p. 555) is found an enlargement of the provisions as to the employment of convicts on public roads. An Iowa statute (secs. 5718-a11, 5718-a11a) provides for the employment of convicts, prescribing State account, State use, and public works and ways systems. Those in charge are to keep in view the development of the intellectual and moral capacity of the convicts, and must teach them useful trades and callings. Present contracts are to be completed but none renewed. Compensation may be paid convicts for their labor, a part of which may be sent to their families. A Kansas statute (ch. 58) prohibits the employment of any convict to labor for private citizens outside the prison grounds. Laws of Massachusetts (chs. 177, 260) look to the employment of convicts on highways or for the preparing of road material at prison camps, for which latter purpose machinery may be provided. The Michigan law is also amended (act No. 132) relative to the employment of convicts on highways.

The establishment of county work farms is the subject of an act of the Minnesota Legislature (ch. 212). The manufacture and sale of binder twine are considered in acts of the Missouri Legislature (pp. 216, 217), the latter also providing that the contract system may be used for not more than one-half the convicts of the State, and authorizing the making of articles for State use and on public account. An eight-hour day for labor is prescribed. In Montana (ch. 106) the question is to be referred to popular vote as to an issue of bonds for the purpose of raising money to establish a twine factory to be operated by convicts of the State. Several acts were passed by the Nebraska Legislature, one (ch. 129) authorizing the employment of convicts on new buildings and improvements on State institutions, another (ch. 137) amending several sections of the penal law governing employment of prisoners, directing that competition with free labor be avoided, that the State use system be carried out, that con-

victs be let out to counties, cities, etc., and that an effort be made to make the penitentiary self-sustaining. Earnings may be allowed convicts, one-half to go to their families. Another amendment (ch. 180) relates to the county workhouse law and provides for contracts for labor of county convicts where it is not needed for the counties; chapter 240 provides for extra good time to be allowed to outside workers; while chapter 285 relates specifically to employment on a street of the city of Lincoln. A statute of Nevada (ch. 222) directs that stone for the new penitentiary shall be cut by convict labor. In New Jersey (ch. 360) convicts are to be taught farming and may be employed to do the necessary work on demonstration farms. Farm work is also encouraged by a New York statute (ch. 457) providing that penal institutions shall furnish farm products to other State institutions. Another act of this legislature (ch. 282) classifies the productive penal institutions of the State, including workhouses and county jails therein, and provides methods of contracting for work for other institutions. Another amendment (ch. 288) relates to the earnings of convicts, restricting the allowances to convicts to 10 per cent of their product, not over 20 cents per day, payments varying according to the grade of the convict as determined by his conduct.

In North Carolina (ch. 140) county farms may be leased or purchased for the employment of prisoners or they may work on the county roads. Statutes of North Dakota (chs. 190, 191) amend the laws as to the manufacture and sale of bricks and as to the work on public highways. Wages paid convicts may be paid in the amount of one-half to their dependents. An act of the Ohio Legislature (p. 199) amends a section of the laws which regulates the purchase of materials and machinery and the method of crediting earnings of convicts. The highway law of this State was rewritten this year (p. 574), and the use of convicts in road work was provided for. Similar provision was made in an act of the Oklahoma Legislature (ch. 173); another act (ch. 57) looks to the establishment of a steel plant for the production of steel work for bridges and public buildings of the State. Compensation may be allowed prisoners for overtime worked. In Oregon (ch. 251) the law contemplates the equipment and operation of a flax mill by prisoners, and also labor on highways. An act of the Pennsylvania Legislature (No. 289) provides for the employment of prisoners under the State use system or in industrial training. Eight hours of labor per day is prescribed, and wages ranging from 10 to 50 cents per day may be allowed, all or any part of which may be paid to dependents. Other acts (Nos. 347, 359) provide for work on highways with a wage allowance of 25 cents per day, and for digging rock or other minerals on State lands, except coal. A statute of South Dakota (ch. 121) repeals

sections of the code of criminal procedure which provide for the leasing of the labor of convicts of the State. In Vermont (act No. 223) county convicts are put under the sheriff alone instead of under a board, and one-half of their earnings are to go to their families or be kept for the prisoners at the end of their term of service if no families are dependent on them. The Virginia Legislature (ch. 46) provides for the establishment of a road force from the convicts of the State. Work on streets or other public property or works is provided for by a statute of Washington (ch. 184) applicable to cities of the third class.

LAWS OF VARIOUS STATES RELATING TO LABOR ENACTED SINCE JANUARY 1, 1915.

[Bulletin No. 148 of this bureau contains the laws of the various States and Territories of the United States relating to labor in force Jan. 1, 1914, with the exception of the compensation acts, which appear in Bulletin No. 126. Later enactments are reproduced in Bulletin No. 166, which contains the labor legislation of 1914, in Bulletin No. 185, which contains compensation laws and amendments enacted during the years 1914 and 1915, and in the present bulletin, which contains the labor legislation of 1915, with the exception of the compensation laws, these bulletins being in effect supplements to the bulletins named. Instead of reproducing the text of the law in full in cases where slight changes occur, such changes have in some instances been indicated in brief notes, these notes being inclosed within brackets. A cumulative index of the laws printed in Bulletins Nos. 148 and 166 and in the present bulletin is to be found on pages 453 et seq.]

ALABAMA.

ACTS OF 1915.

No. 169.—*Employment of children—Factory regulations.*

SECTION 1. On and after September first, 1915, no child under thirteen years of age, and on and after September first, 1916, no child under fourteen years of age shall be employed, permitted or suffered to work or be employed in any gainful occupation, except agriculture or domestic service: *Provided, however,* That boys twelve years of age and over may be employed in business offices and mercantile establishments in cities or towns under twenty-five thousand population, according to the latest Federal census, during such time as the public schools in the city or town in which the child resides are not in session.

Age limit.

SEC. 2. No child under sixteen years of age shall be employed, permitted or suffered to work in any gainful occupation except agriculture, or domestic service for more than six days in any one week, or more than sixty hours in any one week, or more than eleven hours in any one day or before the hour of six o'clock in the morning, or after the hour of six o'clock in the evening. The presence of any child under sixteen years of age in any mill, factory or workshop, laundry or mechanical establishment shall be prima facie evidence of its employment therein.

Hours of labor.

Night work.

SEC. 3. It shall be the duty of every employer to post and keep posted in a conspicuous place in every room where any boy under the age of sixteen years or any girl under the age of eighteen years is employed, permitted or suffered to work, a printed notice stating the maximum number of hours such person may be required or be permitted to work on each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner or for other meals. The printed form of such notice shall be furnished by the inspector hereinafter named, and the employment of any minor for a longer time in any day than so stated, or at any time other than as stated in said printed form of notice shall be deemed a violation of the provisions of this act.

Schedule to be posted.

SEC. 4. No person under the age of eighteen years shall in any city of twenty-five thousand population, or more, according to the

Messengers.

latest Federal census, be employed, permitted or suffered to work as a messenger for any person, firm or corporation engaged in the business of telegraph, telephone or messenger service, in the distribution, transmission or delivery of goods or messages after the hour of nine o'clock in the evening or before the hour of five o'clock in the morning of any day, and in any city or town under twenty-five thousand population no person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for any person, firm or corporation engaged in such service, in the distribution, transmission or delivery of goods or messages after ten o'clock in the evening, or before five o'clock in the morning of any day; and no person under twenty-one years of age shall be employed in any establishment where intoxicating liquors are manufactured or sold.

Dangerous employments. SEC. 5. No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: (1) Operating or assisting in operating any of the following machines: (a) Circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood polishing machinery; (f) wood turning or boring machinery; (g) machines used in picking wool, cotton, hair, or any other material; (h) job or cylinder printing presses; (i) boring or drilling presses; (j) stamping machine used in sheet metal or tinware, or in paper or leather manufacturing, or in washer or nut factories; (k) metal or paper cutting machines; (l) corner staying machines; (m) steam boilers; (n) dough brakes or cracker machinery of any description; (o) wire or iron straightening or drawing machinery; (p) rolling mill machinery; (q) power punches or shears; (r) washing, grinding or mixing machinery; (s) laundering machinery; (2) or in proximity to any hazardous or unguarded gearing; (3) or upon any railroad, whether steam, electric or hydraulic; (4) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State.

Same. SEC. 6. No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity—(1) in, about or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of dangerous or poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about or in connection with any mine, coal breaker, coke-oven or quarry; (12) nor in assorting, manufacturing or packing tobacco; (13) nor shall any child under the age of sixteen years be employed upon the stage of any theater or concert hall, or in any connection with any theatrical performance or other exhibition or show.

Register. SEC. 7. It shall be unlawful for any firm, person or corporation to employ, permit or suffer any child under sixteen years of age to work in any gainful occupation, except agriculture or domestic service, unless such person, firm or corporation keeps on file for the inspection of the officials charged with the enforcement of this act, an employment certificate, as hereinafter prescribed, for every such child and unless such person, firm or corporation, keeps on file for the inspection of the officials charged with the enforcement of this act, a complete list of all such children employed therein: *Provided, however,* That in the cities or towns under twenty-five thousand population boys between the ages of twelve and fourteen years shall not be required to have such certificate for employment in business offices and mercantile establishments during such times as the public schools are not in session. The inspector charged with the enforcement of this

Certificate.

act may make written demand on any employer in whose establishment a child apparently under sixteen years of age is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall furnish him within ten days evidence satisfactory to him that such child is in fact sixteen years of age or over, or shall cease to employ or permit or suffer such child to work therein. Such official may require from such employer the same evidence of age of such child as is required for the issuance of any employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child. In case such employer shall fail to produce and deliver to such official within ten days after such demand, such evidence of the age therein required of him, and thereafter continue to employ such child or permit or suffer such child to work in such establishment, proof of the giving of such notice and of such failure to produce and file such evidence shall be prima facie evidence in any prosecution that such child is under sixteen years of age, and is unlawfully employed.

Sec. 8. No child under sixteen years of age shall be employed or be permitted to work, or be detained in or about any mill, factory or manufacturing establishment in this State, unless such child shall attend school for eight weeks in every year of employment, six weeks of which shall be consecutive. School attendance.

Sec. 9. It shall be the duty of the superintendent or principal of schools in cities or towns to issue the employment certificates mentioned in the foregoing section, or to authorize a person in writing to issue such certificates, acting in his name. Where there is no superintendent or principal of schools, said certificate shall be issued by the county superintendent of education or by a person authorized by him in writing. Who issues certificates.

Sec. 10. The person authorized to issue employment certificates shall not issue such certificates unless the child in question, accompanied by its parents or guardian, or person standing in parental relation thereto, has personally made application to him therefor, and until he has received, examined, approved and filed the following papers duly executed: (1) A school record signed by the principal or teacher of the school last attended by said child, stating that such child has attended school for at least sixty days of the year immediately preceding the date on which the certificate is issued, and stating also the age and date of birth of said child, as shown on the records of the school, and the name and address of the parent, guardian or custodian: *Provided*, That such evidence of school attendance outside of the State of Alabama, may be accepted at the discretion of the officer issuing these certificates; (2) one of the following evidences of age, showing the child to be fourteen years of age or over or if before September 1st, 1916, thirteen years of age or over, to be required in the order herein designated: (a) A duly attested transcript of the birth record of said child, filed according to law, with any officer charged with the duty of recording births, (b) or, a passport or duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child, (c) or, in case the officer authorized to issue such certificate is satisfied that none of the above proofs of age can be produced, other evidence of the age, such as the affidavit of the parent, guardian or custodian of such child, as shall convince such officer that the child is fourteen years of age or over, or, if before September 1st, 1916, thirteen years of age or over. The superintendent of schools in any city, town or district, wherever there is one, and where there is none, the county superintendent of education, shall between the first and tenth days of each month, transmit to the office of the State inspector hereinafter mentioned, a report, which report shall give the name of each child to whom a certificate has been granted, or denied during the preceding month, together with the ground of such denial. Evidence.

A refusal or failure to transmit such report by any person charged under this section with the duty of transmitting the same to such State official, shall constitute a misdemeanor, punishable by a fine of not more than twenty-five dollars nor less than five.

Contents of certificate. SEC. 11. Such certificate shall state the full name, place and date of birth of such child with the name and address of the parent, guardian, or persons sustaining the parental relationship to such child, and shall contain a statement signed by the issuing officer that the child has personally appeared before him and that satisfactory evidence has been submitted that said child is fourteen years of age or over, or, if before September 1st, 1916, thirteen years of age or over. The printed form of the certificate, and other papers required in the issuing of employment certificates, shall be drafted by the State inspector, hereinafter mentioned, and furnished by him to the local and county superintendents of education.

Return. SEC. 12. On the termination of the employment of a child under the age of sixteen years, the employment certificate shall be returned by the employer holding the same, to the child to whom it is issued, or if the certificate of such child is not claimed by such child within ten days after the termination of its employment, it shall be returned by the employer to the school authority by whom it was issued.

Street trades. SEC. 13. No boy under twelve years of age, and no girl under eighteen years of age, in any city of twenty-five thousand population, or more, according to the latest Federal census, shall distribute, sell, expose, or offer for sale, newspapers, magazines, periodicals, handbills or circulars, or be employed or permitted or suffered to work in any other trade, or occupation performed in any street or public place: *Provided, however,* That boys ten years of age or over may engage in the distribution of newspapers and periodicals on fixed routes in the resident districts of such cities. No boy under sixteen years of age shall engage in any such street occupation in any city of twenty-five thousand or more population, according to the latest Federal census, after eight o'clock at night, or before five o'clock in the morning of any day; or unless he has secured and wears in plain sight a badge as herein provided; or unless he is a regular school attendant. Such badge shall be provided and issued by the superintendent of schools or some person designated by him in writing, and shall be granted only after the child has applied to him personally, accompanied in person by his parent, guardian or custodian, and has submitted satisfactory proof that he is twelve years of age or over; or if engaged only in distributing papers or periodicals on fixed routes in the resident districts, ten years of age or over and that he is a regular attendant. Such badge shall be renewed annually on the first day of January and shall not be transferable, and the form, design or color shall be changed annually. A deposit of not more than fifty cents may be required by the person issuing same, to be returned upon the surrender of the badge, and if lost, the badge may be replaced upon the payment of twenty-five cents. Any child who shall engage in any such street occupation, in violation of the provision of this section, shall be deemed delinquent and brought before any court or magistrate having jurisdiction over juvenile delinquents, and shall be dealt with according to law. Use of a badge may be revoked or suspended by said court or its authorized representatives upon such violation, or in case the child's school record is not satisfactory to the principal of the school which he attends. Any person who sells, or offers for sale any article of any description to a boy under sixteen years of age to be used for the purposes of sale or barter upon the streets, or in any public place, shall first ascertain that such boy wears his own badge in plain sight, as herein provided, and if said boy has no badge no article shall be sold by him. Any person violat-

ing this provision shall be fined not less than one, and not more than fifty dollars. The police officers and other peace officers shall enforce the provisions of this section.

SEC. 14. It shall be the duty of the State prison inspector and his authorized assistants to inspect as frequently as possible, all establishments, wherein minors subject to the provisions of this act are, or may be, employed or permitted to work and to enforce the provisions of this act. For the purpose of administering this act, and any other laws relating to the employment of minors, the State prison inspector may be designated the State factory inspector; and his deputy inspectors may, in the performance of their duties, in enforcing the provisions of this act, be known as deputy factory inspectors. It shall be the duty of the inspectors to institute prosecution for the violation of any of the provisions of this act. The solicitor of each county is charged with the duty of prosecuting all violations of this act.

SEC. 15. Every person, firm or corporation, owning or controlling any establishment wherein minors are employed, subject to the provisions of this act, shall keep such establishment in sanitary condition, and properly ventilated, and shall provide suitable and convenient water-closets, or privies, separate for each sex, and in such number and located in such place or places, as may be required by the inspector; and when twenty or more persons are employed, sanitary drinking fountains shall be provided in such number as the inspector may deem necessary. All water closets shall be maintained inside such establishments except where, in the opinion of the inspector, it is impracticable. In all such establishments, there shall be separate water-closets or privy compartments for females, to be used by them exclusively, and notice to that effect shall be painted on the outside of such compartment. The entrance to every water-closet or privy, in such establishment, shall be effectively screened by a partition or vestibule. In every such establishment a printed copy of this act shall be kept conspicuously posted in every room in which minor persons work. It shall be the duty of the inspector to inspect thoroughly every such establishment, to issue a written order for the correction of unsanitary or unhealthful conditions in such establishment, and to compel compliance with such orders as herein provided.

SEC. 16. The inspector shall have free access at any time to any establishment where minors are, or may be employed or detained, and any person who refuses to allow the inspector to have free access to any such establishment and every part thereof; or who hinders or obstructs him in his inspection, or who makes any false statement to the inspector about the establishment, its operation or condition, or about any person working or detained therein, or who refuses to comply with any order issued under authority of section 15 of this act, shall be guilty of a misdemeanor, and shall be fined not less than fifty nor more than one hundred dollars, and on subsequent conviction shall be fined not less than two hundred dollars. It shall be the duty of the inspector to remove from any establishment any child found employed, working or detained therein contrary to law, and to remove therefrom any child who is afflicted with any infectious, contagious, or communicable disease.

SEC. 17. Any person, firm or corporation who violates any of the provisions of this act, or who permits any child to be employed or to work in or about, or be detained in, or to be in or about any establishment, contrary to law, or who fails or refuses to obey within a reasonable time, any lawful orders or directions given by the State official charged with the enforcement of this act, unless a specified penalty is herein otherwise provided, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not less than ten dollars nor more than one hundred dollars, and upon second or subsequent conviction of any violation of any of the provisions of this act, shall be punished

Inspection.

Sanitary,
etc., condi-
tions.

Entrance to
buildings.

What chil-
dren removed.

Violations.

by a fine of not less than one hundred dollars, nor more than five hundred dollars.

False statements. SEC. 18. Any person who makes a false affidavit when an affidavit is required under this act is guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than five dollars nor more than twenty dollars, and for a second or subsequent conviction shall be imprisoned not more than ninety days.

Inspectors' expenses. SEC. 19. The State prison inspector and his deputies, when traveling in the performance of their duties herein prescribed, shall be reimbursed their actual traveling expenses, when approved by the State prison inspector and by the governor to be paid on the warrant of the State auditor.

Inspectors. SEC. 20. The word "inspector" is used herein to designate or mean, the State prison inspector or his duly authorized deputies, such deputies being hereby clothed with the same duties and authority with which the State prison inspector is now or may hereafter be clothed. In the enforcement of the provisions of this act, the State prison inspector and his authorized deputies are hereby vested with the same authority as deputy sheriffs in each and every county in the State.

Repealer. SEC. 21. All laws and parts of laws in conflict with this act are hereby repealed.

Sections severable. SEC. 22. If any section of this act shall be held unconstitutional, in whole or in part, the fact shall not affect any other section of this act, it being the intention of the legislature in enacting this act to enact each section separately.

Approved February 24, 1915.

ALASKA.

ACTS OF 1915.

CHAPTER 6.—*Hours of labor in mines, smelters, etc.*

SECTION 1. Sections one (1) and two (2) of chapter twenty-nine (29) of the Session Laws of Alaska for 1913, * * * [shall] be amended so as to read as follows:

Section 1. Employment in underground mines, underground workings, open cut, open pit workings, smelters, reduction works, stamp mills, roller mills, concentrating mills, chlorination processes, cyanide processes, gypsum mines and other quarries, coal mines and in and around coke ovens, is hereby declared to be injurious to health and dangerous to life and limb. Dangerous occupations.

Sec. 2. The period of employment of working men in underground workings, underground mines, stamp mills, roller mills, open cut and open pit workings as applied to metalliferous mining, underground placer mining, smelters, reduction works, concentrating mills, gypsum mines and quarries, chlorination processes, cyanide processes, coal mines and in and around coke ovens shall not exceed eight (8) hours within any twenty-four (24) hours, except on such days as change of shift is made, excluding, however, any intermission of time for lunch or meals, and excluding also the time required in descending to and ascending from, or otherwise going to or from the place where the work is actually carried on, whether going to or coming from the place of work be in going on or off shift, or in going to or returning from meals or lunch; it being the intention of this act to limit the hours of employment in any twenty-four (24) hours to eight (8) hours of actual labor at the face or other place or places where the work or labor to be done is actually performed; except in case of emergency where life or property is in imminent danger, or in case of urgent necessity, the period may be extended during the continuance of such emergency or urgent necessity providing this act shall also apply to and include rock quarries, gypsum quarries or workings, coal mines, metalliferous lode mining, underground workings in placer mining claims, and all other kinds of underground workings of any kind or character whatsoever. Eight-hour day.

Approved, April 12, 1915.

CHAPTER 25.—*Time to vote to be allowed employees.*

SECTION 40. Any person entitled to vote at a general or special election held within this Territory, as herein provided, shall on the day of such election be entitled to absent himself from any service or employment, in which he is then engaged or employed, for a period of at least two hours while the polls of such election are open. If such elector shall notify his employer before the day of such election of such intended absence and, if thereupon two consecutive hours for such absence shall be designated by the employer and said absence shall be during such designated hours, or if the employer upon the day of such notice makes no designation and such absence shall be during any two consecutive hours while such polls are open, no deduction shall be made from the usual salary or wages of such voter, and no other penalty shall be imposed by reason of such [absence. If such] employer or person having the direction of or being in charge of persons employed by another shall violate the provisions of this section, Two hours to be allowed.

he shall be guilty of a misdemeanor and shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the Federal jail for not more than one year, or by both such fine and imprisonment.

Approved, April 27, 1915.

CHAPTER 58.—*Eight-hour law—Referendum proposition.*

Question to be submitted. SECTION 1. There shall be submitted to the electors of the Territory of Alaska, at the next general election held for the purpose of electing the members of the next legislature, the question whether or not they are in favor of a general eight-hour day for all wage earners and salary earners in the Territory of Alaska.

Duty of legislature. SEC. 4. In the event the certificate of the canvassing board shall show that a majority of the electors have declared in favor of a general eight-hour day, the aforesaid next succeeding legislature shall pass such acts as may be necessary to cause such expression of the wishes of the electors to become effective.

Approved, April 29, 1915.

CHAPTER 63.—*Mine regulations.*

[This act amends section 1 of chapter 72, acts of 1913, by increasing the salary of the Territorial mine inspector from \$2,500 to \$3,000.]

CHAPTER 69.—*Mine regulations.*

[This act amends chapter 72, Acts of 1913. Section 8 of that act (providing penalties) is repealed. Section 1 is amended by striking out the provision making Territorial mine inspector subject to the supervision and instructions of the Federal mine inspectors. The following is added:]

Appeals. *Provided, however,* That the exercise of the jurisdiction of the Territorial mine inspector or inspectors, shall be subject to the revision and review of the governor of the Territory of Alaska, and that through him an appeal may be taken subject to the review and revision by the U. S. Bureau of Mines.

[New sections 8 to 30 are also added, as follows:]

Definitions. SECTION 8. The term 'mine,' when used in this act, shall include any and all parts of any mine within the Territory, and any mining plant or equipment connected therewith underground or on the surface, which contributes, or may contribute, to the mining of ore, coal or other metalliferous or nonmetalliferous mineral product.

The term 'operator,' when used in this act, shall mean the person, firm, association, company or corporation in immediate possession of any mine or mining claim, or accessories thereof, as owner or lessee thereof, and as such, responsible for the management and condition thereof.

The words 'excavation' and 'workings,' when used in this act, signify any or all parts of a mine excavated, including shafts, tunnels, entries, winzes, raises, stopes, open-cuts, and all working places, whether abandoned or in use.

Jurisdiction of inspectors. SEC. 9. The jurisdiction of the mine inspectors shall cover all branches of mining, shaft-sinking, tunneling, quarrying, and dredging, and the machinery incident to the reduction of ores or the treatment of the material: *Provided, however,* That such jurisdiction shall apply only to the safety of the workers employed in such mining, shaft-sinking, tunneling, quarrying and dredging and around machinery incident to the reduction of ores and treatment of the material: *Provided, however,* That the Territorial mine inspector shall have no jurisdiction under this act over coal mines to be worked under lease from the United States Government.

Federal inspectors. SEC. 9½. The Federal mining inspector or inspectors shall have authority in the absence of the Territorial mining inspector, to enforce the provisions of this act. In all such cases the Federal

mining inspector shall report in detail to the governor of the Territory of Alaska all cases wherein he has invoked the aid of the Territorial mine inspection act.

SEC. 10. The mine inspector shall distribute blank forms, requiring statistics of accidents, labor and production or such other information as the governor may require, which shall be filled in and returned to the mine inspector's office, to be made and used under the same conditions and restrictions as now required by the United States Geological Survey and the United States Bureau of Mines, by the persons in charge of mines or mine workings, on or before the 31st day of December each year. Forms for reports.

SEC. 11. In any working mine, the inspector may require a sufficient number of portable, water-tight privies to be provided for the underground employees, such privies to be taken to the surface and cleaned every twenty-four hours. Sanitary provisions.

SEC. 12. Any owner, lessee, agent, operator, manager or superintendent of any mine, mill, tunnel, shaft, quarry or metallurgical works, wherein laborers are employed, or machinery used, shall provide and maintain reasonable safeguards for all cogs, gearing, belting, shafting, couplings, set-screws, conveyors, vats, rolls, and machinery of other or similar description, which it is practicable to guard, and which can be effectively guarded with due regard to the ordinary use of such machinery and appliances and to the employees therefrom, and with which the employees of any such mine, mill, tunnel, shaft, quarry, dredge, or metallurgical works are to come in contact while in the performance of their duties; and if any machinery or any part thereof, is in a defective condition and its operation would be extrahazardous because of such defect, or if any machinery is not safeguarded as provided for in this act, the use thereof is prohibited, and a notice to that effect shall be attached thereto by the employer immediately upon receiving notice of such defect or lack of safeguard, and such notice shall not be removed until such defect has been remedied or machine safeguarded as herein provided. Guards for machinery.

SEC. 13. (a) When any shaft is sunk on any vein or ore chute, or body of ore, or any shaft sunk for the purpose of mining ore, a pillar of ground shall be left standing on each side of the shaft, of sufficient dimensions to protect and secure the same, and in no case shall stoping be permitted up to or within such proximity to the shaft as to render the same insecure, until such time as the shaft is to be abandoned, when said pillar may be withdrawn. Pillars.

(b) All abandoned mine shafts, pits, or other excavations, endangering the life of man or beast, shall be securely covered or fenced.

SEC. 14. Every shaft, winze, raise or incline of steeper slope than forty degrees from the horizontal, and deeper than forty feet, through which men are obliged to travel, shall be provided with a ladderway. Suitable ladders, or footways, shall be provided to connect floors or sets in stopes and other places requiring communication in mines. Every mine shall have in addition to any mechanical means of ingress or egress, at least one proper ladder or footway communicating from the lowest workings of the mine to the surface. Ladderways.

Permanent ladderways, used for ascent or descent of persons in the mine, shall be sufficiently strong for the purpose demanded, and shall be firmly fastened and kept in good repair. In a vertical shaft, the mine inspector may, at his discretion, by an order in writing, direct that the ladder shall be inclined at the most convenient angle which the space in which the ladder is fixed allows, and every such ladder shall have a platform at intervals of not more than fifty (50) nor less than twenty (20) feet. The said platforms shall be closely covered, with the exception of any opening large enough to permit the passage of a man, and shall be so arranged that by no means could a person fall from one ladder, through the opening to the next ladder. This shall not apply to placer mines.

- Passageways.** SEC. 15. All stations or levels shall have a passageway around the working shaft so that crossing over the hoisting compartments may be avoided. All sumps shall be securely planked over. At all shaft stations a gate or guard rail must be provided and kept in place across the shaft, except when cage, skip or bucket is being loaded; but this prohibition shall not forbid the temporary removal of the gate or rail for the purpose of repairs or other operations, if the proper precautions to prevent danger to persons, are taken. This shall not apply to underground placer mining.
- Hoisting.** SEC. 16. (a) No person addicted to the use of intoxicating liquors or drugs, or under the age of eighteen years, shall be employed as a hoisting engineer.
- (b) All hoisting machinery, using steam, electricity, air, gasoline, or hydraulic motive power, for the purpose of hoisting from, or lowering into, mines of employees and materials, except shafts not exceeding three hundred (300) feet in depth, shall be equipped with an indicator, said indicator to be placed near to, and in clear view or hearing of, the engineer. This indicator must be in addition to the marks on the rope, cable or drum.
- (c) It shall be unlawful to hoist men out of, or lower men into a mine at a speed greater than eight hundred (800) feet per minute. When in running his engine at a speed greater than eight hundred (800) feet per minute, an engineer violates the express order of his employers, he, the engineer, shall be subject to the penalty herein provided.
- (d) All ropes or cables used for hoisting purposes shall be of approved quality and manufacture: *Provided*, That in shafts and winzes of over two hundred (200) feet in depth, only wire ropes or cables shall be used for hoisting purposes.
- (e) All head-frames, where men are hoisted, in places where more than twenty-five (25) men are employed, shall be so constructed as to allow at least twenty-five (25) feet above the hoist landing stage, in which the cage, skip or bucket can travel freely in case of an overwind. The mine inspector may grant permission for the use of any head frame, erected previous to the enactment of this law, which does not comply with the above conditions. This shall not apply to placer mines.
- Safety cages.** (f) It shall be unlawful for the operator of any mine to permit the hoisting or lowering of men in any shaft, deeper than three hundred (300) feet, unless an iron-bonneted safety cage, equipped with gates or doors, of sufficient size and strength to prevent a man falling onto the timbers, be used: *Provided, however*, That this provision shall not apply to shafts in the process of sinking. Every cage must have overhead bars of such arrangement as to give every man on the cage an easy and secure handhold. Every cage or skip used for hoisting men must be provided with a safety catch or catches of sufficient strength to hold the cage or skip with its maximum load at any point in the shaft in the event that the hoisting cable should break. The inspector must see that all cages and skips are equipped in compliance with this paragraph, and that on all cages the safety catches are kept well oiled and in good working condition.
- Guides.** (g) All vertical shafts, more than two hundred (200) feet in depth, from which hoisting of men is done by means of buckets, must be provided with suitable guides, and in connection with the bucket there must be a cross-head traveling upon these guides. The height of the cross-head shall be at least one and one-half times its width. If the cross-head be a type that is not secured to the hoisting rope, a stopper of a design approved by the mine inspector must be securely and rigidly fastened to the hoisting rope at a suitable point above the rim of the bucket.
- Rules.** (h) The number of persons permitted to ride on the deck of a cage, in or on a skip or bucket, shall be determined by the mine inspector, and in no case shall more than the number of men permitted by the mine inspector be allowed to ride on the deck

of such cage, or in or on such bucket or skip. No person shall ride on a cage or in or on a skip or bucket when loaded with rock or ore, unless the owner or operator of the mine shall have provided double deck cages, in which case the employees may be permitted to ride upon the deck not occupied by such tools, timbers or other materials.

(i) No person shall ride upon any cage, skip or bucket, that is loaded with tools, timber, powder, or other material, except for the purpose of assisting in passing these through the shaft.

(j) In no case shall a cage, skip or bucket, or other vehicle, be lowered directly to the bottom of a shaft, when men are working there, but must be stopped at least fifteen (15) feet above the bottom until the signal to lower further is given by one of the men at the bottom of the shaft: *Provided, however,* That this section shall not apply to shafts less than fifty (50) feet in depth.

(k) Persons engaged in deepening a shaft, in which regular hoisting from any upper level is going on, shall be protected from the danger of falling material by a suitable covering, sufficient opening in the covering being left only for the passage of the bucket or other conveyance used in sinking operations.

(l) In shafts, winzes or raises, where two or more crews of men are working, one crew above another, there shall be a bulkhead between the two crews of men, strong enough to stop any tools, or other material that may fall from the men working above, and only the cage, skip or bucket compartment be left open.

(m) Windlasses and whims in use in mines shall be provided with suitable plugs or other reliable devices to prevent running back of the bucket or other conveyance used.

(n) No open hooks shall be used with buckets when hoisting, but some form of safety or shackle hook, approved by the mine inspector.

(o) At any mine, where men are hoisted by mechanical means, a hoistman, charged with the care of such hoist, shall be kept on duty thereat at all times when men are underground and he shall be charged with the actual hoisting of the men.

SEC. 17. (a) At every mine where a single shaft affords the means of ingress and egress to the persons employed underground, such shaft, if more than three hundred (300) feet deep, shall be divided into at least two compartments, and one of the compartments shall be set aside for a ladderway, which must be equipped as hereinbefore provided. Whenever such single shaft shall be covered by a building, not absolutely fireproof, the ladderway shall be securely bulkheaded at a point at least twenty-five feet below the collar of the shaft, and below this bulkhead, if the shaft is situated on a hillside, a drift shall be driven to the surface; if the shaft is situated in a level country, the drift shall be driven to a safe distance beyond the walls of the building, but in no case less than thirty (30) feet, and from there a raise shall be made to the surface. This raise shall be equipped with ladders, and it, together with the drift connecting with the main shaft, shall be kept in good repairs and shall afford a safe escape in case of fire.

Shafts to be divided.

(b) Every adit, on which the mouth is covered by a house or building of any kind, shall be provided with a fireproof door, near the mouth of the adit, that can be closed from the outside of the building by means of a pull wire or cable, so as to keep the gases or combustion from entering the mine in the event that fire destroys the building at the mouth of the adit.

Fireproof doors.

(c) Existing winzes, sumps, and all other openings in the floor of a drift or stope must be kept covered by a substantial hatch, or planking, or provided with guard-rails.

Guards at openings.

SEC. 18. (a) Lights shall be provided during working hours at all stations in vertical and incline shafts during the time while in actual use; and also at all stations in levels where hoisting or

Lights.

hauling is affected [effected] by machinery; and also at night at all working places on the surface.

(b) No candles shall be left burning in a mine, or any part of a mine, when the person using the candle departs from his work for the day.

Accumulations of water.

SEC. 19. (a) When advancing a drift, adit, level or incline toward a working suspected to be filled with water, a bore hole must be kept at least ten feet in advance of the breast of the drive; and also, if necessary, in directions laterally from the course of the drive. Such additional precautionary measures shall be taken as may be deemed necessary by the mine inspector, to obviate the danger of a sudden breaking through of water.

(b) No raise shall be allowed to approach within ten feet of any portion of a winz, or a stope, in which there is a dangerous accumulation of water.

(c) In every mine where, in the opinion of the mine inspector, there is danger of a sudden inrush of water, such additional raises, drifts, or other workings shall be constructed as are necessary to insure the escape of workmen from the lower workings; and all sumps and places for the storage of water in mines, shall be so constructed as to prevent leakage, as far as possible, and insure the safety of the men working below the same.

(d) It shall be unlawful for any operator to impound water within any mine, in which men are working below the water so impounded, in such a manner as to endanger the safety of such men, unless such water be impounded by a dam or dams, or wall or walls, approved by the mine inspector.

Boys.

SEC. 20. Boys under the age of sixteen years shall not be employed underground in a mine.

Intoxicated persons.

SEC. 21. No intoxicated person shall be allowed to enter a mine. Nor shall any intoxicated person be allowed to remain in any mine. Nor shall any intoxicating liquors be taken, or allowed to be taken, into any mine.

Visitors.

SEC. 22. Strangers and visitors shall not be allowed underground in any mine, unless accompanied by the owner, official or employee deputized to accompany them.

Ventilation.

SEC. 23. An adequate amount of ventilation shall at all times be produced so that all mine workings and the roads to and from such workings shall be free from any offensive gases. The air must be in such a state that a light will burn freely at all times in any working portion of the mine. All old timbers shall be, as soon as practicable, taken from the mine, and shall not be piled up and permitted to decay underground.

Signals.

SEC. 24. (a) Each mine shall adopt its own set of station signals, and such station signals shall be given before the hoist or lower signals provided herein; the engineer shall not move the cage, skip or bucket unless he understands the signal.

(b) The official code of signals herein provided for, and the station signals adopted or to be adopted by each mine, shall be posted at all hoist engines, in plain sight of engineer, at the collar of each shaft, and at every station—the letters or figures thereon to be not less than one-half inch in height.

Code.

SEC. 25. The following shall be the official code of signals for underground work throughout the Territory:

- 1 bell—Hoist.
- 1 bell—Stop, if in motion.
- 2 bells—Lower.
- 3 bells—Hoist men, run slow.
- 2 slow bells—Lower very slow.
- 3 slow bells—Hoist very slow.

4 bells—Blasting signal. This is a caution signal and, if the engineer is prepared to accept it, he must acknowledge by raising the bucket or cage a few feet, then lowering it again. After accepting this signal, an engineer must be prepared to hoist the men away from the blast as soon as the signal (1 bell) is given, and must accept no other signal in the meantime.

6 bells—Skip or cage call. To be followed by the station signal, when the skip or cage is desired.

9 bells—Danger signal. Followed by the station signal, calls cage to that station. This signal takes precedence over all others, except an accepted blast signal.

Sec. 26. (a) A supply of articles suitable for first aid treatment shall be kept at every mine, the list to include a book of instructions, antiseptic gauze, carbolated vaseline, carbolic acid, tablets of bichloride of mercury, linseed oil, bandages, soap, wash basin and towels or the equivalents. Provisions
for accidents.

(b) At every mine or metallurgical works where there are poisonous gases or solutions, there shall be kept in a conspicuous place the proper antidotes, properly labeled, with the instructions for their use.

Sec. 27. (a) No inexperienced man shall be allowed to use high explosives, except for the purposes of instruction, and then only under the supervision of a competent person. Explosives.

(b) No explosives shall be used in any mine, unless there is plainly printed or marked, on every original package containing such explosives, the name and place of business of the manufacturer and the strength and date of manufacture of such explosive.

(c) No explosives shall be stored in any mine: *Provided, however,* That this shall not be construed to prevent the operator of any mine from keeping sufficient explosives within such mines, as may be required within the next twenty-four hours.

(d) Such temporary supply shall not be kept in any place within such mine, where its accidental explosion would cut off the escape of the miners working therein.

(e) No open lights shall be taken into the magazine or held where the spark could fall in the box, or on to the explosives.

(f) No caps or oil shall be stored in any powder magazine.

(g) All magazines shall be placed at a safe distance from the entrance to a mine or public highway.

(h) No iron or steel tamping bars shall be used.

(i) If after blasting and before work is resumed a charge is known to have missed fire or cut off, the same shall not be withdrawn, but shall be blasted, and no drilling shall be done on the same working face where there is so known to be a missed or cut off hole containing explosives, until the same has been blasted: *Provided,* That where a missed or cut off hole is discovered in the face of a stope after blasting, no drilling shall be done within ten feet of said missed or cut off hole, but drilling may be done at a distance of ten feet or more from such missed or cut off hole.

(j) A suitable house, in which to thaw explosives shall be built separate from the other mine buildings and shall be equipped with suitable apparatus for thawing explosives, approved by the mine inspector. The key or keys to such powder magazine shall be held by some competent person or persons who shall be responsible for the distribution of the powder, and shall be under the direction of the mine foreman or some other careful and experienced person. Whenever deemed necessary by the mine inspector, suitable apparatus for thawing explosives shall also be provided for use in the mine and shall be under the immediate charge of the mine foreman or some other careful and experienced person.

Sec. 28. (a) All boilers, used for the generation of steam, shall be equipped with a safety valve, water gauge and water glass, and shall be inspected at least once every year by a competent person and a written report of such inspection shall be kept, and such boilers shall be hydraulically [hydraulically] tested, annually, to a pressure exceeding the working steam pressure by forty per cent. Boilers.

(b) All gears shall be covered or enclosed.

(c) All exposed set-screws shall be countersunk or covered.

(d) All belts, through which it is necessary for employees to travel, shall be suitably protected so as to comply with the provisions of section 12.

(e) All keys on shafting shall be covered or protected by railing.

(f) Shafting in exposed places shall be protected by railing or housed.

(g) Hoisting engines shall be equipped with brakes of sufficient strength to hold the loaded cage or skip at any point in the shaft.

(h) All hoists shall be equipped with efficient indicators.

(i) Hoisting ropes shall have at least three turns around the drum when the cage or skip is at the lowest point in the shaft.

(j) No ropes shall be used for hoisting men, when ten per cent of the wires in any running foot are broken.

(k) Hoisting ropes shall have a factor of safety not less than five, to be calculated by dividing the breaking strength as published in the manufacturer's tables by the sum of the maximum load to be hoisted, plus the weight of the rope, plus ten per cent of such values, to take into account the shock of striking and of starting and stopping.

(l) Haulage locomotives shall be equipped with gongs or whistles.

Act to be accessible.

SEC. 29. It shall be the duty of the superintendent of any mine, within the provisions of this act, to keep at all times, in the office of said mine, and in the timekeeper's office thereof, in an accessible place and subject to inspection by all workmen and persons interested in the same at least one printed copy of this act.

Whenever the approval, order or direction of the mine inspector is provided for or contemplated in this act, the same shall be in writing and signed by the mine inspector, and a duplicate of the same delivered to the person or corporation operating said mine; and wherever any apparatus is now installed in any of said mines or workings and the approval of the mine inspector is contemplated or provided for in this act, the said approval shall not be construed or deemed necessary until after such mines shall have actually been inspected by such mine inspector and until a written order or approval or disapproval shall have been signed by the inspector and a copy thereof delivered to the owners or operators of the mine.

Penalty for violations.

SEC. 30. Any persons or corporations failing to comply with any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than fifty (\$50) dollars, nor more than one thousand (\$1,000) dollars, or be imprisoned in the Federal jail for a period of not less than thirty (30) days, nor more than one (1) year, or punished by both such fine and imprisonment, at the discretion of the court.

Approved, April 29, 1915.

CHAPTER 76.—Private employment offices—License fees.

License required.

SECTION 1. Any person, firm or corporation prosecuting or attempting to prosecute any of the following lines of business in the Territory of Alaska shall apply for and obtain a license and pay for said license for the respective lines of business as follows:

*	*	*	*	*
Fee.	5th. Employment agencies: Operating for hire and collecting a fee from employees, five hundred dollars per annum.			

Approved, April 29, 1915.

ARIZONA.

ACTS OF 1915.

CHAPTER 17.—Bureau of mines.

SECTION 1. There is hereby established the Bureau of Mines of the State of Arizona, which shall be under the direction of the board of regents of the University of Arizona, who shall serve without compensation, but who shall be reimbursed for the actual expenses incurred in the performance of their official duties. The said board shall appoint as director a mining engineer to be known as the director of the bureau of mines, and upon his nomination, such assistants and employees as the said board shall deem necessary. Said board may also determine the compensation of all persons employed by the bureau of mines, and may remove them at will. Bureau established.

SEC. 2. Said bureau of mines shall have for its objects:

(9) The establishment and maintenance of a State mine rescue car for service and training in mine rescue work, first aid and general safety. Object.

Approved March 4, 1915.

CHAPTER 56.—Sunday labor—Barbers.

SECTION 1. Any person who carries on or engages in the business of shaving, hair cutting or other work of a barber on the first day of the week commonly known as Sunday, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than five dollars; and upon the second conviction for a like offense shall be fined not less than ten dollars and not more than twenty-five dollars, or be imprisoned in the county jail for a period of not less than ten days nor more than twenty-five days, or be punishable by both such fine and imprisonment at the discretion of the court. Barbering forbidden.

Became a law this twenty-fourth day of March, 1915.

ACTS OF 1915, FIRST SPECIAL SESSION.

CHAPTER 3.—Labor on public works, etc.—Preference of citizens.

SECTION 48. In all cases where money appropriated under the provision of this [general appropriation] act is expended for labor, citizens of the United States shall be employed and citizens of this State must be given the preference whenever much [such] labor required can be found within the State, and a verified statement to this effect shall be filed with the State auditor before he draws his warrant in payment of such labor. Citizens to be preferred.

Filed in the office of the secretary of state, this 9th day of June, 1915.

INITIATIVE MEASURES.

Blacklisting.

(P. 8.)

SECTION 1. A blacklist is hereby defined and declared to be any understanding or agreement whereby the names of any person Definition.

or persons, lists of names, descriptions or other means of identification shall be spoken, written, printed or implied for the purpose of being communicated or transmitted between two or more employers of labor, their bosses, foremen, superintendents, managers, officers or other agents, whereby the laborer is prevented or prohibited from engaging in a useful occupation. Any understanding or agreement between employers, their bosses, foremen, superintendents, managers, officers or other agents, whether written or verbal; and it will make no difference whether the employers, their bosses, foremen, superintendents, managers, officers or other agents act individually or for some company, corporation, syndicate, partnership or society; and it will make no difference whether they are employed or acting as agents for one and the same or different companies, corporations, syndicates, partnerships or societies, it shall come within the meaning of this act.

Blacklist forbidden.

Sec. 2. Any employer, boss, superintendent, manager, officer or other agent of any company, corporation, syndicate, partnership or society who shall command or persuade any person to give a photograph, or to fill out any written or printed form, or to make any verbal statements, or any other method or means of identification as to whom his or her former employer was; or any employer, boss, superintendent, manager, officer or other agent who shall discharge any person or persons on account of his or her affiliation with or membership in any corporation, organization or society, or because of former discharge of, or because of any blacklist of, any former employer, shall be guilty of a felony, and, upon conviction thereof, shall be imprisoned not less than one (1) year nor more than five (5) years, and shall be liable in damages to any person or persons injured by such violation to the amount of not less than one thousand (\$1,000) dollars, to be recovered by civil action.

Violations.

Evidence.

Sec. 3. The violation of any of the provisions of this act shall be taken as prima facie evidence of a blacklist.

Separate offenses.

Sec. 4. Each individual violation of the provisions of this act shall constitute a separate offense; that is, this section shall be taken to mean that any individual, company, corporation, syndicate, partnership or society who shall blacklist more than one person is guilty of a separate and distinct violation of the provisions of this act for each and every person so blacklisted.

Took effect December 14th, 1914.

Old age and mothers' pensions.

(P. 10.)

Almshouses abolished.

SECTION 1. All almshouses within the State shall be abolished, their grounds and buildings shall be sold for the best obtainable price, and the proceeds shall be devoted for the purpose hereafter set forth in this act.

Pension system.

Sec. 2. In the absence of almshouses, and in order to care for aged people and people incapable of earning a livelihood [livelihood] by reason of physical infirmities, and widows or wives whose husbands are in penal institutions or insane asylums, they being mothers of children who are under the age of sixteen (16) years, a system of pensioning is hereby established.

(a) The Arizona State Board of Control shall have entire charge of all funds provided for the purpose mentioned, and shall order the same paid by the State treasurer to persons entitled, upon warrants issued by the boards of supervisors of the various counties in the State of Arizona. These boards shall also act as examining boards on the fitness and eligibility of applicants for pensions.

Old age pensions.

Sec. 3. The State shall pay to each man and woman sixty (60) years of age and upward the sum of fifteen (\$15) dollars per month, as long as such pensioners shall continue to live within

this State: *Provided, always*, That said recipients shall be citizens of the United States and residents of Arizona for five (5) years last preceding application; to be entitled to this pension they must also be without visible means of support.

SEC. 4. All widows who are mothers of dependent children; also wives whose husbands have been consigned to penal institutions or insane asylums and who have children under the age of sixteen (16) years looking to them for support, shall each be entitled to fifteen (\$15) dollars per month, and an additional six (\$6) dollars per month for each child in their keeping under the age above mentioned, irrespective of the mother's age, provided they are citizens of the United States and residents of Arizona five (5) years last preceding application.

Widows.

SEC. 5. There is hereby appropriated out of the general fund of the State treasury a sufficient amount each year to carry out and put into effect the provisions of this act.

Appropriation.

Took effect December 14th, 1914.

[The Superior Court of Maricopa County held the above act unconstitutional, from which an appeal was taken by the State to the supreme court of the State. *L. H. Buckstege v. Board of Control of the State of Arizona et al.*]

Employment of aliens.

(P. 12.)

SECTION 1. Any company, corporation, partnership, association or individual who is, or may hereafter become an employer of more than five (5) workers at any one time, in the State of Arizona, regardless of kind or class of work, or sex of workers, shall employ not less than eighty (80) per cent qualified electors or native-born citizens of the United States or some subdivision thereof.

Requirement as to citizens.

SEC. 2. Any company, corporation, partnership, association or individual, their agent or agents, found guilty of violating any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not less than one hundred (\$100) dollars, and imprisoned for not less than thirty (30) days.

Violations.

SEC. 3. Any employee who shall misrepresent, or make false statement, as to his or her nativity or citizenship, shall, upon conviction thereof, be subject to a fine of not less than one hundred (\$100) dollars, and imprisoned for not less than thirty (30) days.

False statements.

Took effect December 14th, 1914.

[Held unconstitutional, *Raich v. Truax et al.*, 219 Federal Reporter, 273; *Truax v. Raich*, 36 Sup. Ct. 7.]

State manufactures, etc.

(P. 19.)

SECTION 1. Whenever, in the judgment of the board of control it shall be for the best interest of the State to establish, maintain or operate any manufacturing establishment or institution, for the purpose of manufacturing, marketing or distributing any natural product existing, or to exist, in or upon any public lands of this State, said board of control is hereby authorized to erect, construct, maintenance [maintain] or operate such establishment.

Powers of board of control.

SEC. 2. The board of control is further authorized and empowered to construct, establish and maintain buildings, dams, reservoirs, flumes, water plants, gas plants, printing plants and all other plants necessary for the operation and development of the resources of this State.

Same.

SEC. 3. Whenever, in the judgment of the board of control, it shall be for the best interest of the State, said board is hereby authorized and empowered to establish, operate, conduct and maintain a State banking system for the use and benefit of the

Banking system.

Printing people of the State, in conformity with the National Banking Act, and to establish, operate and maintain a State printing plant, to print school books and to do all State printing.

Method of work. Sec. 4. All work on all State buildings, dams, reservoirs, flumes, water plants, gas plants, and all other State construction, shall be done by days' pay, by the State, and the system of letting contracts by the State is hereby abolished.

Appropriation. Sec. 5. There is hereby appropriated out of the general fund of the State treasury a sufficient amount to carry out and put into effect the provisions of this act. Should the general fund be impoverished, then the people may vote State bonds to carry out the provisions of this act.

Took effect December 14th, 1914.

ARKANSAS.

ACTS OF 1915.

ACT No. 49.—*Mine regulations—Weighing coal.*

SECTION 1. Section 1 of an act * * * [No. 219] 1905, [shall] be amended to read as follows:

Section 1. It shall be unlawful for any mine owner, lessee or operator of coal mines in this State, where ten or more men are employed underground, employing miners at bushel or ton rates, or other quantity to pass the output of coal mined by said miners over any screen or any other device which shall take any part from the value thereof before same shall have been weighed and duly credited to the employee sending the same to the surface, and accounted for at the legal rate of weights as fixed by the laws of Arkansas, and no employee within the meaning of this act shall be deemed to have waived any right accruing to him under this section by any contract he may make contrary to the provisions thereof, and any provisions, contract or agreement between the mine owners, lessees or operators thereof, and the miners employed therein, whereby the provisions of this act are waived, modified or annulled, shall be void and of no effect, and the coal sent to the surface shall be accepted or rejected; and if accepted, shall be weighed in accordance with the provisions of this act, and right of action shall not be invalidated by reason of any contract or agreement: *Provided*, That in Cane Creek, River and Logan townships in Logan County, and all of Johnson County, except Grant Township, all coal mined and paid for by weight may be paid for on the mine run basis or upon the screen coal basis, which shall be a matter of agreement between the operators and the miners: *Provided, further*, That if any coal shall be mined on the screen coal basis it shall pass over the following kind of a screen, to wit: The screen shall not be more than four feet wide and not more than twelve feet long, made of steel or iron bars, which shall not be less than $\frac{3}{8}$ of an inch in thickness on the face and not less than $\frac{1}{8}$ of an inch in thickness on the bottom and not less than $1\frac{1}{4}$ of an inch in width and shall be in no case more than $1\frac{1}{4}$ of an inch apart. Said screen shall be supported by rests or cross bars. It shall in no event be placed more than three feet apart. The screen bars shall be placed upon rests in such a manner as to prevent spreading and said rests or cross bars shall be firmly fastened to each side of the chute through which the coal passes. Said rests or cross bars shall be so arranged as in no case to rise above the top of the screen bars in such a manner as to retard the speed of the coal in passing over the screen. Where coal is screened before it is weighed it shall be dumped upon flat sheets and passed over the screen as described above and there shall be no obstruction on said screens.

Coal not to be screened before weighing.

Provisos.

Screens.

Violations.

Any owner, agent, lessee or operator of any coal mine in this State where ten or more men are employed underground, who shall knowingly violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than two hundred dollars nor more than five hundred dollars for each offense, or by imprisonment in the county jail for a period of not less than sixty days nor more than six months, or both such fine and imprisonment; and each day any mine or mines are operated thereafter, shall be a separate

and distinct offense; proceedings to be instituted in any court having competent jurisdiction.

Approved February 16, 1915.

ACT No. 74.—*Railroads—Block signals at tunnels.*

Block signals required. SECTION 1. Every person or persons, company or corporation operating any railroad in this State, or any receivers for any railroad company in this State are hereby required to erect, operate and maintain an automatic block signal system at all tunnels located upon their lines in this State, said block signal to be located at least 2,500 feet from each end of tunnel or tunnels, and shall be so constructed as to warn all approaching crews whenever a train is within the tunnel or within twenty-five hundred feet of either end of the tunnel.

Signboards. SEC. 2. Said railroad companies, corporations or receivers operating any railroad in this State, shall erect and maintain a signboard within one mile of each end of all tunnels located on their lines in this State, in order to warn engine crews that they are approaching a tunnel. Said signboard shall contain and display in large letters the following instruction: "One mile to tunnel—danger." *Provided*, This act shall not apply to tunnels less than 1,500 feet in length.

Violations. SEC. 3. Any railroad company or corporation, person or persons, or receiver for any company or railroad operating a railroad within this State, who shall violate or fail to comply with the provisions of this act shall, upon conviction, be fined in any sum not less than fifty dollars, nor more than one hundred dollars, and each day of violation or failing to comply with the provisions of this act shall constitute a separate offense.

Approved February 24, 1915.

ACT No. 191.—*Hours of labor of women—Minimum wage.*

Hours of labor. SECTION 1. No female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, or by any express or transportation company, in this State, for more than nine hours in any one day, or more than six days, or more than fifty-four hours in any one week: *Provided, however*, That the present law governing the employment of children under 16 years of age shall not be repealed [repealed] by this act.

Night work. SEC. 2. No female under 18 years of age shall be employed or permitted to work in, or in connection with, any of the establishments or occupations named in section 1 of this act before the hour of 7 o'clock in the morning, or after the hour of 9 o'clock in the evening of any one day.

Time for meals. SEC. 3. No female shall be employed or permitted to work more than six hours continuously at one time in any establishment or occupation named in section 1 of this act, in which three or more females are employed, without any [an] interval of at least three-quarters of an hour, except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half past 1 o'clock in the afternoon, and if she is then dismissed for the remainder of the day. The time allowed for noon luncheon shall not be less than three-quarters of an hour.

Schedule to be posted. SEC. 4. Every employer shall post and keep posted in a conspicuous place in every room in any establishment or occupation named in section 1 of this act in which females are employed, a printed notice stating the number of hours such females are required or permitted to work on each day of the week, the hours of beginning and ending, the recess allowed for meals. The printed form of such notice shall be furnished upon application, by the commissioner of labor and statistics. The employment of any such female for longer time in any one day than that stated in a printed notice shall be deemed a violation of the provisions of this

section. Where the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females employed, the commissioner of labor and statistics may issue a permit dispensing with the posting of the hours when the recess for meals begins and ends, and requiring the posting of only the total number of hours that females are required or permitted to work on each day of the week and the hours of beginning and stopping such work; such permit shall be kept by such employer upon such premises and exhibited to all inspectors authorized to enforce this act.

SEC. 5. Every employer shall keep a time book or record of every female employed in any establishment or occupation named in section 1 of this act stating the wages paid, the number of hours worked by her on each day of the week, the hours of beginning and ending such work and the hours of beginning and ending the recess allowed for meals. Such time books or record shall be open at all reasonable hours to the inspection of the officials authorized to enforce this act. Any employer who fails to keep such record as required by this section or makes any false statements therein or refuses to exhibit such time book or record, or makes a false statement to any official authorized to enforce this act in reply to any question put in carrying out the provisions of this act shall be liable for violation thereof.

Records.

SEC. 6. The commissioner of labor and statistics, or any person duly authorized by him, may, in the discharge of their duties enter any establishment or occupation where females are employed mentioned in section 1 of this act as often as practicable during reasonable hours and shall cause the provisions of this act to be enforced therein, and shall have full police power in enforcing compliance therewith.

Enforcement.

SEC. 7. It shall be unlawful for any employer of labor mentioned in section 1 of this act to pay any female worker in any establishment or occupation less than the wage specified in this section, [to wit,] except as hereinafter provided: All female workers who have had six months' practicable [practical] experience in any line of industry or labor shall be paid not less than \$1.25 per day. The minimum wage for inexperienced female workers who have not had six months' experience in any line of industry or labor shall be paid not less than \$1.00 per day: *Provided*, That any inexperienced female workers or apprentices shall be given a certificate by their employers showing the amount of experience they have had, and all time served as inexperienced workers, or apprentices, shall be cumulative. All female workers working less than nine hours per day shall receive the same wages per hour as those working nine hours per day.

Minimum wage rate.

SEC. 8. Whenever it can be shown beyond question of doubt that it would work irreparable injury to any industry engaged in handling products, such as canning factories and candy factories, to comply with the provisions of this act, regarding hours, a commission consisting of the commissioner of labor and statistics and two competent women to be appointed, one by the governor, and the other by the State commissioner of labor and statistics, may, by majority vote, after hearing duly held in which all interested parties may have been duly heard, permit such industry to operate more than nine hours per day: *Provided*, That women employed are paid at the rate of time and one-half for hours worked in excess of nine hours in any one day: *Provided, however*, That said period in which overtime may be worked shall not exceed 90 days in any one year.

Commission on canneries, etc.

SEC. 9. All females employed in any industry in this State, who are paid upon a piecework basis, bonus system, or any other manner than by the day, shall be paid not less than the rate per day herein specified for female employees who are working on the day rate system, and a commission, consisting of the commissioner of labor and statistics and two competent women, one to be appointed by the governor, and one by the commissioner of labor

Piecework.

and statistics, shall investigate, upon complaint, any line of industry wherein females are employed and if in their judgment said system of piecework is working an injury to the general health of the employees, they may, after hearing, duly held, issue an order compelling said firm to abolish piecework, or any other injurious system, and establish a daily rate of wages for all female employees, said rate not to be less than the rate specified in section 7 of this act.

Findings of
commission.

SEC. 10. *Provided, however,* That if said commission should find, after an investigation, that a lower minimum rate of wages is adequate to supply a woman, or minor female worker engaged in any occupation, trade or industry, the necessary cost of proper living, and to maintain the health and welfare of such woman, or minor female workers, [it] may, after a public hearing duly held, at which time all interested employers and employees are given a reasonable opportunity to present their arguments, issue an order establishing a minimum wage rate that in their judgment is reasonable, and said rate so established shall be the legal minimum wage in the industry or occupation effected [affected], and should said commission find, after said investigation, that the minimum wage specified in section 7 in this act is insufficient to adequately supply a woman or minor female worker engaged in any occupation, trade or industry, the necessary cost of proper living and to maintain the health and welfare of such woman or other female worker, [it] may, after public hearing duly held, at which time all interested parties are given a reasonable opportunity to present their argument, issue an order establishing a higher minimum wage for female workers that in the judgment of the commission, is reasonable, and said minimum wage rate so established by said commission, shall be the legal minimum wage in the industry or occupation affected.

Hotels, res-
taurants, etc.

SEC. 11. Said commission, after a public hearing duly held, at which all interested persons are given an opportunity to present arguments, may establish regulations governing the employment of females in hotels, restaurants and telephone establishments: *Provided,* Said rules and regulations shall not permit female workers to be employed in excess of nine hours in any one day, nor at a lower rate of wages than will supply said female employees the cost of proper living, and safeguard their health and welfare. The rate of wages established by the commission shall not be greater than the rate of wages specified in section 7.

Violations.

SEC. 12. Any person, or persons, company, or corporation, who violates the provisions of this act, or does not comply with the provisions of this act, shall, upon conviction in any court of competent jurisdiction, be punished by a fine of not less than \$25 nor more than \$100, and each day of noncompliance shall constitute a separate offense.

Provisions
severable.

SEC. 13. Should any section, or sections of this act be held invalid by the courts, it shall not thereby be understood as affecting and shall not affect the other provisions of this act: *Provided,* That no part of this bill shall apply to any firm, corporation, or establishment of any character, where three or less females are employed and working at the same time: *Provided,* The provisions of this act shall not apply to the cotton factories, or in the preservation of fruits and perishable farm products, or gathering the same in Arkansas: *Provided,* This act shall not apply to establishments, working three or less employees in the same building at the same time doing the same class of work.

Exceptions.

Approved March 20, 1915.

ACT No. 220.—*Railroads—Rolling stock to be repaired within the State.*

Scope of law.

SECTION 1. All railroad corporations operating within the State of Arkansas, and having their repair shops within the State, shall, and are hereby required to repair, renovate or build in

State of Arkansas, any and all defective or broken cars, coaches, locomotives or other equipment owned or leased by said corporation in the State of Arkansas, when such rolling stock is within the State of Arkansas: *Provided*, That such railway shall have or be under obligation to have proper facilities in the State to do such work: *And, provided*, This act shall not be so construed as to require any railway corporation to violate the safety appliance law of Congress of the United States: *And, provided, further*, That no railway shall be required to haul such disabled equipment a greater distance for repairs at a point within the State of Arkansas than would be necessary to reach their repair shop in another State.

Proviso.

And, provided, further, That no such railway company shall be permitted to haul for purposes of repair any disabled equipment by or pass any shop owned or operated by any such company where such said disabled equipment can be repaired, in order to reach some other repair shop at a greater distance for the purpose of repairing said disabled equipment: *Provided*, That the provisions of this act shall not apply to companies having less than sixty continuous miles of railroad in operation in this State.

Nearest shop.

Exemption.

SEC. 2. All railroad corporations operating in the State of Arkansas and having their repair shops within the State, shall be prohibited from sending or removing any of their cars, coaches, locomotives or other equipment out of the State of Arkansas, to be repaired, renovated or rebuilt, when the same is in a defective or broken condition and within this State. The provisions of this act shall not apply in cases of fires, floods, cyclones or any such act of Providence.

Cars, etc., not to be sent out of State.

SEC. 3. Any railroad corporation, lessee, receiver, superintendent or agent who shall violate any of the provisions of this act shall, after conviction of any court of competent jurisdiction, be liable to a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

Violations.

Approved March 23, 1915.

Employment of children—General provisions.

(Initiated Act No. 1, 1914, p. 1505.)

SECTION 1. No child under the age of fourteen shall be employed or permitted to work in any remunerative occupation in this State, except that during school vacation children under fourteen years may be employed by their parents or guardians in occupations owned or controlled by them.

Age limit.

SEC. 2. No child under sixteen years shall be employed or permitted to work in any occupation dangerous to the life and limb, or injurious to the health and morals of such child; or in any saloon, resort or bar where intoxicating liquors of any kind are sold or dispensed; nor shall any child under the age of sixteen be employed upon the stage or any theater or concert hall or in connection with any theatrical performance or other exhibition or show, nor shall any such child be employed who has not passed four yearly grades in the public school or equivalent thereof.

Dangerous, etc., employments.

SEC. 3. No child under sixteen shall be employed or permitted to work at any of the following occupations: (1) Adjusting any belt to any machinery; (2) sewing or lacing machine belts in any workshop or factory; (3) oiling, wiping or cleaning machinery or assisting therein; (4) operating or assisting in operating any of the following machines: (a) Circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood polishing machinery; (f) wood turning or boring machinery; (g) picker machines or machines used in picking wool; (h) carding machines; (i) job or cylinder printing presses operated by power other than foot power; (j) boring or drill presses; (k) stamping machines used in metal or in paper or leather manufacturing; (l) metal or paper cutting machines; (m) corner staying machines in

Same.

paper box factories; (n) steam boilers; (o) dough brakes or cracker machinery of any description; (p) wire or iron straightening or drawing machinery; (q) rolling mill machinery; (r) washing, grinding or mixing machinery; (s) laundering machinery; (5) or in proximity to any hazardous or unguarded belt, machinery or gearing; (6) or upon any railroad, whether steam, electric or hydraulic.

Other occupations.

The State board of health may, from time to time, after a hearing duly had, determine what other occupations are sufficiently dangerous to the life or limb or injurious to the health or morals of children under sixteen years to justify their exclusion therefrom; and no child under sixteen years of age shall be employed or permitted to work in any occupation thus determined to be dangerous or injurious: *And, provided*, That there shall be right of appeal to the State or county court from any such determination.

Dangerous, etc., employments.

SEC. 4. No child under the age of sixteen shall be employed, permitted or suffered to work in any capacity; (1) in, about or in connection with any processes in which dangerous or poisonous acids or gases or other chemicals are used; (2) nor in soldering; (3) nor in occupations causing dust in injurious quantities; (4) nor in scaffolding; (5) nor in heavy work in the building trades; (6) nor in any tunnel or excavation; (7) nor in any mine, coal braker [breaker], coke oven, or quarry; (8) nor in a bowling alley or pool or billiard room; nor in any other occupation dangerous to the life and limb, or injurious to the health and morals of such child.

Hours of labor.

SEC. 5. No child under the age of sixteen years shall be employed, permitted or suffered to work for more than six days in any week, nor more than forty-eight hours in any week, nor more than eight hours in any day; or before the hours of six in the morning or after seven in the evening.

Night work.

Children under 18.

SEC. 6. No boy or girl under the age of eighteen years shall be employed, permitted or suffered to work in any occupation for more than six days in any week, or more than fifty-four hours in any week, nor more than ten hours in any one day, or before the hours of six in the morning or after the hour of ten in the evening.

Night work.

Employment certificates.

SEC. 7. No person, firm or corporation shall employ or permit any child under sixteen years to work in or in connection with any establishment or occupation, unless the person, firm or corporation employing such child procures and keeps on file and accessible to the proper official, an employment certificate as hereinafter provided. The employment certificates shall be issued only by the superintendent or principal of the public schools, or some person authorized by him in writing in the city, town or township where such child resides, or by the commissioner of labor and statistics, or by some person duly authorized by him.

Evidence.

SEC. 8. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved and filed the documentary evidence that the child is of the age and educational standard represented; nor until he has personally examined the child who shall sign the certificate in the presence of the officer issuing the same. Each certificate shall show the date of its issuance, the name, sex, date and place of birth and the place of residence of the child, and shall contain a statement of the proof of age accepted and shall certify that the child named in such certificate has appeared before the officer issuing the same.

Issue for own employment.

SEC. 9. No member of the school board or other person shall have authority to issue employment certificates to any child then in or about to enter such person's own employment or the employment of a firm or corporation of which he is a member, officer or employee.

Blanks.

SEC. 10. Upon the enactment of this law it shall become the duty of the State superintendent of public instruction to provide suit-

able blanks to be furnished to the superintendent of schools of each district within the State, on which may be recorded conclusive evidence as to the age and educational standing of every child applying for an employment certificate.

SEC. 11. The commissioner of labor and statistics, inspectors of factories or mines, probation officers, agents of the humane society, truant officers, and other authorized inspectors, may within their respective districts or jurisdiction, visit and inspect at any time any place where children are employed, and shall ascertain whether any minors are employed therein contrary to the provisions of this act; and they shall report to the school authorities any cases of children under sixteen years of age discharged for illegal employment; and truant officers shall also report the same to the commissioner of labor and statistics.

Enforcement.

It shall be the duty of the commissioner of labor and statistics, factory inspectors, mine inspectors, agents of the humane society, probation officers, truant officers, and other authorized inspectors charged with the enforcement of this act, to make complaints against any person violating any of the provisions of this act, and to prosecute the same in a court of competent jurisdiction. And the commissioner of labor and statistics may revoke any employment certificate issued in violation of this act.

This act shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints.

SEC. 12. Nothing in this act shall prevent children of any age from receiving industrial education furnished by the United States, this State, or any city or town in the State and duly approved by the State board of education or by any other duly constituted public authority.

Industrial
education.

SEC. 13. Any person, firm or corporation employing a child in violation of this act; or any person authorized to sign any certificate, affidavit or paper called for by this act; or any employer, parent, guardian or custodian of any child, who employs, permits or suffers such child to be employed in violation of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than one hundred dollars. All fines collected for violations of this act shall be paid into the building fund of the school district in which the offense is committed.

Violations.

Proclamation dated October 13, 1914.

CALIFORNIA.

ACTS OF 1915.

CHAPTER 38.—*Protection of employees in their political rights.*

SECTION 1. It shall be unlawful for any employer of labor to make, adopt or enforce any rule, regulation or policy forbidding or preventing his employees, or any of them, from engaging or participating in politics or from becoming candidates or a candidate for public office, or controlling or directing, or tending to control or direct the political activities or affiliations of such employees or any of them; or to coerce or influence or attempt to coerce or influence such employees or any of them through or by means of threat of discharge or loss of employment to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity. The expression "employer of labor" as herein used shall be deemed to mean and include any person, firm or corporation regularly having in his or its employ twenty or more employees. Employers not to interfere.

SEC. 2. Any employer violating the provisions of this act shall upon conviction thereof, if an individual, be punishable by imprisonment in the county jail for not to exceed one year or by a fine of not to exceed one thousand dollars or by both such fine and imprisonment, and, if a corporation, by a fine of not to exceed five thousand dollars. In all prosecutions hereunder the person, firm or corporation violating this act, shall be held responsible for the acts of his or its managers, officers, agents and employees. Violations.

SEC. 3. Nothing herein contained shall be construed to prevent the injured employee from recovering damages from his employer for injury suffered through a violation of this act. Damages.

Approved April 10, 1915.

CHAPTER 44.—*Leave of absence for employees in public service.*

[This act amends chapter 250, Acts of 1909, by providing that the period of leave allowed shall be 15 working-days, and not 15 days merely.]

CHAPTER 45.—*Employment of labor—False representations.*

SECTION 1. Section one of an act [p. 635, Appendix, Penal Code, (Sims Deering's, 1906)] * * * approved March 20, 1903, is hereby amended to read as follows:

Section 1. It shall be unlawful for any person, partnership, company, corporation, association, or organization of any kind, directly or through any agent or attorney, to induce, influence, persuade, or engage any person to change from one place to another in this State or to change from any place in any State, Territory, or country to any place in this State, or to change from any place in this State to any place in any State, Territory or country, to work in any branch of labor, through or by means of knowingly false representations, whether spoken, written, or advertised in printed form, concerning the kind or character of such work, the compensation therefor, the sanitary conditions relating to or surrounding it, or the existence or nonexistence of any strike, lockout, or other labor dispute affecting it and pending between the proposed employer or employers and the persons then or last theretofore engaged in the performance of the labor for which the employee is sought. Acts prohibited.

Approved April 10, 1915.

CHAPTER 56.—*Employment of labor—Foremen, etc., accepting fees.*

Accepting fees forbidden. SECTION 1. Any manager, superintendent, foreman or other person having authority from his employer to hire, employ or direct the services of other persons in such employment, who shall demand or receive any fee, gift or other remuneration in consideration of hiring or employing any person to perform work or services for such employer, or permitting said person to continue in said employment, is guilty of a misdemeanor, and upon conviction thereof shall be fined not more than three hundred dollars for each offense. All fines imposed and collected under the provisions of this act shall be paid into the State treasury and credited to the contingent fund of the bureau of labor statistics.

Enforcement. SEC. 2. This act shall be enforced by the commissioner of the bureau of labor statistics.

Construction of act. SEC. 3. Nothing contained in this act shall be construed to apply to employment agencies or employment agents licensed and operating under the laws of the State of California.

Act to be posted. SEC. 4. Every employer as defined in section one hereof shall post and maintain notices, printed or written in plain type or script, in at least two conspicuous places where said notices can be seen by said employees as they go to and from their work, setting forth verbatim the provisions of section one of this act.

Approved April 12, 1915.

CHAPTER 65.—*Discharge of employes—Hearings on charges.*

When hearing to be allowed. SECTION 1. It shall be unlawful for any public service corporation, agent, superintendent or manager thereof, employing any special agent, detective, or person commonly known as "spotter" for the purpose of investigating, obtaining and reporting to the employer, its agent, superintendent or manager, information concerning its employes, to discipline or discharge any employe in its service, where such act of discipline or the discharge is based upon a report by such special agent, detective or spotter, which report involves a question of integrity, honesty or a breach of rules of the employer, unless such employer, its agent, superintendent or manager, shall give notice and accord a hearing to the employe thus accused, when requested by said employe, at which hearing said employer shall state specific charges on which said act or discharge is based and at which said accused employe shall have the right to furnish testimony in his defense.

Violations. SEC. 2. Each and every violation of this act by any person, firm, association or corporation shall be deemed a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars and not more than three hundred dollars, or by imprisonment in the county jail for a period of not more than one year, or by both such fine and imprisonment. In case of a public service corporation committing any violation of this act the imprisonment when imposed shall be imposed upon the officers or agents thereof committing such offense.

Approved April 14, 1915.

CHAPTER 91.—*Railroad commission—Equipment of public utilities—Accidents.*

Safety provisions. SECTION 13. * * *
(b) Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall be in all respects adequate, efficient, just and reasonable.

Rules. SEC. 42. The commission shall have power, after a hearing had upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise, to require every public utility to construct, maintain and operate its line, plant, system, equipment, apparatus, tracks and premises in such manner as to

promote and safeguard the health and safety of its employees, passengers, customers, and the public, and to this end to prescribe, among other things, the installation, use, maintenance and operation of appropriate safety or other devices or appliances, including interlocking and other protective devices at grade crossings or junctions and block or other systems of signaling, to establish uniform or other standards of construction and equipment, and to require the performance of any other act which the health or safety of its employees, passengers, customers or the public may demand.

SEC. 44. The commission shall investigate the cause of all accidents occurring within this State upon the property of any public utility or directly or indirectly arising from or connected with its maintenance or operation, resulting in loss of life or injury to person or property and requiring, in the judgment of the commission, investigation by it, and shall have the power to make such order or recommendation with respect thereto as in its judgment may seem just and reasonable: *Provided*, That neither the order or recommendation of the commission nor any accident report filed with the commission shall be admitted as evidence in any action for damages based on or arising out of the loss of life, or injury to person or property, in this section referred to. Every public utility is hereby required to file with the commission, under such rules and regulations as the commission may prescribe, a report of each accident so occurring of such kinds or classes as the commission may from time to time designate.

Accidents.

Approved April 23, 1915.

CHAPTER 143.—*Payment of wages due at termination of employment.*

SECTION 1. * * * [Chapter 663, Acts of] 1911, is hereby amended to read as follows: Wages to continue, when.

SECTION 3. In the event that any employer shall fail to pay, without abatement or deduction, within five days after the same shall become due under the provisions of section one of this act, any wages of any employee who is discharged or who resigns or quits, as in said section one provided, then as a penalty for such nonpayment the wages of such servant or employee shall continue from the due date thereof at the same rate until paid; or until an action therefor shall be commenced: *Provided*, That in no case shall such wages continue for more than 30 days: *And provided, further*, That no such employee who secretes or absents himself to avoid payment to him, or refuses to receive the same when fully tendered, shall be entitled to any benefit under this act for such time as he so avoids payment. In the happening of any strike, the unpaid wages of such striking employees earned prior to the occurrence thereof shall become due and payable upon the employer's next regular pay day, and if then paid or tendered, the provisions of this section shall have no application. Limitation.

Strikes.

Every person indebted to another for labor, or any agent of any person, copartnership, association or corporation so indebted, who, having the ability to pay, shall willfully refuse to pay the same, or falsely deny the amount or validity thereof, or that the same is due, with intent to secure, for himself or any other person, any discount upon such indebtedness, or with intent to annoy, harass, or oppress, or hinder, or delay, or defraud the person to whom such indebtedness is due, shall be guilty of a misdemeanor. Refusal to pay.

Approved April 28, 1915.

CHAPTER 188.—*Bribery of employees—Discounts to chauffeurs, etc.*

SECTION 31. No chauffeur or other person having the care of a motor vehicle for the owner shall receive or take, directly or indirectly, without the written consent of such owner, any bonus, discount or other consideration for supplies or parts furnished or purchased for such motor vehicle, or on any work or labor Discounts, etc., forbidden.

done thereon by others, or on the purchase of any motor vehicle for his employer, and no person furnishing such supplies or parts, work or labor, or selling any motor vehicle shall give or offer any such chauffeur or other person having the care of a motor vehicle for the owner thereof, directly or indirectly, without such owner's written consent, any bonus, discount, or other consideration thereon. Any person violating this section shall be guilty of a misdemeanor.

Approved May 10, 1915.

CHAPTER 302.—*Free public employment offices.*

Location of offices. SECTION 1. The commissioner of the bureau of labor statistics, hereinafter called "commissioner," shall establish free employment bureaus in the cities of San Francisco, Los Angeles, Oakland and Sacramento, and thereafter, whenever he deems it necessary, in other cities and towns.

Duty of commissioner. SEC. 2. The commissioner shall procure, by lease or otherwise, suitable offices; incur the necessary expenses in the conduct thereof; appoint the necessary officers, assistants and clerks, and fix the compensation therefor; and promulgate rules and regulations for the conduct of free employment bureaus in order to carry out the purposes of this act.

Appropriation. SEC. 3. There is hereby appropriated out of the moneys of the State treasury, not otherwise appropriated, the sum of fifty thousand dollars, to be used by the commissioner in carrying out the provisions of this act, and the controller is hereby directed from time to time to draw his warrants on the general fund in favor of the commissioner, for the amounts expended under his direction, and the treasurer is hereby authorized and directed to pay the same.

Approved May 17, 1915.

CHAPTER 320.—*Labor camps—Sanitation, etc.*

SECTION 1. An act * * * [chapter 182, Acts of] 1913, is hereby amended to read as follows:

Sleeping places. SECTION 1. In or at any camp where five or more persons are employed, the bunkhouses, tents and other sleeping places of such employees shall be kept in a cleanly state, and free from vermin and matter of an infectious and contagious nature, and the grounds around such bunkhouses, tents or other sleeping places shall be kept clean and free from accumulations of dirt, filth, garbage, and other deleterious matter.

Air space. SEC. 2. Every bunkhouse, tent or other sleeping place used for the purpose of a lodging or sleeping apartment in such camp, shall contain sufficient air space to insure an adequate supply of fresh air for each person occupying such bunkhouse, tent or other sleeping place. The bunks or beds shall be made of iron, canvas or other sanitary material and shall be so constructed as to afford reasonable comfort to the persons occupying such bunks or beds.

Mess houses, etc. SEC. 3. Every mess house, dining room, mess tent, dining tent, kitchen, or other structure where food is cooked, prepared or served in such camp shall be kept in a clean and sanitary state and the openings of such structures shall be screened.

Toilet facilities. SEC. 4. For every such camp there shall be provided convenient and suitable privy or other toilet facilities, which shall be kept in a clean and sanitary state. A privy other than a water-closet shall consist of a pit at least two feet deep, with suitable shelter over the same, and the openings of the shelter and pit shall be inclosed by screening or other suitable fly netting. No privy pit shall be filled with excreta to nearer than one foot from the surface of the ground and the excreta in the pit shall be covered with earth, ashes, lime, or other similar substance.

Sec. 5. All garbage, kitchen wastes and other rubbish in such camp shall be deposited in suitable covered receptacles which shall be emptied daily or oftener if necessary, and the contents burned, buried or otherwise disposed of in such a way as not to be or become offensive or insanitary. Garbage, etc.

Sec. 6. It shall be the duty of any person, firm, corporation, agent or officer of a firm or corporation employing persons to work in or at camps to which the provisions of this act apply and the superintendent or overseer in charge of the work in or at such camps to carry out the provisions of this act. Duty of employer.

Sec. 7. The commission of immigration and housing of California shall administer this act and secure the enforcement of the provisions thereof, and for such purposes shall have the right to enter and inspect all camps to which the provisions of this act apply. Any camp coming under the provisions of this act which does not conform to the provisions of this act is hereby declared a public nuisance and if not made to so conform within five days, or within such longer period of time as may be allowed by the commission of immigration and housing of California, after written notice given by the said commission, shall be abated by proper action brought for that purpose in the superior court of the county in which such camp, or the greater portion thereof, is situated. Administration.

Sec. 8. Any person, firm, corporation, agent or officer of a firm or corporation, or any superintendent or overseer in charge of the work in or at any camp coming under the provisions of this act, who shall violate or fail to comply with the provisions of this act, is guilty of a misdemeanor, and shall upon conviction thereof, be punished by a fine of not more than two hundred dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment. Violations.

Sec. 2. Out of any money in the State treasury not otherwise appropriated the sum of ten thousand dollars or so much thereof as may be necessary is hereby appropriated to be expended by the commission of immigration and housing of California in accordance with law to carry out the provisions of this act. Appropriation.

Approved May 18, 1915.

CHAPTER 417.—*Employment of aliens in public service.*

SECTION 1. No person except a native-born or naturalized citizen of the United States, shall be employed in any department of the State, county, city and county or city government in this State: *Provided, however,* That nothing herein contained shall prohibit the employment as a member of the faculty or teaching force in public schools of this State, nor in schools supported in whole or in part by the State, of any person who has declared his intention to become a citizen of the United States, nor of any native-born woman of the United States who has married a foreigner: *And provided, further,* That the prohibitions of this act shall not apply to any member of the faculty or teaching force of any college or university supported in whole or in part by the State, nor to any specialist or expert temporarily employed by any department of the State, or any county, city and county or city and engaged in special investigation. Aliens not to be employed.
School-teachers, etc.

Sec. 2. It shall be unlawful for any person, whether elected, appointed or commissioned to fill any office in either the State, county, city and county or city government of this State, or in any department thereof, to appoint or employ any person to perform any duties whatsoever, unless such person so appointed or employed be a native-born or naturalized citizen of the United States, subject nevertheless, to the exceptions contained in section one of this act. Appointments, etc.

Sec. 3. No money shall be paid out of the State treasury or out of the treasury of any county, or city and county or city, to any person employed in any of the offices mentioned in section two of this act unless such person shall be a native-born or nat- Payment of wages, etc.

uralized citizen of the United States, subject to the exceptions contained in section one of this act.

Definition. SEC. 4. As used in this act the term "person who has declared his intention to become a citizen" shall not include any person who fails to secure his certificate of naturalization within six months after the time that he is entitled by law to secure the same.

Prior pay-ments. SEC. 5. No action shall be authorized or maintained for the recovery of money heretofore paid to any member of the faculty or teaching force of any public school of this State, or any school, college or university supported in whole or in part by the State, and all payments so made are hereby approved and declared valid.

Approved May 19, 1915.

CHAPTER 433.—*Employment of labor—General provisions.*

[This act amends sections 1999 to 2003 of the Civil Code so as to read as follows:]

Term of em-ployment. Section 1999. An employment, having no specified term, may be terminated at the will of either party, on notice to the other. Employment for a specified term shall mean an employment for a period greater than one month.

Cause for discharge. Sec. 2000. An employment, for a specified term, may be terminated at any time by the employer, in case of any willful breach of duty by the employee in the course of his employment, or in case of his habitual neglect of his duty or continued incapacity to perform it.

Cause for leaving service. Sec. 2001. An employment, for a specified term, may be terminated by the employee at any time, in case of any willful or permanent breach of the obligations of his employer to him as an employee.

Payment of wages. Sec. 2002. An employee who is not employed for a specified term, dismissed by his employer, is entitled to compensation for services rendered up to the time of such dismissal.

Same. SEC. 2003. An employee who is not employed for a specified term and who quits the service of his employer, is entitled to compensation for services rendered up to the time of such quitting.

Approved May 21, 1915.

CHAPTER 484.—*Commissioner of labor—Enforcement of laws.*

Power of commissioner. SECTION 1. The commissioner of the bureau of labor statistics shall have authority and power to enforce any and all labor laws of the State of California, the enforcement of which is not specifically vested in any other officer, board or commission, and the deputies and agents of the said labor commissioner shall have the power and authority of sheriffs and other peace officers to make arrests, and to serve any process or notice throughout the State in the enforcement of such labor laws, pursuant to the instructions of said commissioner.

Approved May 24, 1915.

CHAPTER 485.—*Employees to be supplied with drinking water.*

Duty of em-ployers. SECTION 1. Every employer of labor in this State shall, without making a charge therefor, provide fresh and pure drinking water to his employees during working hours. Access to such drinking water shall be permitted at reasonable and convenient times and places.

Violations. Any violation of the provisions of this act shall be deemed a misdemeanor and punishable for each offense by a fine of not less than twenty-five dollars (\$25), nor more than one hundred dollars (\$100), or by imprisonment for not more than thirty (30) days, or by both such fine and imprisonment.

Approved May 24, 1915.

CHAPTER 487.—*False representations as to employment of union labor.*

SECTION 2. A new section to be numbered 349c is hereby added to the Penal Code to read as follows:

Section 349c. Any person engaged in the production, manufacture or sale of any article of merchandise in this State, or any person engaged in the performance of any acts or services of a private, public or quasi-public nature for profit, who willfully misrepresents or falsely states that members of trades-unions, labor associations or labor organizations were engaged or employed in the manufacture, production or sale of such article or in the performance of such acts or services, when in fact labor, laborers or employees not members of trades-unions, labor associations or labor organizations were exclusively used in the manufacture, production or sale of such articles or in the performance of such acts or service, shall be guilty of a misdemeanor, and punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment.

Approved May 24, 1915.

CHAPTER 494.—*Railroads—Transmission of orders.*

SECTION 1. It shall be unlawful for any person, firm or corporation operating a railroad with more than four trains each way every twenty-four hours, to require or permit any engineer, fireman, conductor, brakeman or trainman to receive, deliver or transmit at any receiving or forwarding instrument of any telegraph or telephone line, any order for the movement of any train, except in such cases or classes of cases as may be permitted by the railroad commission: *Provided, however,* That the foregoing provisions shall not apply to interurban or street railroads. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both such fine and imprisonment.

Approved May 24, 1915.

CHAPTER 499.—*Railroads—Safety appliances—Water glasses on locomotives.*

SECTION 1. Every steam locomotive used upon a railroad in this State, carrying passengers or freight for hire, shall be equipped with one or more water glasses of the type known as the "solid water glass," the same being a solid piece of glass with open flutings at the back thereof, which said flutings will permit the raising and falling of water in the boiler of said locomotive to be plainly visible from each side of the cab without the use of a reflector. The said glass shall not be less than seven inches in length and one and one-quarter inches in width, and five-eighths of an inch in thickness.

SEC. 2. Any person, firm or corporation operating any such steam locomotive which is not equipped with one or more water glasses as described in section one, shall be guilty of a misdemeanor.

SEC. 3. This act shall take effect on and after January 1, 1916.
Approved May 25, 1915.

CHAPTER 501.—*Railroads—Sufficient crews on trains.*

[This act amends chapter 49, Acts of 1911, (amended by ch. 168, Acts of 1913), by inserting the word "mixed" between the words "freight" and "or work," in the first part of section 2; also by

inserting in section 3 provisions covering "any self-propelled pile driver, car, or vehicle which has sufficient power to draw or propel itself and one or more standard cars," when being moved from a permanent station or siding to a work place at least one-half mile distant. Locomotives not disabled and moving in train under steam must in any case have an engineer and a fireman.]

CHAPTER 520.—*Commission of Immigration and Housing.*

[This act amends chapter 318, Acts of 1913, by inserting in section 10 thereof after the word "empowered" in the next to the last sentence the words, "to subpoena witnesses to appear at such hearings and."]

CHAPTER 547.—*Bureau of labor statistics.*

SECTION 1. Section seven of an act * * * [Gen. Laws No. 1828, (Sims Deering's Codes)] approved March 3, 1883, as amended, is hereby amended to read as follows:

Powers of
commissioner.

Section 7. The commissioner and his representatives duly authorized by him in writing shall have the power and authority to issue subpoenas, to compel the attendance of witnesses or parties and the production of books, papers or records, and to administer oaths and to examine witnesses under oath, and to take the verification or proof of instruments of writing, and to take depositions and affidavits for the purpose of carrying out the provisions of this act and all other acts now or hereafter placed in the bureau for enforcement. The commissioner shall have a seal inscribed "Bureau of Labor Statistics—State of California" and all courts shall take judicial notice of such seal. Obedience to subpoenas issued by the commissioner or his duly authorized representatives shall be enforced by the courts in any county or city and county. The commissioner and his representatives shall have free access to all places and works of labor, and any principal, owner, operator, manager, or lessee of any mine, factory, workshop, manufacturing or mercantile establishment, or any agent or employee of such principal, owner, operator, manager, or lessee who shall refuse to said commissioner, or his duly authorized representative, admission therein, or who shall, when requested by him willfully neglect or refuse to furnish to him any statistics or information, pertaining to his lawful duties, which may be in his possession or under the control of said principal, owner, operator, lessee, manager or agent thereof, shall be punished by a fine of not more than two hundred dollars.

Approved May 29, 1915.

CHAPTER 550.—*Bureau of labor statistics.*

[This act amends No. 1828, Gen. Laws (Sims Deering's, 1906) Section 9 is amended to read as follows:]

Deputies.

Section 9. The commissioner shall appoint two deputies who shall have the same power as said commissioner; an assistant deputy who shall reside in the county of Los Angeles; a statistician; a stenographer; and such agents or assistants as he may from time to time require, at such rate of wages as he may prescribe, and actual traveling expenses for each person while employed. He shall procure rooms necessary for offices in San Francisco, Los Angeles, Sacramento, San Diego, and in such other places as he may deem necessary, at a rent not to exceed the sum of four hundred dollars per month.

Offices.

[Section 10 is amended by increasing the salary of the commissioner from \$3,000 to \$4,000, and increasing the annual expense fund from \$20,000 to \$40,000.]

CHAPTER 551.—*Private employment offices.*

[This act amends chapter 282, Acts of 1913, by inserting before the final sentence of section 4, the following: "No license shall be granted to a person whose license has been revoked within three years from the date of application."

[The following is also added to section 4:]

The commissioner of labor shall have the power and authority to revoke any license after a hearing, when it is shown that the licensee or his agent has violated or failed to comply with any of the provisions of this act, or when such licensee had ceased to be of good moral character, or when the conditions under which the license was issued have changed or no longer exist. At any hearing the commissioner of labor shall not be bound by the technical rules of evidence, and his rulings shall be presumed to be prima facie reasonable, and his findings of fact shall, in the absence of fraud, be conclusive and shall be set aside by the superior court only on the following grounds:

1. That the commissioner of labor acted without or in excess of his powers.

2. That the determination was procured by fraud.

[Section 7 is amended by increasing the license fee from \$50 to \$100 in cities of the first, first and one-half, and second classes; and from \$25 to \$50 in cities of the third and fourth classes. The word "fees" in the last sentence is changed to "fines."

[Section 12 is amended by forbidding the acceptance of a fee unless there has been received by the office a bona fide order for employment. Registration fees of any kind are also forbidden. The last sentence, relating to return of fees is qualified by adding thereto the words, "or such portion of said fee as in the judgment of the commissioner of labor may be adequate."

[Section 14 is amended by substituting the words "woman or minor under the age of twenty-one years" for the words "minor under the age of eighteen years" in the first sentence relating to houses of ill fame, etc. The provision as to saloons and drinking places remains as before, i. e., minors under the age of 18. Employers and employers' agents are added to the list of persons with whom a division of fees is forbidden in the closing sentence.]

CHAPTER 571.—*Industrial welfare commission—Minimum wages.*

[This act amends chapter 324, Acts of 1913. Section 8 is amended by designating the present section as subsection (a), and adding thereto the following:]

(b) For any occupation in which a minimum wage has been established, the commission may issue to an apprentice or learner, a special license authorizing the employment of such apprentice or learner, for such time and under such conditions as the commission may determine at a wage less than such legal minimum wage; and the commission shall fix a special wage for such apprentice or learner.

(c) The commission may fix the maximum number of women, and minors under eighteen years of age, to be employed under the licenses provided for in subdivisions (a) and (b) of this section in any occupation, trade, industry or establishment in which a minimum wage has been established.

[Section 11 is amended by adding thereto the following: and every employer or other person who, either individually or as an officer, agent or employee of a corporation, or other persons, violates or refuses or neglects to comply with the provisions of this act, or any orders or rulings of this commission, shall be guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than fifty dollars, or by imprisonment for not less than thirty days, or by both such fine and imprisonment.

Revocation
of licenses.

Special li-
censes.

Limitation.

[Section 12 is amended by inserting after the word "wage" where it occurs (twice) in the first sentence, the words "the maximum hours of work and the standard conditions of labor," and striking out at the end of the same sentence, after the word "herein," the words "to be paid to women and minors."]

CHAPTER 625.—*Employment of children—General provisions.*

[This act amends and adds a number of sections to chapter 1611, Gen. Laws (Sims Deering's, 1906), approved Feb. 20, 1905. The act in its present form is as follows:]

Age limit.	SECTION 1. No minor under the age of fifteen years shall be employed, permitted or suffered to work in or in connection with any mercantile establishment, manufacturing establishment, mechanical establishment, workshop, office, laundry, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, or in any other place of labor at any time: <i>Provided, however,</i> That on the regular weekly school holidays and during the regular vacation of public schools of the city, county, or city and county, in which the place of employment is situated, a minor under the age of fifteen years, but over the age of twelve years, may be employed if provided with a vacation permit as hereinafter provided: <i>And provided, further,</i> That any minor fourteen years of age shall, upon application to the school authorities as in the case of an age and schooling certificate, and upon compliance with all the requirements for the issuance of an age and schooling certificate, be entitled to receive from the officers authorized to issue age and schooling certificates a permit to work outside of school hours.
Vacation employment.	
Who to issue permits.	SEC. 2. The superintendent of schools of any city, or of any city and county, or of any county (over such portions of any such county as are not within the jurisdiction of any superintendent of city schools) shall have authority to issue a permit to work to any minor of the age of fourteen years, in any of the following circumstances:
Evidence.	(1) Where such minor has completed the prescribed grammar school course, and is physically fitted for the labor contemplated; or (2) Where upon the sworn statement being made by the parent, or foster-parent, or guardian, of such minor, that such minor is past the age of fourteen years, that the parent or parents, or foster-parent or foster-parents, or guardian, of such minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of such minor, the family is in need of the earnings of such minor, and that sufficient aid can not be secured in any other manner. The person authorized to issue such permit shall make a signed statement in granting such permit that he, or a competent person designated by him for this purpose has carefully investigated the conditions under which the application for such permit has been asked, and has found that in his judgment the earnings of such minor are necessary for such family to support such minor, and that in his judgment sufficient aid can not be secured in any other manner.
Work to be available.	SEC. 3. No permit as specified in section two of this act shall be issued except upon written evidence that suitable work is waiting for such minor, and such permit shall specify the kind of labor. Permits issued under subdivision two of said section two shall in no case be issued for a longer period than shall seem necessary, nor for longer than six months, at the end of which period such superintendent shall see that such minor returns to school, unless a new permit to labor is issued. Such permit shall be kept on file by the person, firm or corporation employing the minor therein designated, during the term of said employment, and shall be given up to such minor upon his quitting such employment. Where such minor works for himself and not for others, such minor shall keep in his possession such permit. Such permit shall be issued on forms in accordance with this act,
Term of permits.	
Forms.	

which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California. Such permit shall be subject to revocation at any time by such commissioner of the bureau of labor statistics, or by the authority issuing such permit, whenever such commissioner, or the authority issuing such permit shall find that the conditions for the legal issuance of such permit do not exist. Such permit shall be always open to the inspection of the attendance and probation officers, or of the officers of the state bureau of labor statistics. A duplicate copy of each permit to work granted under the provisions of this act shall be kept by the person issuing such permit, such copy to be filed with the superintendent of schools of the city, or city and county, or county, as the case may be: *Provided*, That all copies of permits issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. Corresponding semiannual reports of all such permits issued shall be made by such superintendents in such form as may be required by the commissioner of the bureau of labor statistics of the State of California.

Revocation,
inspection, etc.

Sec. 4. No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: Adjusting any belt to any machinery, or sewing or lacing machine belts in any workshop or factory, or oiling, wiping or cleaning machinery or assisting therein, or operating or assisting in operating any of the following machines: (a) Circular or band saws; (b) wood shapers; (c) wood jointers; (d) planers; (e) sandpaper or wood-polishing machinery; (f) wood-turning or boring machinery; (g) picker machines or machines used in picking wool, cotton, hair or any other material; (h) carding machines; (i) paper-lace machines; (j) leather-burnishing machines; (k) job or cylinder printing presses operated by power other than foot power; (l) boring or drill presses; (m) stamping machines used in sheet-metal and tinware or in paper and leather manufacturing, or in washer and nut factories; (n) metal or paper cutting machines; (o) corner staying machines in paper box factories; (p) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (q) steam boilers; (r) dough brakes or cracker machinery of any description; (s) wire or iron straightening or drawing machinery; (t) rolling mill machinery; (u) power punches or shears; (v) washing, grinding or mixing machinery; (w) calender rolls in paper and rubber manufacturing; (x) laundering machinery; or in proximity to any hazardous or unguarded belts, machinery or gearing; or upon any railroad, whether steam, electric or hydraulic; or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this state: *Provided, however*, That the provisions of this section shall not apply to the courses of training in vocational or manual training schools or in State institutions.

Dangerous
occupations.

Sec. 5. No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity (1) in, about or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of dangerous or poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about or in connection with any mine, coal breaker, coke oven, or quarry; (12) nor in assorting, manufacturing or packing tobacco; (13) nor in operating any automobile, motor car or truck; (14) nor in

Same.

- a bowling alley; (15) nor in a pool or billiard room; (16) nor in any other occupation dangerous to the life or limb, or injurious to the health or morals of such child.
- Determinations.** SEC. 6. The bureau of labor statistics may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under sixteen years of age to justify their exclusion therefrom. No child under sixteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the superior court from any such determination.
- Hours of labor.** SEC. 7. No minor under the age of eighteen years shall be employed in laboring in any manufacturing, mechanical, or mercantile establishment or other place of labor, more than eight hours in one day or more than forty-eight hours in one week, except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week, nor before the hour of five o'clock in the morning, nor after the hour of ten o'clock in the evening.
- Night work.**
- Messengers.** SEC. 8. No person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for any telegraph, telephone or messenger company in the distribution, transmission or delivery of goods or messages before six o'clock in the morning, or after nine o'clock in the evening of any day.
- Vacation permits.** SEC. 9. Vacation permits shall be signed by the principal, vice-principal of the school, or secretary of the board of school trustees or board of education of the school which such minor is attending, or has attended during the term next preceding any such vacation. Such permit shall contain the name and age of the minor to whom it is issued, and when issued for the regular vacation, the date of the termination of the vacation for which it is issued, and in any case shall be kept on file by the employer during the period of employment, and at the termination of such employment shall be returned to the minor to whom it was issued.
- Certificates.** SEC. 10. No minor of the age of fifteen years shall be employed, permitted or suffered to work in or in connection with any of the places enumerated in section one during the hours the public schools are in session, unless such minor is provided with an age and schooling certificate as herein provided.
- An age and schooling certificate shall be approved only by the superintendent of schools of the city or county and by a person authorized by him in writing, or where there is no city or county superintendent of schools, by a person authorized by the local school trustees: *Provided*, That the superintendent or principal of any school of recognized standing shall have the right to approve an age and schooling certificate, and shall have the same rights and powers as the superintendent of public schools to issue the certificate herein provided for the children attending such schools. The person authorized to issue age and schooling certificates shall have the authority to administer the oaths necessary for carrying out the provisions of this act, but no fees shall be charged for issuing such certificates. The person authorized to issue age and schooling certificates shall not issue such certificates until the minor in question, accompanied by its parent or guardian, has personally made application to him therefor, and until he has received, examined, approved and filed the following papers duly executed: (1) The school record of such minor, giving age, grade and attendance for current term, duly signed by the principal or teacher. (2) A duly attested transcript of the birth certificate filed according to law with any officer charged with the duty of
- Evidence.**

recording births; or a passport, or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such minor; or, in case the officer authorized to issue the certificate is satisfied that none of such proofs of age can be produced, other evidence of age can be produced, such as school enrollment record, or affidavit of the parent, guardian or custodian of such minor, such as shall convince such officer that the minor is fifteen years of age or upwards. (3) The written statement of the person, firm or corporation in whose service the minor is about to enter, that he intends to employ the minor, which statement shall give the nature of the occupation for which the child is to be employed. (4) A certificate signed by a physician appointed by the school board, or other public medical officer, stating that such minor has been examined by him and, in his opinion, has reached the normal development of a minor of its age and is in sufficiently sound health and physically able to be employed in the work which it intends to do: *Provided, however*, That no fee shall be charged the minor for such physician's certificate.

Age and schooling certificates shall be issued on forms which shall be prepared and provided by the commissioner of the bureau of labor statistics of the State of California, and shall be substantially in the following form, to wit:

Forms.

Age and schooling certificate. This certifies that I am the (father, mother or guardian) of (name of the minor) and that (he or she) was born at (name of the city or town), in the county of (name of county, if known), and State (or country) of (name) on the day (day and year of birth), and is now (number of years and of months) old.

Signature, as provided in this act.

City or town, and date.

There personally appeared before me the above named (name of person signing) and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge and belief.

I hereby approve the foregoing certificate of (name of minor), height (feet and inches), complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified, and I hereby certify that (he or she) has completed the prescribed grammar school course or that (he or she) has completed the equivalent of the seventh grade of the regular grammar school course and is a regular attendant for the then current term at a regularly conducted night school.

Signature of the person authorized to sign, with his official character and authority.

Town or city and date.

This certificate belongs to the minor in whose behalf it is drawn and it shall be presented to (him or her) whenever (he or she) leaves the service of the person, firm or corporation holding the same.

The certificate as to the birthplace and age of the minor under sixteen years of age shall be signed by his father, his mother, or his guardian; if a minor has no father, mother, or guardian living in the same city or town, his own signature to the certificate may be accepted by the person authorized to approve the same. Every person authorized to sign the certificate prescribed by this act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment.

Parent, etc.,
to sign.

A duplicate copy of each age and schooling certificate granted under the provisions of this act shall be kept by the person issuing such certificate, such copy to be filed with the county superintendent of schools in the county where the certificate is issued: *Provided*, That all such copies of certificates issued between June

Files.

25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. The county superintendent of schools of each county shall file with the commissioner of the bureau of labor statistics, a report showing the number of age and schooling certificates issued to male and female minors and such other detailed information as the commissioner may require. Said report to be filed during the months of January and July of each year for the preceding six months, ending June 25th and December 25th of each year, and cover certificates issued during said periods and on file in the office of the county superintendent of schools as described in this section.

Unemployed children.

Sec. 11. No minor having an age and schooling certificate, as hereinbefore described, and no other minor under sixteen years of age, who would by law be required to attend school, shall, while the public schools are in session, be and remain idle and unemployed for a period longer than two weeks, but must enroll and attend school: *Provided*, That within one week after any minor having such age and schooling certificate shall have ceased to be employed by any employer, such employer shall, in writing, giving the latest correct address of such minor known to such employer, notifying the issuing officer that such minor is no longer employed by such employer; and such issuing officer shall thereupon immediately notify the attendance officer having jurisdiction in the place of such minor's residence, giving the said latest known correct address of such minor, that such minor is neither at work nor in school: *And provided, further*, That no such minor shall be permitted to cease school attendance, without securing an age and schooling certificate as provided in this act.

Registers.

SEC. 12. Every person, firm, corporation or agent, or officer of a firm or corporation, employing minors under the age of eighteen years shall keep a register containing the names and addresses of such minor employees and shall post and keep posted in a conspicuous place, in every room where such minors are employed, a written or printed notice stating the hours per day for each day of the week required of such minors, and shall keep on file all permits and certificates required by this act for minors under the age of sixteen years. Such records and files shall be open at all times to the inspection of the school attendance and probation officers and the officers of the state bureau of labor statistics.

Who to keep certificates.

All certificates and permits shall be given up to such minor upon his quitting such employment. Where such minor works for himself and not for others, such minor shall keep in his possession such certificate. Such certificate shall be subject to revocation at any time by such commissioner of the bureau of labor statistics, or by the authority issuing such certificate, whenever such commissioner or the authority issuing such certificate shall find that conditions for the legal issuance of such certificate do not exist.

Violations.

SEC. 13. Any person, firm, corporation, agent or officer of a firm or corporation that violates or omits to comply with any of the foregoing provisions of this act, or that employs or suffers or permits any minor to be employed in violation thereof, is guilty of a misdemeanor, and, shall, upon conviction thereof, be punished by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment, for each and every offense. A failure to produce any age and schooling certificate or vacation permit to work or to post any notice required by this act shall be prima facie evidence of the illegal employment of any minor whose age and schooling certificate or permit to work is not produced, or whose name is not so posted. Any fine collected under the provisions of this act shall be paid into the school funds of the county, or city, or city and county, in

which the offense occurred; except such fines imposed and collected as the result of prosecutions by the officers of the bureau of labor statistics, in which cases one-half of the resultant fine or fines shall be paid into the State treasury and credited to the contingent fund of the bureau of labor statistics, and one-half paid into the school funds of the county, or city, or city and county, in which the offense occurred.

SEC. 14. Nothing in this act shall be construed to prohibit the employment of minors sixteen years of age or over at agricultural, horticultural, or viticultural, or domestic labor. Nor shall anything in this act be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor, during the time the public schools are not in session, or during other than school hours. For the purpose of this act, horticultural shall be understood to include the curing and drying, but not the canning of all varieties of fruit. Nor shall anything in this act be construed to prohibit any minor between the ages of fifteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theatre, or other place of amusement, previous to the hour of ten o'clock p. m., in the presentation of a performance, play or drama, continuing from an earlier hour till after the hour of ten o'clock p. m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p. m.: *Provided*, The written consent of the commissioner of the bureau of labor statistics is first obtained. Nor shall anything in this act prevent, or be construed to prohibit, the employment of any minor, whether resident or nonresident, in the presentation of a drama or dramatic play with the written consent of the commissioner of the bureau of labor statistics, but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama or dramatic play is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama or dramatic play, and the commissioner may require the person charged with the issuance of age and schooling certificates to make the necessary investigation into such conditions; and every such written consent shall specify the name and age of the minor together with such other facts as may be necessary for the proper identification of such minor, and the dates when, and the theatres or other places of amusement in which, such dramas or dramatic plays are to be produced, and shall specify the dramas or dramatic plays in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it. Dramas and dramatic plays shall include the production of motion picture plays: *Provided, however*, That nothing herein contained shall be construed to permit the use of a minor in any occupation prohibited under section two hundred seventy-two of the Penal Code.

SEC. 15. Work shall be deemed to be done for a manufacturing establishment within the meaning of this act, whenever it is done at any place upon the work of a manufacturing establishment or upon any of the materials entering into the product of the manufacturing establishment, whether under contract or arrangement with any person in charge of or connected with such manufacturing establishment directly or indirectly, through the instrumentality of one or more contractors or other third persons.

SEC. 16. No boy under ten years of age, nor girl under eighteen years of age, shall be employed, permitted or suffered to work at any time in or in connection with the street occupation of peddling, boot blacking, the sale or distribution of newspapers, magazines, periodicals or circulars nor in any other occupation pursued in any street or public place: *Provided, however*, That

Act construed.

Theatrical performances.

Manufacturing establishments.

Street trades.

nothing in this section shall be construed to apply to cities whose population is less than twenty-three thousand according to the last Federal census.

Any person, firm, corporation, or agent, or officer of a firm or corporation, or any parent or guardian violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than fifty dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment.

Enforcement. Sec. 17. The bureau of labor statistics shall enforce the provisions of this act. The commissioner, his deputies and agents, shall have all the powers and authority of sheriffs or other peace officers, to make arrests for violation of the provisions of this act, and to serve any process or notice throughout the State.

The attendance officer of any county, city and county, or school district in which any place of employment, in this act named, is situated, or the probation officer of such county, shall have the right and authority, at all times, to enter into any such place of employment for the purpose of investigating violations of the provisions of this act, or violations of the provisions of an act entitled "An act to enforce the educational rights of children and providing penalties for the violation of the act," approved March 24, 1903, and any act amending or superseding the same: *Provided, however,* That if such attendance or probation officer is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by such attendance or probation officer setting forth the fact that he has a good cause to believe that the provisions of this act, or the act hereinbefore referred to, are being violated in such place of employment, issue an order directing such attendance or probation officer to enter said place of employment for the purpose of making such investigations.

Act severable. Sec. 19. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Approved June 5, 1915.

CHAPTER 628.—*Payment of wages in scrip.*

SECTION 1. Section one of an act * * * [Chapter 92, Acts of] 1911, is hereby amended to read as follows:

Orders, etc., to be negotiable. Section 1. No person, firm or corporation shall issue, in payment of or as an evidence of indebtedness for wages due an employee, any order, check, memorandum, or other acknowledgment of indebtedness, unless the same is negotiable, and is payable upon demand without discount in cash at some bank or other established place of business in the State; and no person, firm or corporation shall issue in payment of wages due, or wages to become due an employee, or as an advance on wages to be earned by an employee, any scrip, coupons, cards or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money. But nothing herein contained shall be construed to prohibit an employer from guaranteeing the payment of bills incurred by an employee for the necessities of life or for the tools and implements used by such employee in the performance of his duties: *Provided, however,* That the provisions of this act shall not apply to counties, cities and counties, municipal corporations, quasi municipal corporations or school districts organized and existing under the laws of this State.

SEC. 2. Section two of said act is hereby amended to read as follows:

Sec. 2. Any person, firm or corporation, or agent or officer thereof, who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Approved June 5, 1915.

CHAPTER 657.—*Payment of wages—Semimonthly pay day.*

SECTION 1. All wages or compensation of employees in private employments shall be due and payable semimonthly, that is to say, all such wages or compensation earned and unpaid prior to the first day of any month, shall be due and payable not later than the fifteenth day of the month following the one in which such wages were earned; and all wages or compensation earned and unpaid prior to the sixteenth day of any month, shall be due and payable not later than the last day of the same month. The words "private employments" used in this act shall mean and include all employments other than those mentioned in section six hereof and those under the direct management, supervision and control of the State of California, any county, city and county, incorporated city or town, or other municipal corporation or political subdivision of the State of California, or any officer or department thereof. But nothing contained herein shall be construed as prohibiting the payment of wages at more frequent periods than semimonthly.

SEC. 2. Every employer shall establish and maintain regular pay days as herein provided, and shall post and maintain notices, printed or written in plain type or script, in at least two conspicuous places where said notices can be seen by the employees as they go to and from the work, setting forth the regular pay days as herein prescribed.

SEC. 3. The payment of wages or compensation of employees in the employments defined herein, shall be made in lawful money of the United States or by a good and valid negotiable check or draft, payable on presentation thereof at some bank or other established place of business, located in this State, without discount in lawful money of the United States, and not otherwise.

SEC. 4. In case an employee in any said employment shall be absent from the usual place of employment at the time said payment shall be due and payable as hereinabove provided, he shall be paid the wages or compensation within five days after making a demand therefor.

SEC. 5. Every person, or any agent of any person, copartnership, association or corporation, who, having the ability to pay, shall willfully refuse to pay the wages due and payable when demanded, as herein provided, or falsely deny the amount or validity thereof, or that the same is due, with intent to secure, for himself or any other person, any discount upon such indebtedness, or with intent to annoy, or harass, or oppress, or hinder, or delay, or defraud the person to whom such indebtedness is due, shall be guilty of a misdemeanor.

SEC. 6. This act shall not apply to employers and employees engaged in farm, dairy, agricultural, viticultural or horticultural pursuits, in stock or poultry raising, in household domestic service, or to employers having less than six employees regularly employed.

SEC. 7. The commissioner of the bureau of labor statistics shall enforce the provisions of this act.

Approved June 8, 1915.

Violations.

Wages payable, when.

Notices to be posted.

Payment in money, etc.

Absent employees.

Refusal to pay.

Exemptions.

Enforcement.

CHAPTER 666.—*Employment on public works.*

SECTION 7. Section nine of said act [chapter 387, Acts of 1909] is hereby amended to read as follows:

Bond to comply with laws.

Section 9. * * * Any such contracts [for public works] shall provide for the filing of a sufficient bond by the contractor to secure the payment of the claims of material men, mechanics, or laborers employed upon State work; a penalty of ten dollars per day to be forfeited to the State for each calendar day during which any laborer, workman or mechanic is employed or permitted to labor more than eight hours; a minimum compensation of not less than two dollars per day for labor; that no Chinese or Mongolian labor shall be employed and such other provisions as are now or may hereafter be provided by law.

Approved June 8, 1915.

CHAPTER 667.—*Employers' hospital funds—Administration, etc.*

SECTION 1. The following terms, as used in this act, shall be construed as follows:

Definitions.

(a) The term "employer" shall mean and include every person, partnership, company, association, joint stock association or corporation engaged in any business or enterprise in this State and hiring or employing five or more persons in such business.

(b) The term "charge" shall mean and include any deduction from the salary or wage of an employee, or any collection from or contribution by an employee, whether such charge be made regularly at stated intervals or at the time of injury or illness of an employee, or at any other time or in any other manner.

Who to make reports.

SEC. 2. Every employer who affords or provides hospital service of any sort for his employees, for which service any charge is received or collected by such employer, or at his instance or request, shall in each year, on or before the thirtieth day of January thereof, file as hereinafter provided a written report for the next last preceding year, which report shall contain a statement showing (1) the total amount of hospital charges collected or received during the year, (2) an itemized account of all expenditures, investments or other disposition of such charges, and (3) a statement showing what balance, if any, remains. This report shall be verified by the employer, if an individual; by a member, if a partnership; by the secretary or president, if a corporation, company, association or joint stock association.

Charges to be reasonable.

SEC. 3. Every such hospital charge demanded, collected or received by an employer shall be just and reasonable. The railroad commission is hereby given authority to decide what is an unreasonable charge in all cases where such charge is made by a hospital maintained by a public utility, and in all cases where the charge is made by a hospital maintained by other than a public utility, the industrial accident commission is hereby given authority to decide what is an unreasonable charge.

Use of fees.

SEC. 4. No such hospital charge collected or received by an employer shall be devoted to any purpose other than a bona fide hospital or medical service for the employees from whom the charge is demanded, collected or received.

Powers of railroad commission.

SEC. 5. Every public utility employer who is under a duty to render the report referred to in section two of this act shall be subject to the jurisdiction, control and regulation of the railroad commission in respect to auditing and inspection of all books, records and accounts and to enforce its orders in the same manner and to the same extent as said commission possesses over any public utility that is subject to the provisions of the "Public Utilities Act" of this State, approved December 23, 1911, as amended June 11, 1913, and June 14, 1913, and all acts amendatory thereof or supplemental thereto. Every employer coming

Act to be posted.

under the provisions of this act shall be required to post a copy of this statement or report upon all bulletin boards at terminals or in a conspicuous place where employees can read such statement

or report. Every employer other than a public utility, who is under a duty to render the report referred to in section two of this act, shall be subject to the jurisdiction, control and regulation of the industrial accident commission in respect to the auditing and inspection of all books, records and accounts and the authority is hereby conferred upon said industrial accident commission to enforce by appropriate orders and processes the provisions of this act. The written report required by section two hereof when made by a public utility shall be filed with the railroad commission. All other written reports required by section two hereof shall be filed with the industrial accident commission.

SEC. 6. Every employer neglecting or failing to render or file the report required by section two of this act is guilty of a misdemeanor and is punishable by a fine not less than one hundred dollars or more than two thousand dollars for each offense.

Approved June 8, 1915.

Violations.

CHAPTER 671.—*Rates of wages of employees of State printing office.*

SECTION 1. Section five hundred thirty-one of the Political Code is hereby amended to read as follows:

Section 531. * * *

Provided, That at no time shall he pay said compositors, bookbinders, pressmen or assistants a lower rate of wages than the average wage paid by those employing such mechanics in Sacramento, San Francisco, Oakland and Los Angeles for like work. He shall at no time employ more compositors, bookbinders, pressmen or assistants than the absolute necessities of the State printing may demand, and he shall not permit any other than State work to be done in the State printing office.

Approved June 8, 1915.

Current rate
of wages.

COLORADO.

ACTS OF 1915.

CHAPTER 72.—*Liability of employers for injuries to employees.*

[This is simply a reproduction of chapter 43, Acts of 1913, approved on referendum.]

CHAPTER 119.—*Mine regulations.*

SECTION 1. Section 4294 of the Revised Statutes of Colorado, 1908, [shall] be amended to read as follows:

Section 1. In all shafts, hereafter constructed, collars of same shall be protected in such manner that persons or foreign objects can not fall into the shaft. In all shafts equipped with cages, safety clutches or dogs, and safety chairs shall be used. The safety chairs shall be so constructed and of such material that, in the event of the cage being raised to sheave wheel, the cage will be held by such chairs or other devices and prevented from falling into the shaft. In shafts equipped with buckets, shaft doors must be constructed that will prevent any material falling into shaft from dumping. Guards, etc.,
at shafts.

Sec. 2. In all mines operating cages, such cages shall be equipped with gates and such gates shall be used whenever cages are being operated for the purpose of lowering or hoisting men who are coming on or going off shift and whenever an injured man is being brought to the surface. Gates for
cages.

Approved, April 13, 1915.

CHAPTER 180.—*Industrial commission—Safety of employecs.*

SECTION 1. The term "commission" when used in this act shall mean the "Industrial Commission of Colorado." Commission.

SEC. 2. The term "commissloner" when used in this act shall mean one of the members of the commission. Commission-
er.

SEC. 3. Unless the context otherwise requires, a word used in this act in the singular number shall also include the plural; and a word used in this act in the masculine gender shall also include the feminine. Use of words.

SEC. 4. The following terms as used in this act, shall be construed and have the following meaning, unless otherwise specifically defined in the context. Definitions.

(a) The term "place of employment" shall mean and include every place, whether indoors or out or underground, and the premises appurtenant thereto, where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly relating to any industry, trade or business, is carried on, and where any person is directly or indirectly employed by another for direct or indirect gain or profit.

(b) The term "employment" shall mean and include any trade, occupation or process of manufacture, or any method of carrying on such trade, occupation, or process of manufacture in which any person may be engaged.

(c) The term "employer" shall mean and include:

I. The State, and each county, city, town, irrigation and school district therein, and all public institutions and administrative boards thereof.

II. Every person, association of persons, firm and private corporation (including any public service corporation), manager, personal representative, assignee, trustee and receiver, who has four (4) or more persons regularly engaged in the same business or employment, (except as otherwise expressly provided in this act), in service under any contract of hire, express or implied.

III. This act is not intended to apply to employers of private domestic servants or farm and ranch labor; nor to employers who employ less than four employees regularly in the same business, or in or about the same place of employment.

(d) The term "employee" shall mean and include every person in the service of the State or of any county, city, town, irrigation or school district therein, or of any public institution or administrative board thereof, and any other person, association of persons, firm, private corporation, including any public service corporation, personal representative, assignee, trustee, or receiver under any contract of hire, express or implied, including aliens, and also including minors who are legally permitted to work under the laws of this State, who, for the purposes of this act, shall be considered the same, and shall have the same power of contracting with respect to their employment as adult employees.

(e) The term "order" shall mean and include any decision, rule, regulation, direction, requirement or standard of the commission, or any other determination arrived at or decision made by such commission.

(f) The term "general order" shall mean and include such order of the commission as applies generally throughout the State to all persons, employments or places of employment, under the jurisdiction of the commission. All other orders of the commission shall be considered special orders.

(g) The term "local order" shall mean and include any ordinance, order, rule or determination of any common council, board of aldermen, board of supervisors, board of trustees, or board of commissioners, of any county, town, city, or city and county operating under any general or special law of this State, or of the board of health of the State or any municipality therein, or any order or direction of any official of the State or municipality therein.

(h) The term "deputy" shall mean and include any person employed by the commission designated as such deputy by the commission, and who may be engaged in the performance of duties under the direction of the commission.

(i) The term "safe" or "safety" as applied to an employment or place of employment, shall mean such freedom from danger to the life, health and safety of employees, and such reasonable means of notification, egress and escape in case of fire, as the nature of the employment will reasonably permit.

Commission
created.

Sec. 5. There is hereby created a board which shall be known as the "Industrial Commission of Colorado." Within thirty days after the passage of this act the governor, by and with the consent of the senate, shall appoint one member whose term of office shall expire March 1, 1917, a second member whose term of office shall expire March 1, 1919, and a third member whose term of office shall expire March 1, 1921. Upon the expiration of each appointment, the governor shall appoint members of the commission, by and with the advice and consent of the senate, for terms of six years each. Vacancies shall be filled in the same manner for unexpired terms. Not more than two of the commissioners shall be members of the same political party. Not more than one of the appointees to such commission shall be a person who, on account of his previous vocation, employment or affiliations, can be classed as a representative of employers, and not more than one of said appointees shall be a person who, on account of his previous vocation, employment or affiliations, can be classed as a representative of employees;

Each member of the commission, before entering upon the duties of his office, shall take the oath prescribed by the constitution, and shall give good and sufficient bond running to the people of the State of Colorado, in the penal sum of ten thousand dollars, conditioned that he shall faithfully discharge the duties of his office and shall account for and pay over to the person entitled thereto, such moneys as shall come into his possession; said bond shall be signed by a surety company duly authorized to do business in this State, or by two or more individuals as surety or sureties and shall be subject to approval by the governor and shall then be filed with the secretary of state. If surety company bonds shall be furnished, the premium therefor shall be paid by the State as other expenses of the commission are paid. In case of a vacancy, the remaining two members of the commission shall exercise all the powers and authority of the commission until such vacancy is filled. Each member of the commission shall receive an annual salary of four thousand dollars, and actual expenses necessarily incurred in the performance of his duties, which shall be in full for all services performed. The commissioners shall devote their entire time to the duties of their office.

Oath and bonds.

Salary.

A majority of said commissioners shall constitute a quorum to transact business and for the exercise of any of the powers or authority conferred by this act.

Quorum.

Sec. 6. The commission shall have power, with the approval of the State auditing board, to employ during its pleasure a secretary and such deputies, experts, statisticians, accountants, inspectors, clerks, and other employees as it may deem necessary to carry out the provisions of this act or to perform the duties and exercise the powers conferred by law upon the commission. The commissioners, secretary, deputies, statisticians, accountants, inspectors, clerks, and all other employees, except experts and actuaries in the employ of the commission, shall have been for two years prior to such employment or appointment, bona fide residents of the State of Colorado, and skilled and efficient in the duties assigned to them, and each and all of them, except only the experts shall, while in the employ of the commission, devote their entire time to the service of the commission. The commission shall employ and always maintain in the department a compensation actuary who shall be experienced and skilled and fully competent to perform the duties of the position, and to assist in or take charge of the practical operation of this act under the general direction of the commission. The actuary shall receive such salary as may be agreed upon by the State auditing board.

Employees.

All deputies, statisticians, accountants, clerks, experts and all other employees of the commission shall receive such compensation as may be fixed by law or by the commission, acting in conjunction with the State auditing board. The salary or compensation of every person holding employment under the commission shall be paid monthly from the funds appropriated for the use of the commission, after being approved by the commission, and the State auditing board.

Salaries.

All expenses incurred by the commission pursuant to the provisions of this act, including the actual and necessary traveling expenses and other expenses and disbursements of the commissioners, their deputies and employees, incurred while on business of the commission, shall be paid from the funds appropriated for the use of the commission, upon claims therefor, itemized and sworn to, made by the person who incurred the same, which shall be allowed by the commission, subject to the approval of the State auditing board.

Expenses.

Sec. 7. The commission shall be known collectively as the "Industrial Commission of Colorado" and in that name may sue and be sued. It shall have a seal upon which shall be inscribed the words "Industrial Commission—Colorado—Seal." Its seal shall be affixed to all orders, awards, proceedings and copies thereof and to such other instruments as the commission shall

Title.

Seal.

direct. All courts shall take judicial notice of said seal and any copy of any record or proceeding of the commission certified under said seal shall be received in all courts as evidence as if it were the original thereof.

Office, supplies, etc.

SEC. 8. The commission shall keep its office at the capitol and shall be provided by the board of capitol managers or its successors with suitable rooms. The commission is authorized to procure all necessary office furniture, stationery, books, periodicals, maps, instruments, apparatus and appliances and other necessary supplies and incur such other expenses as may be actual and necessary, and the same shall be paid for in the same manner as other expenses authorized by this act. The commission or a commissioner may hold sessions at any place other than the capitol when the convenience of the commission or the parties interested requires.

Organization.

SEC. 9. Within thirty days after the passage of this act, the commission shall meet at the capitol and organize in the manner herein provided. It shall be the duty of the secretary to keep a full and correct record of all proceedings of the commission, to issue all necessary processes, writs, warrants, orders, awards, and notices and to perform all other duties as the commission may prescribe. He shall also have supervision of the collection of data, information concerning matters covered by the provisions of the act, and make such reports thereon as the commission may direct.

Sessions.

The sessions of the commission shall be open to the public and shall stand and be adjourned without further notice thereof on its record. All of the proceedings of the commission shall be shown on its record, which shall be a public record, and all voting shall be by the calling of each member's name by the secretary, and each member's vote shall be recorded on the proceedings as the same is cast.

Rules.

SEC. 10. Subject to the provisions of this act, the commission may adopt its own rules of procedure and may change the same from time to time in its discretion.

Duties and powers.

SEC. 11. It shall also be the duty of the commission, and it shall have the power, jurisdiction and authority:

(a) To appoint advisors, who shall, without compensation, assist the commission in the execution of its duties;

(b) To inquire into and supervise the enforcement, as far as respects relations between employer and employee, of the laws relating to child labor, laundries, stores, factory inspection, employment of females, employment offices and bureaus, mining, both coal and metalliferous, fire escapes and means of egress from places of employment and all other laws protecting the life, health, and safety of employees in employments and places of employment;

(c) To investigate, ascertain, declare and prescribe safety devices, safeguards or other means or methods of protection best adapted to render safe the employees of every employment and place of employment, as may be required by law.

(d) To ascertain and fix such reasonable standards, and to prescribe, modify and enforce such reasonable orders for the adoption of safety devices, safeguards and other means or methods of protection to be as nearly uniform as possible, as may be necessary to carry out all laws relative to the protection of the life, health, safety and welfare of employees in employments and places of employment.

(e) To ascertain, fix and order such reasonable standards, rules or regulations as provided by law, for the construction, repair and maintenance of places of employment, as shall render them safe.

(f) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings; to alter or amend the same from time to time in its discretion; such rules and regula-

tions shall not be effective until ten days after their publication. A copy of such rules and regulations shall be delivered to every citizen making application therefor, and a copy delivered with every notice of hearing;

(g) To license and supervise private employment agencies; to supervise State free employment agencies; to do all in its power to bring together employers seeking employees, and working people seeking employment. It shall investigate the extent and causes of unemployment in the State of Colorado and the remedies therefor, and it shall devise and adopt the most efficient means within its power to avoid unemployment, and to prevent involuntary idleness; Employment agencies.

(h) Any county, city or town may enter into an agreement with the commission for such period of time as may be deemed desirable for the purpose of establishing and maintaining local free employment offices, and it shall be lawful for any county, city or town to appropriate and expend the necessary money and to permit the use of public property for the joint establishment and maintenance of such offices as may be agreed upon;

(i) To collect, collate and publish statistical and other information relating to the work under its jurisdiction; annually, on or before the tenth day of December, to make a full report to the governor covering its work during the year preceding the first day of said month of December; to make public reports in its judgment necessary; Reports.

(j) The commission shall cause to be printed, and, upon application, furnished, free of charge, to any employer or employee such blank forms as it shall deem requisite to facilitate or promote the efficient administration of this act; it shall provide such proper record books or records as it shall deem required for the proper and efficient administration of this act, all such records to be kept in the office of the commission. It shall also cause to be printed in proper form for distribution to the public proper pamphlets showing its orders, regulations and rules of procedure, and shall furnish the same to any person upon application therefor, and the fact that such orders, regulations and rules of procedure are printed ready for distribution to all who apply for the same, shall be a sufficient publication of the same as required by this act.

(k) To administer and enforce all the provisions of law relating to compensation for accidental injury to and death of employees. Compensation law.

Sec. 12. All general orders shall take effect upon their publication in the regular pamphlets of rules and regulations issued by the commission. Orders in effect.

Special orders shall take effect as therein directed.

The commission may, upon application of any person, grant such time as may be reasonably necessary for compliance with any order. Any person may petition the commission for an extension of time, which the commission shall grant if it finds such an extension of time necessary.

All orders of the commission shall be valid and in force, and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose, pursuant to the provisions of this act, or until altered or revoked by the commission.

A substantial compliance with the requirements of this act, shall be sufficient to give effect to the orders or awards of the commission and they shall not be declared inoperative, illegal or void for any omission of a technical nature in respect thereto.

Sec. 13. Every employer shall exercise reasonable care and comply fully with all the requirements of law respecting health and safety and to furnish places of employment which shall be safe for employees therein and to furnish and use safety devices and safeguards, and to adopt and use methods and processes reasonably adequate to render such employment and places of employment safe, and to do every other thing reasonably necessary to protect the life, health and safety of such employees. Duty of employers.

Every employer and every owner of a place of employment now or hereafter constructed shall exercise reasonable care to so construct, repair or maintain such place of employment as to render the same safe, in accordance with the statutes of this State in such cases made and provided.

Unsafe places. SEC. 14. Whenever the commission shall learn, or upon petition by any person be informed, that any employment or place of employment is not safe, it shall proceed summarily with or without notice, to make such investigation as may be necessary to determine the matter complained of, in so far as the same may affect the provisions of this act.

After investigation, the commission shall call the attention of the commissioner of labor, or other officer authorized to inspect and regulate same, and shall order such changes as may be necessary to render such employment or place of employment safe, and comply with the provisions of this act.

Power of commission to supervise.

SEC. 15. The commission is vested with the power and jurisdiction to have such supervision of every employment and place of employment in this State as may be necessary adequately to ascertain and determine the conditions under which the employees labor, and the manner and extent of the obedience by the employer to all laws and all lawful orders requiring such employment and places of employment to be safe, and requiring the protection of the life, health and safety of every employee in such employment or place of employment, and to enforce all provisions of law relating thereto; and is also vested with power and jurisdiction to administer all provisions of this act with respect to the relations between employer and employee and to do all other acts and things convenient and necessary to accomplish the purposes of this act.

Duty of public officials.

SEC. 16. It shall be the duty of all officers and employees of the State, the counties and municipalities, upon request of the commission to enforce in their respective departments, all lawful orders of the commission, in so far as the same may be applicable and consistent with the general duties of such officers and employees; and it shall also be their duty to make to such commission such reports as it may require concerning matters within their knowledge appertaining to the purposes of this act, and to furnish to it such facts, data, statistics and information as may from time to time come to them appertaining to the purposes of this act, and the duties of such commission thereunder, and particularly all information coming to their knowledge respecting the conditions of all places of employment subject to the provisions of this act, as regards the health, protection and safety of employees, and the conditions under which they labor.

Statistician.

It shall be the duty of the labor statistician of the bureau of labor statistics to collect, compile and report to the commission such data, facts and information as shall come to his department or to the commission concerning the relations between employer and employee and relating in any way to the provisions of this act.

Deputies.

SEC. 17. For the purpose of making any investigation with regard to any employment or place of employment, or other matter contemplated by the provisions of this act, the commission shall have power to appoint, by an order in writing, any member of the commission, any deputy or any other competent person as an agent whose duties shall be prescribed in such order.

In the discharge of his duties such agent shall have every power whatsoever for obtaining information granted in this act to the commission and all powers granted by law to officers authorized to take depositions are hereby granted to such agent.

Agents.

The commission may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agents the taking of all testimony bearing upon any investigation or hearing. The decision of the commission shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and

shall not preclude any further investigation, or the taking of further testimony, if the commission so order.

Sec. 18. Every employer and employee shall furnish the commission, upon request, all information required by it to accomplish the purposes of this act, which information shall be furnished on blanks to be prepared by the commission; and it shall be the duty of the commission to furnish such blanks to such employer free of charge, upon request therefor. Every employer receiving from the commission any blanks, with directions to fill out the same, shall cause the same to be properly filled out so as to answer fully and correctly all questions therein propounded, and to give all the information therein sought, or if unable to do so, he shall give in writing good and sufficient reasons for such failure. The commission may require that the information herein required to be furnished be verified under oath and returned to the commission within the period fixed by it or by law. The commission, or any person employed by it for that purpose, shall have the right to examine, under oath, any employee or employer, or the officer, agent or employee thereof, for the purpose of ascertaining any information which such employer or employee is required by this act to furnish to the commission. Any employer or employee who shall fail or refuse to furnish such information as may be required by the commission under authority of this act, shall, if an employer, be deemed guilty of a misdemeanor and shall be punished by a fine of two hundred dollars, and if an employee shall be deemed guilty of a misdemeanor and shall be punished by a fine of twenty-five dollars.

Information to be furnished.

Sec. 19. The information contained in the reports provided for in the preceding section, and such other information as may be furnished to the commission, by employers in pursuance of the provisions of this act, shall be for the exclusive use and information of said commission in the discharge of its official duties and shall not be open to the public nor to be used in any court, in any action or proceeding pending therein, unless the commission is a party to such action or proceeding; but the information contained in said report may be tabulated and published by the commission in statistical form, for the use and information of other State departments and the public. Any person in the employ of the commission who shall divulge any information secured by him in respect to the transactions, property or business of any employer to any person other than the commission, shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) and shall thereafter be disqualified from holding any appointment or employment with any department under the State.

Use of information.

Sec. 20. The commission, or any member thereof, and, on being authorized in writing by the commission, any other person, may, without any other warrant than this act, at any reasonable time, enter any building, mine, mine workings, factory, workshop, place or premises of any kind, wherein, or in respect of which, any industry is carried on or any work is being or has been done or commenced, or any matter or thing is taking place, which has been made the subject of an investigation, hearing or arbitration by the commission or the board, and inspect and view any work, material, machinery, appliance or article therein, and interrogate any persons in or upon any such building, mine, mine workings, factory, workshop, place or premises as aforesaid in respect of or in relation to any matter or thing hereinbefore mentioned; and any person who shall hinder or obstruct the commission, or any such person authorized as aforesaid, in the exercise of any power conferred by this section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars.

Entering work places.

Sec. 21. All books, records and pay rolls of employers, showing or reflecting in any way upon the amount of wage expenditure of such employers, and other data, facts and statistics appertaining to the purposes of this act shall always be open for inspection.

Books, records, etc.

tion by the commission or any of its agents for the purpose of ascertaining the conditions of employment, and such other information as may be necessary for the uses and purposes of the commission in its administration of the law.

Any employer who shall refuse to admit such commission or its agents to such place of employment for such purposes shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

Procedure.

SEC. 22. Such commission, or persons by it duly designated, shall not be bound by the usual common law or statutory rules of evidence or by any technical or formal rules of procedure, other than as herein or by the rules of the commission provided; but may make such investigations in such manner as in its judgment are best calculated to ascertain the substantial rights of the parties and to carry out justly the spirit of this act.

Record of proceedings.

SEC. 23. A full and complete record shall be kept of all proceedings had before or under the order of the commission on any investigation and all testimony shall be taken down by a stenographer appointed by the commission.

A transcribed copy of the evidence and proceedings, or any specific part thereof, or any investigation, by a stenographer appointed by the commission, being certified by such stenographer to be a true and correct transcript of the testimony on the investigation, of a particular witness, or of a specific part thereof, carefully compared by him with his original notes, and to be a correct statement of the evidence and proceedings had on such investigation, so purporting to be taken and subscribed, may be received as evidence by the commission with the same effect as if such stenographer were present and testified to the facts so certified. A copy of such transcript shall be furnished on demand to any party upon the payment of the fees therefor as prescribed for transcripts in district courts.

Depositions.

SEC. 24. The commission or any party may in any investigation cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in district courts. All such depositions shall be taken upon commission issued by the commission and shall be taken in accordance with the laws and rules of court covering depositions in civil cases in the district courts of this State.

Contempt.

SEC. 25. In case of failure or refusal of any person to comply with the order of the commission or subpoena issued by it or its agents, or on the refusal of a witness to testify to any matter regarding which he may be lawfully interrogated, or refuse to permit an inspection as provided in this act, the district judge of the county in which the person resides, on application of the commission or any agent appointed by it shall compel obedience by attachment proceedings as for contempt, as in the case of disobedience of the requirements of subpoena issued from such court on a refusal to testify thereon.

Subpoenas.

Each officer who serves such subpoena shall receive the same fee as a sheriff, and each witness who appears, in obedience to a subpoena before the commission or its agent shall receive for his attendance the fees and mileage provided for witnesses in civil cases in the district court, which shall be audited and paid from the State treasury in the same manner as other expenses are audited and paid, upon the presentation of proper vouchers approved by the commission. No witness subpoenaed at the instance of a party other than the commission or its agent shall be entitled to compensation from the State treasury unless the commission shall certify that its testimony was material to the matter investigated.

General duties.

SEC. 26. The commission shall inquire into the general condition of labor in the principal industries in the State of Colorado and especially in those which are carried on in corporate forms; into existing relations between employers and employees; into the

effect of industrial conditions on public welfare and into the rights and powers of the community to deal therewith; into the conditions of sanitation and safety of employees and the provisions for protecting the life, limb, and health of the employees; into relations existing between lessees of State lands and the State, as to production and royalties or rentals paid, and into the relations between said lessees and their employees with respect to wages paid and conditions of labor; into the growth of associations of employers and of wage earners and the effect of such associations upon the relations between employers and employees; into the extent and results of methods of collective bargaining; into any methods which have been tried in any State or in foreign countries for maintaining mutually satisfactory relations between employees and employers; into methods of avoiding or adjusting labor disputes through peaceable and conciliatory mediation and negotiations; into the scope, methods, and resources of existing bureaus of labor and into possible ways of increasing their efficiency and usefulness. The commission shall seek to discover the underlying causes of dissatisfaction in the industrial situation and take all necessary means and methods within the powers of such commission as provided by law, to alleviate the same, and to report from time to time to the general assembly such remedial legislation as in the judgment of the commission may be advisable, with their recommendations thereon.

SEC. 27. The commission shall do all in its power to promote the voluntary arbitration, mediation and conciliation of disputes between employers and employees, and to avoid the necessity of resorting to strikes, lockouts, boycotts, blacklists, discriminations and legal proceedings in matters of employment. In pursuance of this duty it may appoint temporary boards of arbitration, provide necessary expenses of such boards, order reasonable compensation not exceeding ten dollars per day for each member engaged in such arbitration, prescribe rules of procedure for such arbitration boards, conduct investigations and hearings, publish reports and advertisements, and do all other acts and things convenient or necessary to accomplish the purposes directed in this section.

Arbitration,
etc.

Any investigation, inquiry or hearing may be undertaken or held by or before any commissioner, deputy, agent, or board of arbitration, or committee designated for that purpose by the commission, and every finding, order, award or decision made by those so designated, pursuant to such investigation, inquiry or hearing, when approved and confirmed by the commission, shall be and be deemed to be the finding, order, award or decision of the commission.

SEC. 28. For the purpose of such investigations, hearings or arbitrations, the commission, or any arbitration board appointed by the commission, shall have all the powers of summoning before it, and enforcing the attendance of witnesses, of administering oaths, and of requiring witnesses to give evidence on oath, or on solemn affirmation, and to produce such books, papers or other documents or things as the commission, or the board, deems requisite to the full investigation of the matters into which it is inquiring, as is vested in any court of record in civil cases.

Powers.

Any members of the commission, or the board, may administer on oath, and the commission, or the board, may accept, admit and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not. Any party to the proceedings shall be competent and may be compelled to give evidence as a witness.

SEC. 29. Employers and employees shall give at least thirty days' notice of an intended change affecting conditions of employment with respect to wages or hours; and, in every case where a dispute has been made the subject of an investigation, hearing or arbitration by the commission, or the board, until the dispute has been finally dealt with by such commission, or board,

Notice of
changes in
wages or hours.

neither of the parties nor the employees affected, shall alter the conditions of employment with respect to wages or hours, or on account of the dispute, do, or be concerned in doing, directly or indirectly, anything in the nature of a lockout or strike, or a suspension or discontinuance of work or employment; but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute; but, if either party uses this or any other provision of this act for the purpose of unjustly maintaining a given condition of affairs through delay, such party shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars.

Strikes and
lockouts.

SEC. 30. It shall be unlawful for any employer to declare or cause a lockout, or for any employee to go on strike, on account of any dispute prior to or during an investigation, hearing, or arbitration of such dispute by the commission, or the board, under the provisions of this act: *Provided*, That nothing in this act shall prohibit the suspension or discontinuance of any industry or of the working of any persons therein for any cause not constituting a lockout or strike, or to prohibit the suspension or discontinuance of any industry or of the working of any persons therein which industry is not affected with a public interest: *Provided, further*, That nothing in this act shall be held to restrain any employer from declaring a lockout, or any employee from going on strike in respect to any dispute after the same has been duly investigated, heard, or arbitrated, under the provisions of this act.

Act con-
strued.

SEC. 31. Nothing in this act shall be construed to make any findings, determination of the rights of said parties, decision or award of said commission or of any board of arbitration appointed thereby upon the facts of such controversy, binding, conclusive or enforceable upon any of the parties thereto, or affected thereby, unless

(1) Such parties have agreed in writing prior to the commencement of any such investigation or arbitration, or during the continuance thereof, to accept and be bound by the terms of such findings, determination of rights, decision or award, and then only to the extent in such written agreement provided; or,

(2) Unless said parties shall agree to accept and be bound by such action of the commission or board of arbitration after the same has been made known to them: *Provided, however*, That in either such instance, the findings, determination of rights, decision and award of said commission or board of arbitration, when confirmed by formal order of said commission, shall be and remain in full force and effect, according to the terms and for the time provided in such formal order of the commission, and shall be binding, effective and enforceable upon the parties thereto, as any finding, order or award of the commission under the provisions of this act.

Violations.

SEC. 32. Any employer declaring or causing a lockout contrary to the provisions of this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each day or part of a day that such lockout exists.

Any employee, who goes on strike contrary to the provisions of this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than ten dollars (\$10) nor more than fifty dollars (\$50) for each day or part of a day that such employee is on strike.

Inciting
strikes, etc.

SEC. 33. Any person who incites, encourages, or aids in any manner any employer to declare or continue a lockout, or any employee to go or continue on strike, contrary to the provisions of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50), nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for a term of not more than six

months, or both such fine and imprisonment, in the discretion of the court.

Sec. 34. The commission shall have full power and authority to hear and determine all questions within its jurisdiction, and its findings, award and order issued thereon shall be final, except as in this act provided. Power of commission.

Any person affected by any finding, order or award of the commission, may petition for a hearing on the reasonableness of any such finding, order or award. Petitions for hearings.

Such petition shall be verified, and shall specify the finding, order or award upon which a hearing is desired and every reason why such finding, order or award is considered unreasonable. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the finding, order or award upon which a hearing is sought other than those set forth in the petition. All hearings of the commission shall be open to the public.

Sec. 35. Upon the filing with the commission by any party in interest, of such petition, the commission shall fix a time for the hearing thereof, which shall not be more than forty days after the filing of such application. The commission shall cause reasonable notice of such hearing, embracing a general statement of such claim, to be given to each party interested, by service of such notice on him personally or by mailing a copy thereof to him at his last known post-office address at least ten days before such hearing. Such hearing may be adjourned from time to time in the discretion of the commission, and hearings shall be held at such places as the commission may designate. Either party shall have the right to be present at any hearing, in person or by attorney, or any other agent, and to present such testimony as may be pertinent to the controversy before the commission, and shall have the right of cross-examination: *Provided*, That the commission may, with or without notice to either party, cause testimony to be taken, or an inspection or investigation to be made; the testimony so taken shall be reported to the commission for its consideration upon final hearing. All *ex parte* testimony taken by the commission shall be reduced to writing and either party shall have opportunity to examine and rebut the same on final hearing. Hearings.

Upon such hearing, if it shall be found that the finding, order or award complained of is unreasonable, the commission shall substitute therefor such other finding, order or award as shall be just and reasonable, or may rescind such finding, order or award.

Whenever at the time of the final determination upon such hearing it shall be found that further time is reasonably necessary for compliance with the finding, order or award of the commission, the commission shall grant such time as may be reasonably necessary for such compliance.

Sec. 36. After final hearings by said commission, it shall make and file (1) its findings upon all the facts involved in the controversy, and (2) its award, which shall state its determination as to the rights of the parties. Pending the hearing and determination of any controversy before it, the commission shall have power to make such reasonable orders concerning the subject matter thereof as may be necessary to give effect to the provisions of this act. Findings.

The commission, on its own motion, on three days' notice to the parties interested, by mail or served personally, may modify or change its order, finding or award at any time within fifteen days from the date thereof, if it shall discover any mistake therein.

Sec. 37. Any person in interest being dissatisfied with any such finding, order or award of the commission issued or promulgated by virtue of the authority conferred in this act, may commence an action in the district court in and for the county wherein the injury was sustained or in the district court in and for the city and county of Denver against the commission as Action in court.

defendant to modify or vacate the same on the ground that the same is unlawful, or unreasonable.

All such actions shall have precedence over any civil cause of a different nature pending in such court, and the district court shall always be deemed open for the trial thereof, and the same shall be tried and determined by the district court as other civil actions.

Procedure.

SEC. 38. No action, proceeding or suit to set aside, vacate or amend any finding, order or award of the commission, or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have first applied to the commission for a hearing thereon as provided in this act, and unless such action, proceeding or suit shall have been commenced within 60 days after final decision by the commission; nor shall any injunction issue suspending or staying any order of the commission except upon application of the district court or a judge thereof, notice to the commission and hearing thereon.

In such action, a copy of the complaint, which shall state the grounds upon which a review is sought, shall be served with the summons. The commission shall file its answer within twenty days after the service of the complaint. With its answer, the commission shall make return to said court of all documents and papers on file in the matter, and of all testimony which may have been taken therein, and of its order, finding and award. Such return of the commission when filed in the office of the clerk of the district court shall constitute a judgment roll in such action; and it shall not be necessary to settle a bill of exceptions in order to make such return part of the record of such court in such action. Said action may thereupon be brought on for hearing before said court upon such record by either party on ten days' notice to the other; subject, however, to the provisions of law for a change of the place of trial or the calling in of another judge.

Same.

SEC. 39. If upon trial of such action it shall appear that all issues arising in such action have not heretofore been presented to the commission in the petition filed as provided in this act, or that the commission has not theretofore had an ample opportunity to hear and determine any of the issues raised in such action, or has for any reason, not in fact heard and determined the issues raised, the court shall, before proceeding to render judgment, unless the parties to such action stipulate to the contrary, transmit to the commission a full statement of such issue or issues not adequately considered, and shall stay further proceedings in such action for fifteen days from the date of such transmission, and may thereafter grant such further stays as may be necessary.

Upon the receipt of such statement, the commission shall hear and consider the issues not theretofore heard and considered, and may alter, modify, amend or rescind its findings, order or award complained of in said action, and shall report its action thereon to said court within ten days from the receipt of the statement from the court for further hearing and consideration.

The court shall thereupon order such amendment or other proceedings as may be necessary to raise the issues as presented by such modification of the finding, order or award as may have been made by the commission upon the hearing, if any such modification has in fact been made, and shall proceed with the trial of such action.

Power of court.

SEC. 40. Upon such hearing, the court may confirm or set aside such order, but only upon one or more of the following grounds:

(1) That the commission acted without or in excess of its powers.

(2) That the finding, order or award was procured by fraud.

(3) That the findings of fact by the commission do not support the order or award.

(4) That the award does not do substantial justice to the parties.

Any action commenced in court under this section to set aside or modify any finding, order or award of the commission shall be

brought to trial within thirty days after issue shall be joined, unless continued on order of the court for good cause shown. No continuance shall be for longer than thirty days at one time.

Upon the trial of any such action the court shall disregard any irregularity or error of the commission unless it be made to affirmatively appear that the claimant was damaged thereby.

The record in any case shall be transmitted to the commission within twenty days after the order or judgment of the court, unless, in the meantime, a writ of error addressed to the district court shall be obtained from the supreme court, for the review of such order or judgment.

Upon the setting aside of any finding, order or award, the court may recommit the controversy and remand the record in the case to the commission for further hearing or proceedings; or it may enter the proper judgment upon the findings, as the nature of the case shall demand. An abstract of the judgment entered by the trial court upon the review of any order or award, shall be made by the clerk thereof upon the docket of said court, and a transcript of such abstract may be obtained as of any entry upon such docket.

SEC. 41. The commission or any party aggrieved by a judgment entered upon the review of any such finding, order or award, may have questions of law only reviewed summarily by the supreme court by writ of error, as provided by law, and said cause shall be advanced upon the calendar of the supreme court, and a final decision rendered within sixty (60) days from date of issuance of the writ. It shall not be necessary for said commission or any party aggrieved by said action to execute, serve or file any undertaking in order to obtain such writ of error. Review by
supreme court.

SEC. 42. No fees shall be charged by the clerk of any court for the performance of any official service required by this act, except for the docketing of judgments, and for certified copies of transcripts thereof. In proceedings to review any finding, order or award, costs as between the parties shall be allowed, or not, in the discretion of the court, but no costs shall be taxed against said commission. In any action for the review of any finding, order or award, and upon any review thereof by the supreme court, it shall be the duty of the district attorney of the county wherein said action is pending, or the attorney general, if requested by the commission, to appear on behalf of the commission, whether any other party defendant should have appeared or be represented in the action or not. Fees.

SEC. 43. Any person who shall willfully fail or neglect to appear and testify or to produce books, papers and records as required by subpoena duly served upon him, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), or imprisoned in the county jail not longer than thirty days for each such offense. Witnesses.

The district court of the county wherein such person resides, or of the city and county of Denver, upon application of the commission or its agent, may issue an order compelling the attendance and testimony of witnesses and the production of books, papers and records before such commission or any such agent.

SEC. 44. If any employer or employee, or any other person shall violate any provisions of this act, or shall do any act prohibited thereby, or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or shall fail, neglect or refuse to obey any lawful order made by the commission or any judgment or decree made by any court as provided by this act, for each such violation, failure or refusal, such employer, employee or other person shall be punished by a fine of not less than one hundred dollars for each such offense. Violations.

SEC. 45. Every day during which any employer or officer or agent thereof, or any employee, shall fail to comply with any law- Separate of
fenses.

- ful order of the commission or to perform any duty imposed by this act, shall constitute a separate and distinct violation thereof.
- Penalties.** SEC. 46. All penalties provided for in this act shall be collected in a civil action brought against the employer or employee as the case may be, in the name of the commission, and all such penalties, when collected, shall be paid into the expense fund of such commission and become a part thereof.
- Enforcement.** SEC. 47. Upon request of the commission, the attorney general, or under his direction, the district attorney of any district or county, shall institute and prosecute the necessary action or proceedings for the enforcement of any of the provisions of this act, or for the recovery of any money due the commission, or any penalty herein provided for, arising within the district or county in which he was elected, and shall defend in like manner all suits, actions or proceedings brought against the commission.
- False statements.** SEC. 48. If, for the purpose of obtaining any order, benefit or award under the provisions of this act, either for himself or for any other person, any one willfully makes a false statement or representation, he shall be guilty of perjury and punished accordingly.
- Appropriations.** SEC. 49. There is hereby appropriated out of any money in the treasury, not otherwise appropriated, the sum of fifty thousand dollars or so much thereof as may be necessary to carry out the provisions of this act for the current biennial period.
- Repeals.** SEC. 50. All acts and parts of acts in conflict with the provisions of this act, are hereby repealed: *Provided*, That no right of action now existing shall be affected by such repeal, and nothing contained in this act shall be construed to affect the authority of the State board of health relative to the public health.
- Act severable.** SEC. 51. If any part, section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The general assembly hereby declares that it would have passed this act and each part, section, subsection, sentence, clause or phrase irrespective of the fact that any one or more other parts, sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Approved April 12, 1915.

CONNECTICUT.

ACTS OF 1915.

CHAPTER 42.—*Factory regulations—Provisions for accidents.*

SECTION 1. Every person, firm, or corporation employing persons to work in connection with dangerous machinery in any manufacturing establishment, except those maintaining equipped first-aid-to-the-injured rooms, shall cause to be conveniently placed where such machinery is operated, subject to such change in location as the factory inspector may direct, an emergency kit for use in case of accidents. Such kit shall contain sterilized material for bandages, antiseptic cotton, and restoratives, with such other materials as are necessary in emergencies. Such materials shall be kept in a dust-proof case or cabinet within easy access of all persons employed on such premises. Provisions required.

SEC. 2. The executive officer of any corporation, or general manager, or other person, having control of dangerous machinery, who shall fail to comply with any provision of this act shall be fined not more than one hundred dollars. Violations.

Approved March 23, 1915.

CHAPTER 175.—*Employment of children in certain occupations forbidden.*

SECTION 1. Section 1163 of the General Statutes is hereby amended to read as follows:

Every person who shall exhibit, use, employ, apprentice, give away, let out, or otherwise dispose of any child under the age of sixteen years, in or for the vocation, occupation, service, or purpose of rope or wire walking, dancing, skating, bicycling, or peddling, or as a gymnast, contortionist, rider, or acrobat, in any place; or for or in any obscene, indecent, or immoral purpose, exhibition, or practice; or for or in any business, exhibition, or vocation injurious to the health, or dangerous to the life or limb of such child; or who shall cause, procure, or encourage any such child to engage therein, shall be fined not more than two hundred and fifty dollars, or imprisoned not more than one year, or both. Acrobatic, immoral, etc., occupations.

Approved, April 30, 1915.

CHAPTER 183.—*Inspection of steam boilers.*

SECTION 1. The governor shall appoint in each congressional district a suitable person to inspect steam boilers, who shall hold office for three years. Appointment.

SEC. 2. Such inspector shall, at least once in each year, carefully inspect all steam boilers in his district except the following: Boilers of railroad locomotives subject to inspection under the provisions of Federal laws; portable boilers used in pumping, heating, steaming, and drilling in the open field; portable boilers used for agricultural purposes and in the construction and repair of public roads, railroads, and bridges; boilers on automobiles; boilers on steam fire engines brought into the State for temporary use in checking conflagrations; boilers carrying a pressure of less than fifteen pounds per square inch which are equipped with safety devices; boilers under the jurisdiction of the United States; boilers inspected under a city, town or borough system of boiler inspection; and any boiler inspected and insured by any company which is incorporated under the laws of any State of Duties. Exceptions.

the United States, which maintains a corps of steam boiler inspectors, and which complies with the provisions of the general statutes.

Defective
boilers.

SEC. 3. If such inspector finds any boiler within his jurisdiction defective, he shall require the owner, lessee, or user thereof to repair the same, and if such repairs are not made, he may call in the inspector from an adjoining district, and if such inspectors find that such boiler is defective, they shall give written notice to such owner, lessee, or user not to use such boiler until repaired subject to approval of such inspectors.

Fees.

SEC. 4. The fee for inspection of each boiler shall be five dollars, payable by the owner, lessee, or user. Inspectors shall file with the governor during the first ten days of January, 1916, and annually thereafter, a statement containing the names of owners, lessees, or users of boilers inspected during the preceding calendar year, the date of such inspection, and the amount collected from each such owner, lessee, or user.

Refusing in-
spection.

SEC. 5. Every person who shall refuse to have inspected any boiler requiring inspection under the provisions of this act, or who shall permit such boiler to carry steam at a greater pressure than is allowed by the certificate of inspection, shall be fined not more than two hundred dollars.

Use of de-
fective boiler.

SEC. 6. Every person who shall use any steam boiler requiring inspection under the provisions of this act after its use is forbidden by the inspectors shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both.

Certificates.

SEC. 7. Every inspector shall issue a certificate of inspection for every boiler examined by him, stating the condition of the boiler and the amount of pressure allowed. Every inspector who shall falsely certify to the condition of any boiler inspected by him, or who shall issue a certificate of inspection without having made a thorough inspection, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

SEC. 8. Sections 4890 * * * [to] 4893 of the General Statutes are hereby repealed.

Approved, April 29, 1915.

CHAPTER 195.—*Employment of children—Dangerous occupations.*

Occupations
forbidden.

SECTION 1. Section two of chapter 123 of the Public Acts of 1911 is hereby amended to read as follows: No child under sixteen years of age shall be employed or permitted to work in adjusting or assisting in adjusting any belt upon any machine, or in oiling or assisting in oiling, wiping, or cleaning machinery, while power is attached, or in preparing any composition in which dangerous acids are used, or in soldering, or in the manufacture or packing of paints, dry colors, red or white lead, or in the manufacture, packing or storing of gun or blasting powder, dynamite, nitroglycerine compounds, safety fuses in the raw or unvarnished state, electric fuses for blasting purposes, or any other explosive, or in or about any distillery, brewery, or other place where alcoholic liquors are manufactured, packed, wrapped, or bottled, or in the manufacture or use of any dangerous or poisonous gas or dye, or composition of lye in which the quantity thereof is injurious to health, or upon any scaffolding, or in any heavy work in any building trade or in any tunnel, mine, or quarry, or in operating or assisting to operate any emery, stone, or buffing wheel; and no female under sixteen years of age shall be employed or permitted to work in any capacity requiring such female to stand continuously.

Females un-
der 16.

Approved, May 5, 1915.

CHAPTER 196.—*Exemption of wages from attachment.*

\$15 wages
exempt.

SECTION 1. Section one of chapter 181 of the Public Acts of 1909 is hereby amended to read as follows: So much of any debt which shall accrue by reason of the personal services of the

defendant as shall not exceed fifteen dollars, including wages due for the personal services of any minor child, shall be exempted and not liable to be taken by foreign attachment or execution; but there shall be no exemption of any debt accrued by reason of the personal services of the defendant against a claim for the defendant's personal board, or for the rental of any house or tenement occupied by the defendant as a place of residence when such rental shall not exceed the sum of twenty-five dollars: *Provided*, In any action founded upon such claim, in which such debt is sought to be attached by foreign attachment, the complaint shall set forth only the true cause of action and the amount due thereunder, so that the garnishee may be informed, from the allegations of the complaint, of the nature and amount of the demand. All benefits allowed by any association of persons in this State towards the support of any of its members incapacitated by sickness or infirmity from attending to his usual business shall also be exempted and not liable to be taken by foreign attachment or execution; * * *

Exceptions.

Approved, May 5, 1915.

CHAPTER 221.—*Seats for employes on street railways.*

[SECTION 1.] Section one of chapter 237 of the Public Acts of 1909 is hereby amended to read as follows: Every company owning or operating a street railway in this State shall cause each of its cars having an air brake to be provided with a seat or stool for the unrestricted use of the motorman operating such car or the person having the same under control, except that no seat or stool shall be used by such motorman or other person having such car under control while such car is being operated within a radius of one mile from the center of any city.

What cars to have seats.

Approved, May 10, 1915.

CHAPTER 238.—*Private employment offices.*

[SECTION 1.] Section 4613 of the General Statutes as amended by chapter 271 of the Public Acts of 1905 is amended to read as follows: Every such licensed person shall give to each applicant for employment from whom a fee or other valuable thing shall be received for procuring such employment, which fee or valuable thing shall in no case exceed the value of ten per centum of the first month's wages, a receipt in which shall be stated the name of the applicant, the amount of such fee or other valuable thing, the date, the name or nature of the employment or situation to be procured, and a separate receipt in which shall be stated the name and address of the person or persons to whom the applicant shall be referred or sent for employment or work. In case the applicant shall not obtain or accept a situation or employment through the agency of such licensed person, such licensed person shall forthwith return to such applicant upon demand the amount of the fee or the valuable thing paid or delivered to such licensed person. In case the applicant shall accept the situation with the person to whom he has been referred, such applicant shall forfeit the fee or valuable thing paid as aforesaid. Every such receipt shall have printed on its back, in the English language, a copy of this section, and every licensed person shall cause a plain and legibly printed copy of this act to be posted in a conspicuous place in such agency or place of business. No person shall display on any sign or window, or in any publication the name "The Connecticut Free Public Employment Bureau," or a name similar thereto.

Limit of fee

Receipt.

Approved, May 12, 1915.

CHAPTER 255.—*Department of labor and factory inspection.*

- Department created.** SECTION 1. A State department of labor and factory inspection, in which shall be consolidated the functions, prerogatives, powers, and duties of the bureau of labor statistics and of the factory inspector, is hereby created, which shall be under the direction and control of a commissioner of labor and factory inspection, whose term of office shall be four years from the first day of July next succeeding his appointment.
- Offices abolished.** SEC. 2. From July 1, 1915, the offices of commissioner of the bureau of labor statistics and of factory inspector shall be abolished, and the duties of the commissioner of the bureau of labor statistics and of the factory inspector shall appertain to the commissioner of labor and factory inspection and all the powers of the commissioner of the bureau of labor statistics and of the factory inspector shall be transferred to and imposed upon the commissioner of labor and factory inspection.
- Duties transferred.**
- Labor bureau.** SEC. 3. The duties of the commissioner of the bureau of labor statistics shall be performed by the commissioner of labor and factory inspection as a separate and distinct department to be designated the labor bureau which shall occupy the rooms provided for by the provisions of section 4603 of the General Statutes.
- Factory inspection.** SEC. 4. The duties of the factory inspector shall be performed by said commissioner of labor and factory inspection as a separate and distinct department to be designated the department of factory inspection which shall occupy the rooms provided for by the provisions of section 4525 of the General Statutes.
- Salary, etc.** SEC. 5. Lines ninety-four and ninety-five of section 4811 of the General Statutes [relating to salaries, etc., of State officers] are hereby amended * * * to read as follows:
To the commissioner of labor and factory inspection, three thousand dollars, and the necessary postage, stationery, office expenses, and the traveling expenses of the commissioner and his assistants.
- Office.** SEC. 6. In lines thirty-one and thirty-two of section 4811 of the General Statutes strike out the words "and the commissioner of the bureau of labor statistics." Section 4603 of the General Statutes is amended to read as follows:
The comptroller shall provide suitable rooms in the capitol for the labor bureau. The commissioner of labor and factory inspection may appoint or remove from office a deputy commissioner of the labor bureau to serve under the commissioner of labor and factory inspection in the labor bureau, which deputy shall receive one thousand eight hundred dollars per year.
- Deputy in labor bureau.**
- Deputy for factory inspection.** SEC. 7. The commissioner of labor and factory inspection may appoint and remove from office a deputy commissioner of factory inspection to serve under the commissioner of factory inspection in the department of factory inspection, which deputy shall receive one thousand eight hundred dollars per year.
- Commissioner.** SEC. 8. The governor, on or before the final adjournment of the January session of the general assembly, A. D. 1915, and on each fourth year thereafter on or before the first day of May, shall appoint, with the advice and consent of the senate, a commissioner of labor and factory inspection to serve for four years from the first day of July next succeeding his appointment.
- Prior acts.** SEC. 9. All acts and resolutions authorizing or making specific appropriations to the bureau of labor statistics and the factory inspector, are hereby continued in force, and such appropriations are continued to the department of labor and factory inspection.
- Power of commissioner.** SEC. 10. The commissioner of labor and factory inspection may appoint and remove from office such deputies, assistants, or employees in the conduct of his office as the commissioner of the bureau of labor statistics and factory inspector is authorized to appoint at the time of the passage of this act.

Approved, May 14, 1915.

DELAWARE.

ACTS OF 1915.

CHAPTER 59.—Factory etc., regulations—Sanitation of public laundries.

[SECTION 1.] Chapter 25 of the Revised Statutes of the State of Delaware is hereby amended by the insertion therein of the following sections:

746A, Section 11A. The boards of health of the respective towns and cities of the State of Delaware (where such towns and cities have such boards of health) shall supervise all public laundries and public washhouses within such towns and cities, and shall not permit the employment by any public laundry or public washhouse of any person suffering with an infectious or contagious disease; nor allow any person to sleep in such public laundry or public washhouse, or in any room adjoining and opening into such public laundry or public washhouse, and every room in such laundry or washhouse that is used for the purpose of washing or drying clothes shall be properly ventilated and drained, and shall be used for no purposes other than those specified. The floors of all rooms in public laundries or public washhouses, as aforesaid, used for the purpose of washing clothes, shall be made of cement or other mineral substance, and shall be so arranged as to be easily drained.

Employment of diseased persons.

Sleeping rooms.

Ventilation, etc.

Approved April 12, 1915.

CHAPTER 66.—Labor commission.

SECTION 1. Chapter 38 of the Revised Code of the State of Delaware is hereby amended by repealing 987, sections 1 to 992, section 6 thereof, being all of said chapter, [Acts of 1913, ch. 103], and inserting in lieu thereof the following, to be styled chapter 38.

CHAPTER 38.

987, Section 1. From and after the approval of this act the Delaware Child Labor Commission shall be abolished and the terms of office, rights, powers and duties of the members of the said Delaware Child Labor Commission are hereby and shall be abolished, ended and terminated. A commission is hereby created and established with the powers and duties hereinafter provided, which shall be known as the "Labor Commission of Delaware." The said commission shall consist of five members, one of whom shall be appointed from among the bona fide residents of New Castle County, one from among the bona fide residents of Kent County, and one from among the bona fide residents of Sussex County; the remaining two shall be appointed at large from among the bona fide residents of the State of Delaware. On or before the first day of April, A. D. 1915, the governor shall appoint the members of the said Labor Commission of Delaware provided herein, as follows:

Child labor commission abolished.

Labor commission created.

Appointment.

One member for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years, and one member for a term of five years.

The term of office, after the first appointments made hereunder shall be for five years, and annually, or before the first day of April, the governor shall appoint a suitable person to fill the vacancy caused by the expiration of the term of office.

- In case of vacancy caused by death, resignation, refusal to serve, or otherwise, the governor shall make appointments to fill such vacancy or vacancies for the balance of the unexpired term.
- Service with-** 988, Sec. 2. The members of the commission shall receive no
out salary. salary for their services. They shall annually elect one of their number as chairman of the said commission and may appoint a person not a member of the commission as secretary who may receive a salary not exceeding one hundred dollars per annum.
- Powers.** 989, Sec. 3. The commission shall have power and authority by a majority vote of the whole commission to make all appointments of officials or employees which may be made under any law relating to the condition, regulation or inspection of labor of minor children, or the condition, regulation or inspection of labor of females in the State of Delaware. The officers or employees so appointed shall make quarterly reports to the commission. When in the opinion of the majority of the whole commission, any official or employee appointed or engaged by the commission shall not perform his or her duty in a satisfactory and efficient manner, the commission shall have the power to remove the said official or employee and to appoint a new official or employee in his or her stead: *Provided, however,* That no official shall be removed from office until such official shall have had a fair and impartial public hearing, and shall have been furnished with a copy of the charges and specifications of complaints upon which the action of the commission shall have been based, if such charges and specifications be requested.
- Annual re-** 990, Sec. 4. The commission shall furnish annually to the gov-
port. ernor during the first week in January a full account of their expenditures, disbursements and action. Such report shall at all times be open to the inspection of the citizens of the State in the office of the secretary of state.
- Appropriation.** 991, Sec. 5. To defray the expenses of the said commission and its officers and employees the sum of one thousand dollars is hereby appropriated annually out of the money in the State treasury not otherwise appropriated, and the State treasurer is authorized from time to time to pay said expenses out of the said appropriation upon the requisitions of the chairman of said commission.
- Printing.** 992, Sec. 6. The Labor Commission of Delaware shall formulate and have printed certificates and papers required in the issuing of employment certificates and the abstracts of the law relating to the hours of child labor and the conditions and hours of females in this State.
- Appointment** The said commission shall have the power to appoint and fill
of inspectors. vacancies in the office of the State child labor inspector, as provided by section 91 [3191] of chapter 90, of said Revised Code of the State of Delaware, and to appoint and fill vacancies in the office of the inspector as provided by section 39 [3139] of the said chapter 90 of the Revised Code of the State of Delaware.

Approved February 19, 1915.

CHAPTER 219. — *Inspection of factories, etc. — Inspector — New Castle County.*

- Office abol-** SECTION 1. Chapter 90 of the Revised Code of the State of
ished. Delaware is hereby amended by repealing sections 3123, sections 23 to 3134, section 34, inclusive. [Rev. Code, 1893, ch. 127, p. 932, secs. 1, 2, and Acts of 1897, ch. 452.]

Approved March 8, 1915.

CHAPTER 220.—*Inspection of factories, etc.—Female inspector.*

SECTION 1. Chapter 90 of the Revised Code of the State of Delaware is hereby amended by the repeal of 3139, section 39, and the insertion in lieu thereof of the following to be styled as 3139, section 39:

3139, Section 39. The Labor Commission of Delaware is authorized and directed, on or before the first day of May, A. D. 1915, and every four years thereafter, to appoint one inspector to carry out the purposes of sections 35 to 43, inclusive, of this chapter, [relating to the employment of women], at a salary of one thousand dollars per annum, to be paid in quarterly installments of two hundred and fifty dollars each by the State treasurer, out of any State funds in his hands, not otherwise appropriated. The term of office of said inspector shall be four years from the date of such appointment. Inspector to be appointed.

The inspector provided for in this section shall be an assistant to the child labor inspector and shall be under the jurisdiction of the Labor Commission of Delaware as provided in 989, section 3, chapter 38 of the Revised Code of the State of Delaware as amended.

Approved February 19, 1915.

CHAPTER 221.—*Employment of children—General provisions.*

SECTION 1. Chapter 90 of the Revised Code of the State of Delaware is hereby amended by repealing 3156 section 56 thereof, and by inserting in lieu thereof the following section to be styled 3156 section 56:

3156, Section 56. The blank certificates and other papers required in the issuing of employment certificates shall be formulated and printed by the Labor Commission of Delaware and furnished by the said commission to the county superintendents or other boards or committees requiring the same. Blanks to be furnished.

SEC. 2. Chapter 90 of the Revised Code of the State of Delaware is hereby amended by repealing 3167 section 67 thereof, and by inserting in lieu thereof the following section to be styled 3167 section 67:

3167, Section 67. Every employer shall post and keep posted in a conspicuous place in every establishment wherein any person under the age of eighteen years is employed, permitted or suffered to work, a printed copy of sections 44 to 92 inclusive, of this chapter, relative to the hours of labor. Such copies shall be formulated and printed by the said labor commission and furnished by the said labor commission on the application of any such employer. Law to be posted.

SEC. 3. Chapter 90 of the Revised Code of the State of Delaware is hereby amended by repealing 3191 section 91 thereof, and by inserting in lieu thereof the following section to be styled 3191 section 91:

3191, Section 91. On or before the first day of May, A. D. 1915, and every four years thereafter, the Labor Commission of Delaware shall appoint some suitable person, being a bona fide resident of the State of Delaware who shall be known as, and be the State child labor inspector, who shall serve for a term of four years from the time of said appointment, and whose duties shall be as herein prescribed. Any vacancies arising in the office of the State child labor inspector by death, resignation or removal from office, or expiration of term, or otherwise, shall be filled by the said labor commission as herein provided. The State child labor inspector shall have no other gainful occupation than the performance of his duties as herein set forth, and he shall receive a salary of one thousand eight hundred dollars per year, payable in equal monthly installments by the State treasurer, out of any State funds in his hands not otherwise appropriated. Appointment of inspector.
Salary.

Approved February 19, 1915.

CHAPTER 228.—*Inspection and regulation of factories—Canneries—Inspector.*

SECTION 1. From and after the approval of this act all matters and things hereinafter set forth relating to the sanitation of factories or establishments within this State in which fruits, Cannery inspector.

- vegetables, or by-products thereof, are packed and preserved in tin or glass cans or jars, or other containers, to be sold as food, shall be under the supervision of a "cannery inspector," and said "cannery inspector" is hereby vested with power and authority to carry into effect the provisions hereof.
- Appointment.** Sec. 2. On or before the first day of June, A. D. 1915, and on or before the first day of June biennially thereafter, the governor shall appoint and assign an efficient person, who shall be a citizen of this State, and one who has a thorough knowledge of the canning business, who shall be known and designated by the official title of "cannery inspector." He shall hold office for one year from the first day of June, or he may be dismissed and his commission revoked at any time, for cause, by the governor.
- Duties.** Sec. 3. It shall be the duty of the "cannery inspector" to visit and inspect, at reasonable hours, and as often as practicable, all factories and establishments in this State in which fruits, vegetables, or by-products thereof, are packed and preserved in tin or glass cans or jars, or other containers, to be sold as food, and to enforce the correction of all unsanitary conditions and practices found therein; and it shall be his special duty to enforce the laws, rules and regulations provided in this act.
- Reports.** The "cannery inspector" shall make a written report to the governor of each and every violation of this law immediately upon such violation being made, and he shall also make an annual report to the governor on or before the first day of January in each and every year. The annual report shall set forth the condition of each factory as to sanitation, whether the provisions of this act are being complied with, and such other matters and things as may be relevant thereto, and he shall furnish such other information concerning this act, from time to time, as may be required by the governor.
- Certificates.** Sec. 4. The "cannery inspector" shall, on the first day of October in each year, furnish to each person, firm or corporation operating a factory affected by this act, that shall have complied with the provisions hereof during the year immediately preceding said first day of October, a certificate of inspection under the hand of the "cannery inspector," setting forth that such factory has been inspected and all laws, rules and regulations for the year immediately preceding the date of the certificate have been fully complied with.
- Rules.** Sec. 5. The "cannery inspector" in the discharge of his duties under the provisions hereof, shall be governed by the following rules and regulations, which are hereby made the law of this State:
- All persons, firms or corporations, operating factories affected by this act, shall be subject to the following rules, regulations and requirements.
- All rooms in which fruits, vegetables, or by-products thereof, are packed and preserved, and in which manufacturing is actually carried on, shall be provided with smooth, water-tight floors which can be properly cleansed.
- Adequately equipped wash stations and places where employees may change their clothing and hang their clothes not in use, shall be provided for male and female employees. These wash stations shall be provided with sufficient water, soap and sanitary towels.
- Separate toilet rooms shall be maintained for male and female employees.
- Living quarters, if provided by the canner, shall have waterproof roofs and tight board floors, and shall be provided with ample light and ventilation, and provision shall be made therein for the proper separation and privacy of the sexes.
- Adequate drainage shall be provided to lead all waste liquids outside and away from the buildings.
- All machinery used shall be kept in a clean and sanitary condition by the use of steam or water, and also all floors and toilet rooms shall be kept in a sanitary condition.

No litter, drainage or waste matter of any kind shall be allowed to collect in or around the buildings, and the surroundings shall be kept in a clean and sanitary condition. Occupants of living quarters provided by the canner shall be required to keep the same in a clean and sanitary condition.

Employees in factories affected by the provisions of this act shall be subject to the following rules, regulations and requirements:

Employees are prohibited from smoking or spitting in any room in the cannery where foods are being prepared for canning.

Female employees who work where foods are being prepared for canning shall wear clean aprons or dresses made of washable fabrics and shall also wear clean, washable caps over their hair.

Employees with infected wounds in the hands or arms are prohibited from handling food products, or the containers in which they are placed, before such containers are sealed or capped. Clean cuts, which are not infected shall be covered with rubber cots securely fastened.

SEC. 6. The "cannery inspector" shall have prepared and printed, abstracts of this law, and shall furnish every person, firm or corporation in this State, effected [affected] by this act, with a reasonable number of printed abstracts, and such printed abstracts shall be posted in at least five conspicuous places in each factory affected by this act, and they shall be kept posted in plain view so that they can be easily read by the employees. If persons are employed who do not understand the English language, suitable translations, or so much of the law as affects the employees, shall also be posted in languages with which they are familiar, and such translations shall be furnished by the said "cannery inspector" upon application by the owner. Law to be posted.

SEC. 7. Whenever any person, firm, [or] corporation shall violate any of the provisions of this act the said "cannery inspector" shall cause the person, firm or corporation so violating to be prosecuted in the court of general sessions of the county where the offense is committed. Violations.

Provided, however, That in any such case, the "cannery inspector," in his discretion, may, instead of prosecuting such person, firm or corporation, close the factory in which such violation occurs, and may cause all work therein to be discontinued, until such violations are discontinued or until such changes as may be necessary to make the factory sanitary are made, as directed by the "cannery inspector."

The "cannery inspector" is hereby authorized and empowered to enforce this provision, and if necessary, to call to his assistance the sheriff of any county or any constable within the State of Delaware.

Should any person, firm or corporation engaged in the canning business, whose factory should be ordered closed by the "cannery inspector," under the provisions hereof, resist the authority of the said "cannery inspector" or sheriff or constable deputized by him, such person, firm or corporation shall be deemed guilty of a misdemeanor, and upon conviction thereof, in the court of general sessions of the State of Delaware, be fined in a sum not less than fifty dollars or [nor] more than one hundred dollars, and imprisoned for a term not exceeding thirty days.

It shall be the duty of the sheriffs and constables of the respective counties of the State to assist the "cannery inspector" in enforcing this provision whenever they shall be called upon by him.

SEC. 8. Any person, firm or corporation who violates any of the provisions of this act, or refuses, neglects or fails to comply with the provisions and requirements hereof, shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of general sessions of the State of Delaware, shall for the first offense be fined not less than twenty-five dollars nor more than one hundred dollars; for the second offense not less than one hundred dollars nor more than one hundred and fifty dollars. Penalty.

If any person, firm or corporation engaged in the canning business within the provisions of this act, shall be convicted a third time for any violation of this act, the court of general sessions is hereby authorized and empowered to close the factory in which such third offense is committed, and the person, firm or corporation convicted as aforesaid, may be prohibited from engaging in the canning business within the provisions of this act until further order of the said court of general sessions.

Entering
working places.

Sec. 9. The "cannery inspector" provided for in this act, is hereby authorized and empowered to enter upon the premises of any factory in this State engaged in the business herein set forth, for the purpose of inspecting and enforcing the provisions of this act, and any person, firm or corporation engaged in the business aforesaid, refusing access to the said officer, or in any way interfering with said officer in the exercise of his duties, when over [other] penalties are not provided in this act, shall be guilty of a misdemeanor and upon conviction thereof in the court of general sessions, shall be fined in a sum not exceeding one hundred dollars for each offense. In default of the payment of any fine that may be imposed under the provisions of this act, imprisonment may be imposed, for a term, in the discretion of the court, in lieu thereof.

Salary.

Sec. 10. The annual salary of the "cannery inspector" shall be one thousand dollars, payable in quarterly installments of two hundred and fifty dollars each. There shall also be allowed to the "cannery inspector" for contingent expenses the sum of five hundred dollars, to be paid to him in like quarterly installments.

Expenses.

The salary and contingent expenses aforesaid shall be paid by the State treasurer out of moneys in the treasury not otherwise appropriated.

Appropriation.

Sec. 11. The sum of fifteen hundred dollars is hereby appropriated annually out of any moneys in the State treasury, not otherwise appropriated, for the purpose of carrying into effect the provisions of this act.

Sec. 13. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 29, 1913.

FLORIDA.

ACTS OF 1915.

CHAPTER 6831.—*Employment of children—School attendance.*

[This act provides for the initiation of local elections in school districts or counties for the adoption of a compulsory education law for children between the ages of 8 and 14 years. Exemptions are provided for, among others being poor children whose services are necessary for their own support or that of their parents.]

CHAPTER 6860.—*Employment of children and women in barrooms.*

SECTION 4. It shall be unlawful for any person keeping or carrying on, either by himself or another, a place where intoxicating liquors, wines or beer are sold by retail or wholesale to employ a minor or female in his place of business. Employment forbidden.

Approved May 5, 1915.

CHAPTER 6914.—*Payment of wages in scrip.*

SECTION 1. Any person, firm or corporation issuing checks, coupons, punch-outs, tickets, tokens or other device in payment for labor, redeemable either wholly or partially in goods or merchandise, at their or any other place of business, shall, on demand of any legal holder thereof, on or after the ninetieth day succeeding the day of issuance, be liable for the full face value thereof in current money of the United States. Checks, etc., to be redeemable.

SEC. 2. Any such checks, punch-outs, coupons, tickets, tokens or other device, issued by any person, firm or corporation in payment for labor shall be considered and treated as payable to bearer in current money of the United States, notwithstanding any contrary stipulation or provision which may be therein contained. Payable to bearer.

SEC. 3. In case of failure of any person, firm or corporation to pay any legal holder of any such check, punch-out, ticket, coupon, token or other device issued by them in payment for labor, the full face value thereof in current money of the United States, on or after the ninetieth day succeeding the day of issuance, when so demanded, such holder may immediately bring suit thereon in any court of competent jurisdiction, and, in addition to recovering the full face value thereof, with legal interest from demand, may recover ten per cent of said amount as attorney's fees in the same suit. Failure to redeem.

Approved June 5, 1915.

CHAPTER 6918.—*Employment of children—Labor inspector.*

[This act amends chapter 6488, Acts of 1913, by adding pool rooms, billiard rooms and breweries to the list of places in which the employment of minors is prohibited by section 10; also by inserting the words "manufactured or" after the word "liquors."

[Section 20 is amended by substituting the words "a child" for the word "children"; also by adding pool rooms and billiard rooms to the list of places in which the act must be posted.

[Section 22 is amended by increasing the salary of the State labor inspector from \$1,200 to \$1,800, by limiting the allowance for traveling expenses to \$800, and by allowing \$200 for office stationery and other expenses.]

CHAPTER 6933.—*Interference with employment—Restraint of trade.*

What combinations forbidden.

SECTION 5. If any person shall be or may become engaged in any combination of capital, skill, or acts by two or more persons, firms, corporations, or associations of persons, or of either two or more of them, for either, any, or all of the following purposes:

1. To create or carry out restrictions in trade or commerce or aids to commerce, or to create or carry out restrictions in the full and free pursuit of any business authorized or permitted by the law of this State.

Penalty.

5. * * * shall be punished by a fine of not less than fifty dollars nor more than five thousand dollars, and by imprisonment in the penitentiary not less than one nor more than ten years, or by either such fine or imprisonment. Each day during a violation of this provision shall constitute a separate offense.

Approved June 4, 1915.

GEORGIA.

ACTS OF 1915.

Payment of wages due deceased employees.

(Page 21.)

[This act amends section 3134 of the Civil Code by substituting three hundred for one hundred wherever the latter occurs, so as to permit wages up to \$300 to be paid to the widow or child or children of a deceased employee, without administration.]

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HAWAII.

ACTS OF 1915.

ACT No. 9.—*Employment of labor on public roads.*

[This act amends section 164, R. L. 1915 (act No. 98, Acts of 1907), by increasing the prescribed minimum daily pay from \$1.25 to \$1.50.]

ACT No. 19.—*Sunday labor.*

[This act amends section 4191, R. L. 1915 (sec. 3190, R. L. 1905), by permitting the transportation of freight of all classes to or from vessels. The provision permitting barber shops to remain open until 11 a. m. is stricken out.]

ACT No. 64.—*Garnishment of wages.*

SECTION 1. Whenever any judgment debtor whose salary, stipend, wages, annuity, or pension shall have been garnisheed under the provisions of section 2803 of the Revised Laws of Hawaii, 1915 [Acts of 1907, ch. 99, sec. 1], shall have been sequestered as therein provided, and twenty-five per cent (25%) of such salary, stipend, wages, annuity, or pension shall, by virtue of the provisions of section 2804 of the Revised Laws of Hawaii, 1915 [Id. sec. 2], be directed to be paid by the garnishee to the judgment creditor, and the judgment debtor shall have left the employment of the garnishee before the full amount of the judgment due from the judgment debtor shall have been paid to the judgment creditor, and shall have entered the employment of some person, firm, association or corporation other than the original garnishee, then and in that event any salary, stipend, wages, annuity, or pension due the said judgment debtor from any person, firm, association or corporation other than the original garnishee, may be sequestered upon the filing by the judgment creditor with such person, firm, association or corporation other than the original garnishee, of a certified copy of the judgment rendered against such judgment debtor, together with a certificate from the clerk of the court in which such judgment has been rendered, showing the amount remaining unpaid on account of said judgment. Upon the filing of a certified copy of said judgment and a certificate showing the amount due and unpaid, it shall be incumbent upon such person, firm, association or corporation other than the original garnishee, to pay to the judgment creditor a sum equal to twenty-five per cent (25%) of such salary, stipend, wages, annuity, or pension, from week to week or from month to month, until the balance due such judgment creditor, with legal interest thereon, shall be fully paid, or until such judgment debtor shall quit the service and dissolve his relation to the said person, firm, association or corporation other than the original garnishee.

Subsequent employers take place of original garnishee.

Amount to be paid.

SEC. 2. The provisions hereof requiring any person, firm, association or corporation other than the original garnishee, to pay a sum equal to twenty-five per cent (25%) of such salary, stipend, wages, annuity, or pension, from week to week or from month to month, until the balance due such judgment creditor, with legal interest thereon, shall be fully paid, shall extend to successive persons, firms, associations or corporations other than the original garnishee, employing said judgment debtor, until the said judgment debt has been fully discharged.

Creditors' rights continuing.

Approved this 8th day of April, 1915.

ACT No. 199.—*Leave of absence for public employees.*

Two weeks leave allowed, when. SECTION 1. Whenever any employee working under a regular monthly salary in any department of the territorial government shall have been employed continuously for at least one year in the same department, he shall be entitled to at least two weeks vacation, upon full pay, for each year thereafter while he remains in the employ of such department, the said vacation to be granted to the employee at such time as shall be designated by the head of the department.

Leave cumulative. SEC. 2. The right to two weeks vacation per year during employment may hereafter be cumulative so as to allow the employee a continuous vacation for a period of not to exceed eight weeks on full pay computed upon the basis of two weeks per year, but in no case shall the accumulated period extend beyond eight weeks of vacation at any one time.

Exceptions. SEC. 3. The provisions of this act shall not apply to school teachers or school principals employed in the public schools of the Territory of Hawaii.

Approved this 28th day of April, 1915.

IDAHO.

ACTS OF 1915.

CHAPTER 24.—Exemptions of wages from garnishment.

SECTION 1. Section 4480 of the Revised Codes of Idaho * * * is hereby amended to read as follows:

Section 4480. In addition to the homestead exempted by the Civil Code, the following property belonging to an actual resident of the State, is exempt from execution, except as herein otherwise specially provided: What property exempt.

Seventh. Seventy-five per cent of the earnings of a judgment debtor for his personal services rendered at any time within thirty days next preceding the levy of the execution, or levy of attachment, when it appears by the debtor's affidavit or otherwise that such earnings are necessary for the use of his family residing in this State, supported wholly or in part by his labor: *Provided*, That if the garnishment be founded upon a debt for actual necessities furnished to the defendant or his family or his dependents, no exemption shall be allowed in excess of fifty (50%) per cent of any wages or salary due the defendant at time of the service of execution or attachment: *And provided further*, That in no case shall the amount of such exemption of earnings exceed the sum of one hundred dollars at any one time; Earnings.

Approved February 27, 1915.

CHAPTER 27.—Provisions for unemployment—Public works.

SECTION 1. The board of county commissioners of the various counties within the State of Idaho are hereby authorized and required to provide emergency employment. Emergency employment.

SEC. 2. Any person who is a citizen of the United States and who has been a resident of the State of Idaho for an uninterrupted period of not less than six months shall be entitled to emergency employment, subject to the provisions of this act. Who entitled.

SEC. 3. The board of county commissioners shall designate certain work upon public highways or such other work as they may determine as emergency employment. Work.

SEC. 4. The compensation persons employed at emergency employment shall receive, shall be such compensation as may be fixed by the county commissioners; and any person who shall fail or refuse to perform the labor to which he may be assigned with due and reasonable diligence shall for the first offense be suspended from such employment for a period of one week and for the second offense shall be disqualified from the benefit of emergency employment for a period of one year. Rate of pay.

SEC. 5. No person shall be entitled to more than sixty (60) days' employment at emergency employment during one fiscal year within the State of Idaho. Failure to labor.

SEC. 6. An applicant for emergency employment shall appear before the clerk or any member of the board of county commissioners and make oath or affirmation to the following facts, to wit: Limit.

1. That he is a citizen of the United States. Applicants.

2. That he has been a resident of the State of Idaho for an uninterrupted period of not less than six months.

3. That he is a resident of the county in which such application is made, and has been for more than ninety (90) days last past.

4. That he is unable to secure other employment.

5. That he does not own or possess negotiable, real or personal property of a total value of more than one thousand dollars (\$1,000).

6. That he has or has not, as the case may be, dependents, and if he has such dependents, name them individually and separately and state the relationship of each to him.

7. That he has or has not, as the case may be, been employed at emergency employment within the State of Idaho during the twelve months last past.

8. That he will perform the labor to which he may be assigned with due and reasonable diligence and in a fair and workmanlike manner to the best of his ability, and such applicant must be identified and vouched for by some freeholder in the county where application is made.

Payments.

SEC. 7. Payments of all accounts for emergency employment shall be made by the county treasurer from the current expense fund of the county in which such labor is performed and shall be in lawful money of the United States, or its equivalent.

Warrants and vouchers.

SEC. 8. The auditor of the county in which labor is performed at emergency employment shall issue to the person who has performed such labor a warrant for the amount due to such person upon presentation of a voucher signed by the road overseer, foreman or other authorized person under whom such labor has been performed and which voucher has been countersigned by the clerk of the board of county commissioners and endorsed by the person to whom such voucher is issued.

1. Such voucher shall be issued to each person engaged at emergency employment at the hour of quitting work or [on] each Saturday.

2. Such voucher shall state the number of hours of labor performed by the person to whom issued and the amount of money due such person for such labor.

3. All vouchers and warrants issued to persons engaged at emergency employment shall be stamped in plain and discernible letters with the words, "emergency employment."

Reports.

SEC. 9. The county treasurer shall report to the board of county commissioners at each regular meeting of the said board an itemized statement of all sums paid out on emergency employment warrants during the period intervening between such meeting of the board of county commissioners and the last previous regular meeting of said board.

Records.

SEC. 10. The clerk of the board of county commissioners shall keep a complete and accurate record of the names of all persons employed at emergency employment and of the amounts paid to each for such emergency employment and the time when such payments were made.

Annual statement.

SEC. 11. The clerk of the board of county commissioners shall on the first Monday of December of each year certify to the county auditor a true and exact statement of the sums expended during the previous twelve months for emergency employment and such statement shall contain the following facts, to wit:

1. The name of each person so employed.

2. The number of days and the dates each person so employed was engaged at such employment.

3. The amount per diem each person so employed received as compensation.

4. The total amount of money each person so employed received.

5. The kind of work and place or places at which each person was employed.

6. The total sum of money paid to all persons combined who were engaged at emergency employment during the twelve months last past.

Reimbursement by State.

SEC. 12. The county auditor shall certify to the auditor of the State of Idaho in his annual return of State taxes from the county, a statement of the total sum expended within the county for emergency employment and fifty (50) per cent of the amount

of such total sum shall be deducted from the sum of the general taxes collected by the State of Idaho from the county in which such emergency employment was provided.

SEC. 13. It shall be the duty of the board of county commissioners to provide all necessary forms, blanks and such other materials and supplies as may be required by the clerk of the board of county commissioners, the treasurer of the county, or other county officers for the purposes of carrying out the provisions of this act.

Blanks, etc.

SEC. 14. It shall be the duty of the auditor of the State of Idaho to certify to the State treasurer a correct account of all sums reported from the various counties of the State of Idaho as emergency employment deductions from the general State tax returns.

Duty of State auditor.

SEC. 15. It shall be the duty of the State treasurer to keep in his office a true and correct record of all sums reported as emergency employment expenditures from the various counties.

State treasurer.

SEC. 16. Violations of any of the provisions of this act by any person or persons or the falsifying of any statement or statements required from any person under this act shall constitute a misdemeanor.

Violations.

Approved March 1, 1915.

CHAPTER 46.—*Mine regulations.*

SECTION 1. Sections 10, 15 and 16 of senate bill 160, Session Laws of 1909, * * * [shall] be amended to read as follows:

Section 10. All gallows frames shall be equipped with automatic chairs, or some other automatic devise [device], placed in such a position as to catch the cage or skip, and prevent its falling, in case of over-winding and consequent breaking of the cable.

Gallows frames.

Sec. 15. At all mines where hoisting apparatus is used in the State of Idaho, the following code of bell signals shall hereafter be adopted and used:

Signals.

- One bell, hoist;
- One bell, stop (if in motion);
- Two bells, lower;
- Three bells, hoist men (run slowly);

Four bells, blasting signal. Engineer must answer by raising bucket or cage a few feet and letting it back slowly; then one bell, hoist men away from blast.

Nine bells, danger signal (fire, accident or other danger), followed by the station call where the danger exists.

No person other than the cager shall ring the signal bell except in case of absolute necessity, and then only after giving seven bells, thereby notifying the hoist engineer that someone other than the cager is ringing the bell.

STATION SIGNALS.

Bells	Pause	Bells	No. Station
2	"	1	1
2	"	2	2
2	"	3	3
2	"	4	4
2	"	5	5
3	"	1	6
5	"	2	7
Etc.	Etc.	Etc.	Etc.
5	"	5	20

Sec. 16. Every mining property using hoisting apparatus within the State of Idaho shall keep one copy of this entire code posted on the gallows frame, and a copy of the bell signals before the hoist engineer, and on each station. Signals to meet local demands and not in conflict with the above may be added by individual

Copy to be posted.

operators, but the same must be posted in clear and legible form in conjunction with the above code.

Approved March 8, 1915.

CHAPTER 70.—*Attorneys' fees in suits for wages.*

[This act amends section 4919, Revised Codes, by allowing suit to be brought 5 days after demand, instead of 15 as formerly; also by striking out the last sentence, which designated the amounts of the fees allowable.]

CHAPTER 135.—*Mothers' pensions.*

[This act amends section 1 of chapter 73, Acts of 1913, by extending the application of the law to wives of men who are confined in the State asylum for the insane or house for the feeble-minded. Section 4 is amended so as to allow payments to an approved individual or organization for the benefit of the mother, as well as to the mother directly. Section 6 is amended to conform to the amendment of section 1.]

CHAPTER 169.—*Public employment offices.*

Private of-
fices forbidden.

Proviso.

SECTION 1. From and after the date this act takes effect, the further maintenance of private employment offices within the State of Idaho is hereby forbidden: *Provided*, That nothing in this act shall operate to prevent the maintenance of employment offices by religious, benevolent or charitable societies whenever the same are not conducted for profit: *Provided, further*, That nothing in this act shall prevent the operation of agencies for school teachers or other professional employment, or the maintenance of private employment agencies where no compensation for procuring the employment is exacted from the person for whom the employment is procured.

Duty of mu-
nicipalities.

SEC. 2. The duty of maintaining suitable employment offices in the various municipalities of this State is hereby declared to be a function of government, and such offices shall be established and conducted under the municipalities of this State as in this act provided.

What cities,
etc., to have
offices.

SEC. 3. In all cities, towns and villages of this State, having a population of five thousand or more, there shall be established by the authorities thereof a suitable employment agency, whereat all persons desiring employment may register their names, the kind of employment desired and the wages demanded, and at which any person desiring to employ labor of any class may register his name, the kind of labor desired and the wages which he is willing to pay therefor: *Provided*, That membership in or affiliation with any religious, political, benevolent, charitable, labor, or any other organization shall never be allowed to influence or control the securing of employment or services at any municipal employment agency, and no employment clerk or other person connected with a municipal employment agency shall ever ask any applicant for employment or services and [any] questions relating to his membership in or affiliation with any religious, political, benevolent, charitable, labor or other organization, or to his political views on any matters whatever. In such cities the employment office shall be located, where practicable, in the city hall, and where such municipality is a county seat, such employment office shall be located, when considered favorable by the municipal authorities, in the county courthouse or in the building used as such.

Smaller cit-
ies, etc.

SEC. 4. In cities, towns and villages having a population smaller than five thousand, it shall be the duty of the municipal authorities to establish a separate employment office when conditions in any such municipality seem to warrant the same, but if no such separate employment office is established, it shall be the duty of the municipal authorities to provide for the establishment of

such an office in the office of the police judge, or if there be no such official, then in the office of a justice of the peace.

SEC. 5. It shall be the duty of any city, town or village in which a municipal employment agency is established, as provided in this act, to suitably equip such office with the necessary furniture, books, blanks and stationery for the proper conduct of the business pertaining to such office.

SEC. 6. A fee of one dollar (\$1) shall be charged by any municipal employment office for each position secured for any applicant without the limits of the municipality in which such employment office is situated, and a fee of fifty cents (50c) shall be charged for each position secured by any applicant within the limits of the municipality in which such agency is situated.

SEC. 7. It shall be the duty of the governing authorities of any city, town or village to determine the number of clerks which it is necessary to employ for the proper conduct of the business of its municipal employment office, but the number of said clerks shall never be greater than is necessary for the proper discharge of the duties of such office. Where separate employment offices are maintained, as in this act provided, the compensation of chief clerk of any such office shall not exceed the sum of one hundred and twenty-five dollars (\$125) per month, nor shall the salary of any assistant clerk exceed the sum of one hundred dollars (\$100) per month. When the employment office in any municipality is established in the office of a police judge or justice of the peace, such police judge or justice of the peace shall be entitled to half of the amount of all fees collected by him in each and every month: *Provided*, That the compensation of a police judge or a justice of the peace in charge of a municipal employment office shall never exceed the sum of one hundred twenty-five dollars (\$125) per month. All fees collected by any clerk other than a police judge or justice of the peace and one-half of all fees collected by any police judge or justice of the peace in charge of a municipal employment office shall be deposited with the city, town or village treasurer to the credit of the general fund of such city, town or village on the last day of each and every month.

SEC. 8. All clerks in any municipal employment office shall be appointed by the mayor or acting mayor of such city, town or village, and such clerks shall hold office during their good behavior. They may be removed by the mayor for incompetency or neglect, but shall never be removed for political or personal reasons.

SEC. 9. It shall be the duty of the chief clerk of each municipal employment office established under this act to keep a true, accurate and complete record of all moneys received or expended in such office, and all positions secured for applicants at such office, and it shall be the duty of said clerk to file with the county auditor of the county in which his office is located, on the first Monday in December of each year, a complete record of the business transacted in his office during the preceding year, and all moneys received and disbursed.

SEC. 10. Any municipal employment clerk, other than a police judge or justice of the peace, must give bond in a sum equal to twice the amount of his annual salary, and any police judge or justice of the peace in charge of a municipal employment office must give bond in the sum of one thousand dollars in addition to any bond which he may be, by law, required to give as such police judge or justice of the peace.

SEC. 11. Any violation of the provisions of this act, or the making of any false statement or statements in any report, or the charging of illegal fees, or the acceptance of any private consideration for securing employment, shall constitute a misdemeanor which, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than fifty dollars (\$50) nor more than three hundred dollars (\$300), or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Approved March 18, 1915.

Equipment.

Fees.

Clerks, etc.

Appointment.

Records.

Bonds.

Violations.

ILLINOIS.

ACTS OF 1915.

Mothers' pensions.

(Page 243.)

[This act amends the act of 1913 (p. 127) by striking out of section 1 the words "is a citizen of the United States of America and." Also by inserting in section 10 a proviso that for more than one child the allowance shall be such as the court deems sufficient, leaving the \$10 maximum, and raising the total limit to \$60 per month. Section 11 is amended by inserting under subdivision (3) the added condition, "when in the absence of such relief it would be necessary to commit such child or children to a dependent institution," also by striking out in subdivision (7) the words, "who is not a citizen of this country and"; also by inserting after the word "ability" in subdivision (8) the words, "and who shall be obligated by the finding and judgment of a court of competent jurisdiction."

[A new section is added, as follows:]

SECTION 12a. No mother who is not a citizen of the United States can receive relief under the provisions of this act unless such mother has filed application for citizenship papers or has made her declaration of intention to become a citizen of the United States, when in such case or cases such mother may be granted relief under the provisions of this act for each of her children as were born in the United States of America and are under the age of fourteen years.

Who may be beneficiaries.

Approved June 28th, 1915.

Tips to employeess—Leasing space.

(Page 385.)

SECTION 1. It shall be unlawful for the owner, proprietor, lessee, superintendent, manager or agent of any hotel, restaurant, house, barber shop, theatre, store building, office building, factory, railroad, street railroad, fair ground, baseball or football ground, hall used for public meetings or entertainments, or any other building, office, or space which is a place of public accommodation or public resort, to rent, lease, or permit to be used any part, space or portion thereof, for any trade, calling or occupation, or for the exercise of any privilege, by any person, company, partnership or corporation, for the purpose of accepting, demanding or receiving, directly or indirectly, from the customers, patrons or people who frequent such places of public accommodation or public resort, gratuities or donations, commonly called tips, in addition to the regular, ordinary and published rate of charge for work performed, materials furnished or services rendered: *Provided*, That nothing in this section contained shall be construed to prohibit any employee or servant from accepting or receiving gratuities or donations, commonly called tips, if such gratuities or donations, commonly called tips, are not accounted for, paid over, or delivered, directly or indirectly, in whole or in part, to any person, company, partnership or corporation, but are retained by such employee or servant, as and for his absolute and individual property.

Application of law.

Acts forbidden.

What tips permitted.

Leases void. SEC. 2. Any lease, contract, agreement or understanding entered into in violation of the provisions of section 1, of this act shall be absolutely void.

Violations. SEC. 3. Any person, company, partnership or corporation or any officer or agent thereof, violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not exceeding ten thousand dollars for each and every offense, and, in addition thereto such person, officer or agent may, in the discretion of the court, be sentenced to the county jail not less than three months and not more than one year.

Approved June 29th, 1915.

Free public employment offices.

(Page 414.)

SECTION 1. An act * * * [p. 194, Acts of 1903; secs. 53 to 65, ch. 43, Hurd's R. S., 1906], is hereby amended by amending sections 1 [53], 2 [54], 3 [55], 4 [56], 5 [57], 7 [59] and 13 [65] respectively thereof, and by adding new sections thereto to be known as sections 1a, 1b, 1c, and 4a; which amended sections and new sections shall read as follows:

What cities to have offices. Section 1. [53] Free employment offices are hereby created as follows: One in each city of not less than fifty thousand population; one in two or more contiguous cities or towns having an aggregate or combined population of not less than fifty thousand population, and in each city containing a population of one million or over, one central office with as many departments as would be practical to handle the various classes of labor and such branch offices not to exceed three at any one time, the location of branch offices to be approved by the governor, for the purpose of receiving applications of persons seeking employment and applications of persons seeking to employ labor, such offices shall be designated and known as Illinois free employment offices.

Board. Sec. 1a. [53a] There shall be established in connection with the Illinois free employment offices a general advisory board to consist of five members to be appointed by the governor, by and with the advice and consent of the senate, of whom two shall be representatives of employers, two shall be representatives of organized labor, and these four appointees shall be authorized to submit to the governor a list of persons acceptable to them from among whom he may select the fifth member. Said members shall hold their offices for a term of five years, except that, of the members first appointed, one shall hold office for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, one for the term of five years, and all appointments thereafter shall be made for terms of five years. Said members of the board of managers shall serve without compensation, but each shall be allowed, for actual traveling expenses and other necessary expenses incident to their duties, not to exceed two hundred dollars per year, itemized accounts for which shall be submitted to and approved by the auditor of public accounts before payment. A majority of their number shall constitute a quorum for the transaction of official business. They shall keep a record of their proceedings. Said general advisory board shall advise and cooperate with the secretary of the bureau of labor statistics and with the general superintendent in Chicago in promoting the efficiency of the said Illinois free employment offices and in the investigation of the extent and causes of unemployment and the remedies therefor and devise and adopt the most effectual means within their power to provide employment and to prevent distress and involuntary idleness, and for that purpose they shall have power to cooperate with similar bureaus and commissions of other States, with the Federal employment office in the Department of Labor and with such municipal employment bureaus and exchanges as are now in operation or may hereafter be created.

Duties.

Sec. 1b. [53b] The said general advisory board in cooperation with the said secretary of the bureau of labor statistics, shall organize in connection with each office and branch office, a local advisory board of not more than five (5) members, one of whom shall represent the general public and the others in equal numbers shall represent employers and organized labor, these four to elect the fifth member of the board. The members of said local advisory boards shall serve without compensation and their functions shall be determined by rules of said general advisory board in cooperation with the said secretary of the bureau of labor statistics.

Local boards.

Sec. 1c. [53c] The said general advisory board in cooperation with the secretary of the bureau of labor statistics and the local advisory boards shall place themselves in communication with large employers of labor, including municipal and other public authorities, and attempt to bring about such cooperation and coordination between them by the dovetailing of industries, by long time contracts, or otherwise, as will most effectually distribute and utilize the available supply of labor and keep it employed with the greatest possible constancy and regularity. They shall devise plans of operation with this object in view and shall seek to induce the organization of concerted movements in this direction. They shall also endeavor to enlist the aid of the Federal Government in extending these movements beyond the State.

Methods.

Sec. 2. [54] Within sixty days after this act shall have been in force, the State board of commissioners of labor shall recommend, and the governor, with the advice and consent of the senate, shall appoint a superintendent and assistant superintendent and a clerk for each of the offices created by section 1 of this act, located in cities of less than one million population, who shall devote their entire time to the duties of their respective offices. The assistant superintendent or the clerk shall in each case be a woman. The tenure of such appointment shall be two years, unless sooner removed for cause. The salary of each superintendent shall be fifteen hundred (\$1,500) dollars per annum, the salary of each assistant superintendent shall be one thousand two hundred (\$1,200) dollars per annum. The salary of each clerk shall be one thousand (\$1,000) dollars per annum. In each city containing a population of one million or over, within sixty days after this act shall take effect, the State board of commissioners of labor shall recommend and the governor with the advice and consent of the senate shall appoint a general superintendent of the central office; three department superintendents, three assistant department superintendents, and three clerks who shall devote their entire time to the duties of their respective offices. Three of these appointments shall be women. The tenure of such appointments shall be two years unless sooner removed for cause. The salary of the general superintendent shall be one thousand, eight hundred (\$1,800) dollars per annum; the salary of each department superintendent shall be one thousand, five hundred (\$1,500) dollars per annum; the salary of each assistant department superintendent shall be one thousand two hundred (\$1,200) dollars per annum; and the salary of each clerk shall be one thousand (\$1,000) dollars per annum, together with proper amounts for defraying the necessary costs of equipping and maintaining the respective offices.

Officers.

Sec. 3. [55] The general superintendent of the central office in each city containing a population of one million or over, and, the superintendent of each free employment office in each city containing a population of less than one million, shall, within sixty days after appointment, open an office in such locality as shall have been agreed upon between such general superintendent or superintendent and the secretary of the bureau of labor statistics as being most appropriate for the purpose intended; such office to be provided with a sufficient number of rooms and apartments to enable him to provide and he shall so provide, a separate room or apartment for the use of women registering for situations or help. Upon the outside of each such office, in position and man-

Offices.

- Sign.** ner to secure the fullest public attention, shall be placed a sign which shall read in the English language, Illinois Free Employment Office, and the same shall appear either upon the outside windows or upon signs in such other languages as the location of each such office shall render advisable. The general superintendent or superintendent of each such free employment office
- Register.** shall receive and register the names of all persons applying for employment or help, designating opposite the names and addresses of each applicant, the character of employment or help desired upon blank forms furnished by the bureau of labor statistics, together with such other facts as may be required by the bureau of labor statistics to be used by said bureau: *Provided*, That no record shall be open to public inspection at any time, and that such statistical and sociological data as the bureau of labor may require shall be held in confidence by said bureau, and so published as not to reveal the identity of any one: *And, provided, further*, That any applicant who shall decline to furnish answers to the questions contained in application blanks shall not thereby forfeit any rights to any employment the office might secure.
- Reports.** Sec. 4. [56] Each general superintendent or superintendent shall make to the secretary of the bureau of labor statistics such reports of application for labor or employment, and other details of the work of each office and the expenses of maintaining the same, and shall perform such other duties in the collection of statistics of labor as the secretary of the bureau of labor statistics may require.
- Annual reports.** Sec. 4a. [56a] The secretary of the bureau of labor statistics shall cause to be published an annual report concerning the work of the various offices for the year ending September 30, together with a statement of the expenses of same.
- Methods.** Sec. 5. [57] It shall be the duty of each such superintendent and general superintendent of a free employment office to immediately put himself in communication with the principal manufacturers, merchants and other employers of labor, and to use all diligence in securing the cooperation of the said employers of labor, with the purposes and objects of said employment offices. To this end it shall be competent for such superintendents and general superintendents to advertise in the columns of newspapers, or other mediums, for such situations as he has applicants to fill, and he may advertise in a general way for the cooperation of large contractors and employers in such trade journals or special publications as reach such employers, whether such trade or special journals are published within the State of Illinois or not.
- Strikes, etc.** Full information shall be given to applicants regarding the existence of any strike or lockout in the establishment of any employer seeking workers through the Illinois free employment offices.
- Fees forbidden.** Sec. 7. [59] No fee or compensation shall be charged or received directly or indirectly, from persons applying for employment or help through said free employment offices, and any superintendent, general superintendent, department superintendent, assistant department superintendent, assistant superintendent or clerk, who shall accept, directly or indirectly, any fee or compensation from any applicant or from his or her representative shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five nor more than fifty dollars and imprisoned in the county jail not more than thirty days.
- Blanks, etc.** Sec. 13. [65] All printing, blanks, blank books, stationery and such other supplies as may be necessary for the proper conduct of the business of the offices herein created shall be furnished by the State board of contracts upon requisition for the same made by the superintendents or general superintendent of the several offices.
- Sec. 2. Section six (6) [58 of said act] * * * is hereby repealed.

Approved June 24th, 1915.

Factory regulations.

(Page 418.)

[This is a reenactment of the factory law of 1909, the question of constitutionality having been raised. There are no changes in the provisions of the act as it appears in Bulletin No. 143.]

Factory regulations—Poisonous fumes and dusts.

(Page 431.)

SECTION 1. Every employer of labor in this State, engaged in the manufacture, repairing or altering of any metals, wares or merchandise which may produce or generate poisonous or noxious fumes or dusts in harmful quantities, such as metal polishing, grinding, plating and dipping of metals in acid solutions or dips, are hereby declared to be especially dangerous to the health of the employees so engaged. Dangerous employments.

Such manufacture, repairing or altering of any metals or merchandise in such processes and places of employment shall be conducted in rooms lying wholly above the surface of the ground. Rooms above ground.

SEC. 2. It shall be the duty of the chief State factory inspector, the assistant State factory inspector, and the deputy factory inspectors to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State, and for that purpose such inspectors are empowered to visit and inspect, at all reasonable hours, all places that may come under the provisions of this act. In the enforcement thereof, said chief State factory inspector, the assistant chief State factory inspector, and the deputy factory inspectors shall give proper notice in regard to any violation of this act to any employer of labor violating it, and direct the proper changes to be made to protect the health of the employees therein, and such notice shall be written or printed and shall be signed by the chief State factory inspector, or any one of his assistants authorized by him to sign such orders, and said notice may be served by delivering the same to the person upon whom service is to be had, or by leaving at usual place of abode or business an exact copy thereof, or by sending a copy thereof to such person by mail, and upon receipt of such notice calling the attention of the employer to such violation, he shall immediately comply with the provisions of this act. Enforcement.

SEC. 3. Any person, firm or corporation who shall, personally, or through any agent, violate any of the provisions of this act, or who omits or fails to comply with any of its requirements, or who obstructs or interferes with any examination or investigation being made by the chief State factory inspector, the assistant chief State factory inspector, and the deputy factory inspectors in accordance with the provisions of this act, or any employees who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished for the first offense, by a fine of not less than twenty-five (\$25) nor more than two hundred dollars (\$200); and upon conviction of the second or subsequent offense, shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), and in each case shall stand committed until such fine and costs are paid, unless otherwise discharged by due process of law. Violations.

SEC. 4. For any injury to the health of any employee proximately caused by any willful violation of this act or willful failure to comply with any of its provisions, a right of action shall accrue to the party whose health has been so injured, for any direct damages sustained thereby; and in case of the loss of life by reason of such willful violation or willful failure as aforesaid, a right of action shall accrue to the widow of such deceased Damages.

person, his lineal heirs or adopted children, or to any other person or persons who were, before such loss of life, dependent for support upon such deceased person, for recovery of damages for the injury sustained by reason of such loss of life, not to exceed the sum of twenty-five thousand dollars: *Provided*, That every such action for damages in case of death shall be commenced within two (2) years after the death of such employee.

Approved June 29, 1915.

Mine regulations.

(Page 505.)

[This act amends several sections of an act, page 387, Acts of 1911. Section 2 is amended in subsection (b) by requiring applicants for certificates to have had two years' practical mining experience in the State. A number of verbal changes are made throughout the section, but with no substantial change of meaning. Subsection (c) is amended by striking out all of the last sentence after the word "methods." A new paragraph is added to subsection (f), as follows:]

Engineers at
small mines.

The State mining board shall have power to grant a permit to operate a second motion engine at any mine employing not more than ten men to any person recommended to the board by the State mine inspector of the district: *Provided*, That the applicant for such permit shall have filed with the State mining board satisfactory evidence that he is a citizen of the United States, that he has had at least one year's experience in operating a steam engine and steam boiler and understands the handling and care of the same. Such application shall be accompanied by a statement from at least three persons who will testify from their personal knowledge of the applicant that he is a man of good repute and personal habits, and that he has, in their judgment, a knowledge of and experience in handling boilers and engines as required in this section. Such permit shall apply only to the mine for which it was issued.

[Section 3 is amended by adding to subsection (f) the words, "except as provided in section 2, paragraph (f),"—(the new matter above).]

[Section 5 is amended in subsection (b), which now reads as follows:]

County in-
spectors.

(b) The board of supervisors in counties under township organization or commissioners in counties not under township organization, of any county in which coal is produced, upon the written request of the State inspector of mines for the district in which said county is located, shall appoint, as assistant to such State inspector, a county inspector of mines who shall work under the direction of such State inspector, but no person shall be eligible for appointment as county inspector who does not hold a State certificate of competency as mine manager, and the compensation of such county inspector shall be fixed by the county board at not less than five dollars per day, to be paid out of the county treasury.

If any county board shall fail or refuse to appoint a suitable person as county mine inspector, or to make an adequate appropriation for such county mine inspector when appointed within ninety days after the filing of a written request by the State inspector of mines in and for the district in which such county is located, then the State mine inspector or chief clerk of the State mining board, may file a petition verified by oath in the county court of such county, setting forth the condition of coal mining in said county which requires the appointment of such county mine inspector, the request in writing as aforesaid by the State inspector, and the failure and refusal by the county board to make such appointment or such appropriation as the case may be; and the prayer of such petition shall be that the judge of such county

court appoint a county mine inspector or order the county board to make such appropriation; and thereupon such county court shall cause summons to issue, commanding the sheriff of the county that he summon the county board to be and appear at a term of court therein named, returnable as summons in other suits at law, and to show cause, if any there be, why such county mine inspector should not be appointed as prayed in such petition; which summons may be served as other summons in which a corporation is defendant; which petition and any answer thereto may be set down for hearing before such county court at an early date; and if upon such hearing it shall appear to the court that sufficient cause has not been shown why such county mine inspector should not be appointed, such court may make a finding accordingly, and the judge thereof may make such appointment; and the order making such appointment shall be entered of record in the cause and the person so appointed shall act as such county mine inspector until the further order of court or until such time, not less than one year thereafter, as such county board shall have appointed a successor to the person appointed by the judge of such court, and such successor shall have qualified to act; and the judge of such court may in his discretion remove the inspector by him appointed and appoint a successor, and may order the county board from time to time to make an adequate appropriation for such county mine inspector and shall have power to punish as for contempt of court any disobedience to any such order.

An appeal shall lie from any final order of the county court in such proceeding to the appellate court of the State, but the operation of such order shall not thereby be stayed unless by an order made and entered by such appellate court or some judge thereof.

The State inspector may authorize any county inspector in his district to assume and discharge all the duties and exercise all the powers of a State inspector in the county for which he is appointed, in the absence of a State inspector; but such authority must be conferred in writing and the county inspector must produce the same as evidence of his powers upon the demand of any person affected by his acts; and the bond of said State inspector shall be holden for the faithful performance of the duties of such assistant inspector.

[Section 6 is amended by allowing expenses for inspectors in the amount of \$1,200 per annum, instead of \$100 per month as formerly.]

[Section 7 is amended by substituting the words "rescue station commission" for the words "manager of the rescue stations," except in its first occurrence in subsection (*k*); also by adding to subsection (*i*) the following: "The shaft, slope or drift openings into any such abandoned mine shall be kept securely closed."

[Section 9 is amended by adding to subsection (*d*) the following:]

Where an escapement way is connected to a compartment in which coal is hoisted in such manner that men using the escapement way are endangered by falling coal or by themselves falling into such hoisting compartment, the State mine inspector shall have power to order suitable protection against such dangers. E s c a p e
m e n t
s h a f t s.

[Section 10 is amended in subsection (*l*), which now reads as follows:]

(*l*) All shafts by which men enter or leave the mine, and the passageways leading thereto, or to the works of a contiguous mine used as an escapement shaft shall be carefully examined throughout at least once each week that the mine is operating and the date and findings of such an examination entered promptly in the books kept at the mine for that purpose. A daily visit to the bottom of all such escapement shafts shall be made by the mine examiner, and if obstructions to the free passage of men are found, their location and nature shall be stated in such report. Such obstructions shall be promptly removed. I n s p e c t i o n
o f
s h a f t s.

[Section 15 is amended by subsection (*a*), which now reads as follows:]

Refuge holes. (a) On all single-track haulage roads, where hauling is done by machinery, which roads the persons employed in the mine must use while performing their work or travel on foot to and from their work, there shall be places of refuge on one side not less than 3 feet in depth from the side of the car, and not less than 4 feet long and 5 feet in height and not more than 60 feet apart. On all such roads constructed after the passage of this act, the refuge places shall be placed on the opposite side from the electric power wire. On rope-haulage roads, means of signaling shall be established between the haulage engineer and all points on the road. A conspicuous light shall be carried on the front, and a gong, conspicuous red light or white signal board on the rear of every trip or train of pit cars moved by machinery.

[Section 21 is amended in subsection (b), 1, which now reads:]

Duty of mine examiner.

1. To examine the underground workings of the mine within eight hours preceding the time the day shift goes on duty, every day upon which the mine is to be operated, excepting that when in the judgment of the State mine inspector expressed in writing to the coal operator, a mine generates explosive gas in dangerous quantities, a State mine inspector shall require the mine to be examined for gas in such manner and at such shorter intervals than eight hours before the time the day shift goes on duty every day upon which the mine is to be operated, as may be necessary to insure the safety of the men working in such mine.

Mine regulations—Fire fighting.

(Page 522.)

[This act amends sections 2 and 6 of an act, page 84, Acts of 1910, the sole change being in the dimensions of the chemical fire extinguishers required, which may have a content of 2½ gallons, instead of 3 gallons, as in the original act.]

Mine regulations—Qualifications of miners.

(Page 525.)

[This act amends the act, page 438, Acts of 1913. Section 1 now reads as follows:]

Certificates required.

Existing certificates.

Section 1. Hereafter no person shall be employed or engaged as a miner in any coal mine in this State without having first obtained a certificate of competency and qualification so to do from the "Miners' Examining Board" of this State, created by this act. Miners who now hold certificates heretofore issued by any board of county mine examiners of this State may be permitted on or before July 1, 1916, to produce before the miners' examining board created by this act, such county mine examiners' board certificate, or if the same shall have been lost or destroyed, satisfactory evidence of its issuance; thereupon, such miner shall be entitled to receive from the miners' examining board created by this act, the certificate herein provided for, which substitute certificate shall be issued without cost to said miner. After the first day of July, 1916, no miner's certificate of competency or qualification shall be recognized in this State, except those which have been or may be hereby issued by the board created by this act: *Provided, however,* That any such certified miner may have one person working with him and under his directions as an apprentice for the purpose of learning the business of mining and becoming qualified to obtain a certificate in conformity with the provisions of this act.

[Section 2 is amended by requiring records to be kept, and that the secretary of state assign rooms in the statehouse for the use of the board. Section 4 is amended by allowing necessary travel and other expenses in an amount not to exceed \$1,200 for each commissioner. Section 6 now reads as follows:]

Examinations.

Section 6. Such board shall hold an examination once in each calendar month, in at least twelve places located most con-

veniently with reference to the districts in which coal is mined in the State of Illinois so that all persons in such district or in this State, or who may wish to come into this State, for the purpose of engaging in mining, may be examined as to their competency and qualifications. Public notice of said examinations shall be given through the press or otherwise in the discretion of the board, not less than seven days in advance of such meeting, which notice shall fix the time and place at which any examination under this act is to be held.

Approved June 29th, 1915.

Mine regulations—Rescue stations.

(Page 527.)

[This act amends the act, page 2, Acts of 1910, by dispensing with the manager mentioned in sections 5, 6, 7, and 8, the commission making appointments of superintendents, etc., directly, and supervising the work of the stations. The position of porter (sec. 5) is also abolished. Mention is made in the same section of the installation of substations.]

Railroads—Provisions for accidents.

(Page 559.)

SECTION 1. All railroads or the receiver or receivers of any railroad operating trains, in whole or in part, within the State of Illinois, shall provide a package containing the articles hereinafter stated, on each train or engine, for first aid to persons who may be injured in the course of the operation of such train or trains. Provisions required.

SEC. 2. Every such package shall include the following and such other articles and equipment as may in the judgment and discretion of the management of the railroad or the medical department thereof be useful for the intended purpose: Contents of packages.

A standard package to contain two (2) pieces of sterile gauze, one (1) ribbon bandage, one (1) triangular cambric picture bandage in aseptic container, six (6) of these packages to make up one (1) first-aid kit.

SEC. 3. The chief surgeon, one of his assistants or other capable physician shall at reasonable intervals offer first-aid instruction to the engine and train men in his jurisdiction. Instruction.

SEC. 4. Any railroad or the receiver or receivers of any railroad who shall fail to comply with the provisions of this act, shall be liable to a penalty of not less than five (\$5) dollars no [nor] more than twenty-five (\$25) dollars and each day's violation shall constitute a separate offense, and prosecution for said violations shall be instituted by the State public utilities commission upon complaint of any citizen of the State: *Provided*, That the railroad company or receiver or receivers shall be allowed not to exceed three (3) days without penalty to replace any package or packages after the use of same has been reported by the employee in charge of said train or engine. Violations.

Approved June 24th, 1915.

INDIANA.

ACTS OF 1915.

CHAPTER 51.—*Termination of employment—Service letter—Payment of wages.*

SECTION 1. Whenever any employee of any person, firm or corporation doing business in this State shall be discharged or voluntarily quits the service of such person, firm or corporation it shall be the duty of such person, firm or the officer of the corporation having jurisdiction over such employee upon written request of such employee, to issue such employee a letter duly signed by such person, firm or officer setting forth the nature and character of service rendered by such employee and the duration thereof, and truly stating for what cause, if any, such employee has quit or been discharged from such service: *Provided*, That this section shall not apply to any person, firm or corporation which does not require written recommendations or written applications showing qualifications or experience for employment. Letter to be given.

SEC. 2. Any person, or firm, or any officer having jurisdiction over employees referred to in section one (1) of this act failing or refusing to issue such letter to such employee when so requested by the employee, or failing or refusing to state the facts correctly shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Violation.

SEC. 3. Any person, firm, or corporation employing persons shall within seventy-two (72) hours after any employee voluntarily quits such service or is discharged, pay to such employee in full the wages due him to the time of quitting such service: *Provided*, Demand is made therefor and upon failure so to do, such person, firm or corporation shall be liable to such employee for each day until such payment is made in a sum equal to the daily wage of the employee. Wages to be paid.

SEC. 4. Any person, firm or corporation, or officer of such company or corporation failing to comply with section three (3) of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500). Violation.

Approved March 3, 1915.

CHAPTER 106.—*Inspection of places of employment—Industrial board.*

SECTION 50. There is hereby created a board which shall be known as the industrial board of Indiana, which shall consist of three members, not more than two (2) of whom shall belong to any one political party, appointed by the governor, one of whom he shall designate as chairman. Each member of the board shall hold office for four years, and until his successor is appointed and qualified, except that when the board is first constituted, one member shall be appointed for three years, one for four years, and the third shall be the present chief of the State bureau of inspection, who shall serve for one year as hereinafter provided. Thereafter, upon the expiration of the term of any member, the governor shall appoint his successor for the full term of four years. Industrial board.

Each member of the board shall devote his entire time to the duties of his office and shall not hold any position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties as such member.

Salaries, etc. SEC. 51. The salary of each member of the board shall be four thousand dollars per year each.

The board may appoint a secretary at a salary of not more than twenty-five hundred dollars a year and may remove him. The board may also, subject to the approved [approval] of the governor, employ such clerical and other assistants as it may deem necessary and fix the compensation of all persons so employed.

The members of the board and its assistants shall be entitled to receive from the State their actual and necessary expenses while traveling on the business of the board, but such expenses shall be sworn to by the person who incurred the same and shall be approved by the chairman of the board before payment is made.

All salaries and expenses of the board shall be audited and paid out of the State treasury in the manner prescribed for similar expenses in other departments or branches of the State service.

Transfer of powers. SEC. 52. The rights, powers and duties conferred by law upon the State bureau of inspection of the State of Indiana are hereby continued in full force and are hereby transferred to the industrial board hereby created and shall be held and exercised by them under the laws heretofore in force and the said State bureau of inspection is hereby abolished.

The present chief inspector of said State bureau of inspection is hereby made a member of said industrial board until the expiration of one year from the date of the taking effect of this act and until his successor is appointed and qualified. The deputy inspectors heretofore appointed by the governor as deputy inspectors in said State bureau of inspection, to wit:

Inspector of buildings, factories and workshops, inspector of boilers and inspector of mines and mining, together with their assistant inspectors, are hereby continued in their respective offices, at their present salaries, until the expiration of the terms for which they are respectively appointed and until their successors are appointed and qualified and each of them respectively shall have and perform all the rights, powers and duties now held and performed by each of them respectively, together with such other rights, powers and duties as may be prescribed by said industrial board. Upon the termination of the said terms of office for which said deputy inspectors have been appointed, said industrial board, with the concurrence of the governor, shall appoint their successors to serve during the pleasure of said industrial board.

Labor commission abolished. SEC. 53. All the rights, powers and duties of the labor commission of the State of Indiana, heretofore created and subsequently transferred to and vested in the State bureau of inspection, are hereby abolished.

Offices. SEC. 54. The board shall be provided with adequate offices in the capitol or some other suitable building in the city of Indianapolis, in which the records shall be kept and its official business transacted during regular business hours; it shall also be provided with necessary office furniture, stationery and other supplies.

The board or any member thereof may hold sessions at any place within the State as may be deemed necessary.

Approved March 8, 1915.

CHAPTER 111.—*Inspection of steam boilers.*

Equipment required. SECTION 1. It shall be the duty of every person, firm or corporation owning or using or causing to be used any steam boiler for generating steam to be applied to machinery, or for steaming and heating purposes in all industrial institutions subject to inspection by the State bureau of inspection, to provide them with a full complement of gauge cocks, some visible means of

indicating the water level, one steam gauge, one fusible plug properly inserted, one or more safety valves, all to be kept in good working order (the area of said valve, if known as pop valve, shall be in the ratio of one (1) square inch of area to three (3) square feet of grate surface), a lever and ball safety valve in the ratio of one (1) square inch of area to two (2) square feet of grate surface.

SEC. 2. The owner, agent, manager or lessee of any boiler or boilers described in section one (1) of this act, shall cause such boiler or boilers to be inspected, internally, at least once every (6) months by a practical boilermaker of not less than five (5) years' experience, or a practical steam engineer who has had not less than ten (10) years' experience with steam boilers carrying not less than seventy (70) pounds pressure per square inch, or by a boiler inspector of any insurance company doing business under the laws of this State, who shall furnish to the owner, agent, or lessee of such boiler or boilers a certificate of inspection, stating the kind and showing the condition of said boiler or boilers, the connections, and the maximum pressure to be carried by said boiler or boilers, and said certificate shall be retained in the office of the establishment in which said boiler or boilers are located, and shall be shown to the deputy inspector of the State bureau of inspection or any of his assistant deputies when required.

Inspection.

SEC. 3. Every boiler house in which a boiler or battery of boilers is placed shall be provided with a steam gauge or gauges properly connected with the boiler or boilers, and where the engine is in a separate room, or more than forty (40) feet distant from the gauge of the nearest boiler, another gauge shall be attached to the steam pipe so the engineer can readily ascertain the pressure carried. At least one of the safety valves of each steam boiler subject to inspection under this act shall be loaded to sustain only the maximum pressure allowed by the said certificate of inspection.

Gauges.

Loading of valves.

SEC. 4. (a) It shall be the duty of the deputy inspector of the department of boilers to inspect or cause the same to be inspected internally, at least once every six months, all steam boilers, tanks, jacket kettles, generators and other apparatus used for generating steam or transmitting steam for power, or for using steam under pressure for heating or steaming purposes, and all other tanks or jacket kettles and reservoirs under pressure, of whatsoever kind.

What inspection required.

(b) Boilers used less than six (6) consecutive months in each year, and boilers used solely for heating purposes and carrying less than twenty-five (25) pounds pressure, shall be inspected internally, at least once a year.

(c) The pressure allowed on a boiler constructed wholly of cast iron, shall not exceed twenty-five (25) pounds pressure per square inch.

(d) The provisions of this act shall not apply to boilers of railway locomotives, boilers used solely for agricultural purposes, boilers under the jurisdiction of the United States Government, heating boilers in private residences, and fire engine boilers brought into the State for temporary use in times of emergency.

SEC. 5. Every insurance company authorized to insure steam boilers in the State of Indiana shall forward to the State bureau of inspection, within fourteen (14) days after each internal or external inspection of boilers herein required to be inspected, reports of all boilers so inspected by them, and said reports shall contain all orders made by the company regarding the boilers inspected.

Reports from insurance companies.

SEC. 6. Every boiler insurance company shall report immediately to the State bureau of inspection the name of the owner or user, and the location of every boiler, kettle or other apparatus as described in section four (4) of this act herein required to be inspected, upon which they have canceled, refused or suspended the insurance, and they shall give their reasons for same. If

Same.

Defective boilers. upon inspection the inspector finds the boiler in safe working order, with fittings necessary to safety and properly set up, there shall be issued to the owner or user thereof, a certificate of inspection stating the maximum pressure at which the boiler may be operated, as ascertained by the rules established by this act as hereinafter provided, and thereupon such owner or user may operate the boiler mentioned in the certificate. If the inspector finds that the boiler is not in safe working condition or is not provided with fittings necessary to safety, or if the fittings are improperly arranged, he shall immediately notify the owner, user or person in charge of the boiler and shall report the same to the State bureau of inspection, and certificate shall be withheld until the boiler and its fittings are put in a condition to insure safety of operation, and the owner or user shall not operate or cause it to be operated until such certificate has been granted. If the owner or user of any boiler disagrees with the inspectors as to the necessity for shutting down a boiler or for making repairs or alterations to it, or taking any other measures for safety that may be requested by the inspector, the owner or user may appeal from the decision of the inspector to the deputy inspector of boilers, and after an inspection made by himself, an assistant deputy inspector or a special inspector, the deputy inspector shall decide the issue and his decision shall be final.

Duty of owners. SEC. 7. Boilers must be prepared for inspection by the owner or user after due notice has been given, by having the boilers cooled and thoroughly cleaned and with manhead or handhole plates taken out, the ashes cleaned off the grates and back of the bridge walls and combustion chambers, and the shell of the boiler and the tubes shall be thoroughly cleaned. If any boiler is not thoroughly cleaned and ready for inspection the inspector may refuse to examine such boiler reporting to the deputy inspector of boilers his reason for so doing.

[Secs. 8-29 give in minute detail the rules as to use and construction of boilers, and are here omitted as being too technical to be of general interest.]

Enforcement. SEC. 30. The prosecuting attorney of any county of this State is hereby required upon the request of the deputy inspector of the State bureau of inspection, his assistant deputies or any other person of full age, to commence and prosecute to a termination before any court of competent jurisdiction in the name of the State, actions or proceedings against any person, firm or corporation reported to him to have violated the provisions of this act.

Violations. SEC. 31. It shall be unlawful for any person, firm or corporation to operate any aforesaid boiler or boilers except as provided for in this act, and for violating any provisions of sections 1 or 3 a fine of not less than ten dollars (\$10) nor more than twenty-five dollars (\$25) shall be assessed for each offense. Each day such violation or violations continue shall constitute a separate offense. Any person, firm or corporation failing to comply with any provision of sections 2, 5, 6, 12 or 19 of this act, or with any order issued by the deputy boiler inspector of the State bureau of inspection in accordance therewith, shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100).

Approved March 8, 1915.

CHAPTER 118.—*Arbitration and conciliation of labor disputes.*

Scope of law. SECTION 1. The provisions of this act shall apply to all controversies arising between an employer or employers and employees engaged in any kind of business within the State of Indiana where more than fifty (50) employees are involved.

Board to be appointed. SEC. 2. Whenever any controversy arises between an employer or employers and employees as provided in this act which threatens the public welfare and convenience, the governor may, upon his own motion or upon application as provided in section three (3), appoint a board of mediation and conciliation for the purpose of carrying out the provisions of this act with respect to

such controversy. The board of mediation and conciliation in any such case shall consist of three (3) members which three members of said board shall be appointed by the governor of the State of Indiana. But no member shall be appointed to such board if he is directly interested in the business of the employer or is an employee of such employer. The secretary of state shall be the secretary of any such board so created and shall keep a permanent record of all proceedings of such board and of the boards of arbitration provided for in this act, and the same shall be open for public inspection at his office. The members of a board of mediation and conciliation when appointed, shall receive ten dollars (\$10) per day for each day actually employed and all necessary traveling and hotel expenses while engaged in the performance of their duties: *Provided, however,* That the secretary of state shall not receive compensation for acting as secretary of the said board. Such board may also employ clerical assistants, in carrying out the provisions of this act. A board of mediation and conciliation when appointed shall be provided with suitable quarters in the statehouse whenever required for their work.

SEC. 3. Whenever a controversy concerning wages, hours of labor or conditions of employment shall arise between an employer or employers and their employees subject to this act, interrupting or threatening to interrupt the business in which such employer or employers and employees are engaged to the detriment of the public interest, either party to such controversy may apply to the governor for the appointment of a board of mediation and conciliation for the purpose of bringing about an amicable adjustment of the controversy, stipulating in such application that they are willing to resume or continue work pending the action of the board. The governor, may, in his discretion, appoint such board and the board when appointed shall with all practicable expedition put itself in communication with the parties to such controversy and shall use its best efforts, by mediation and conciliation, to bring them to an agreement; and if such efforts to bring about an amicable adjustment through mediation and conciliation shall be unsuccessful, the said board shall at once endeavor to induce the parties to submit their controversy to arbitration in accordance with the provisions of this act. In any case in which a controversy arises over the meaning or the application of any agreement reached through mediation under the provisions of this act either party to the agreement may apply to the board of mediation and conciliation for an interpretation of such agreement and the board may be reconvened by the governor for the purpose and shall give its opinion as soon as may be practicable. Such application shall be signed by duly accredited representatives of the employer or employers and of the employees, and in the case of the employees, such representative may be the officers of a labor organization representing a majority of the employees, or a committee duly selected by the employees.

Applications
by parties.

Mediation.

SEC. 4. Whenever any controversy shall arise between an employer or employers and employees and the board of mediation and conciliation, appointed by the governor for the purpose, shall be unable to induce the parties to such controversy to submit their differences to a board of arbitration, as provided in this act; it shall be the duty of such board of mediation and conciliation to immediately make an investigation of the cause and circumstances of the controversy. Said board shall have power in making such investigation to compel the attendance and testimony of witnesses, and the production of books and papers pertinent to the investigation. The board shall publish their findings in the controversy and file the same with the governor and cause certified copies thereof to be served upon the representatives of the parties to the controversy.

Investigations.

SEC. 5. Whenever a controversy shall arise between an employer or employers and employees which cannot be settled through

Arbitration.

mediation and conciliation in the manner provided in this act, such controversy may be submitted to the arbitration of a board of three (3) members, which three members of said board shall be appointed by the governor of the State of Indiana. No member of such board shall be directly interested in the business of the employer or employers or an employee of such employer or employers.

Agreements.

SEC. 6. The agreement to arbitrate

First. Shall be in writing;

Second. Shall be signed by duly accredited representatives of the employer or employers and of the employees; and in the case of the employees such representatives may be the officers of a labor organization representing a majority of the employees or a committee selected by the employees.

Third. Shall state specifically the question to be submitted to the said board for decision.

Fourth. Shall stipulate that a majority of said board shall be competent to make a valid and binding award;

Fifth. Shall fix a period from the date of the appointment of the arbitrators necessary to complete the board, as provided for in the agreement, within which the said board shall commence its hearings;

Sixth. Shall fix a period from the beginning of the hearing within which the said board shall make and file its award: *Provided*, That this period shall be thirty (30) days unless a different period be agreed to.

Seventh. Shall provide for the date from which the award shall become effective and shall fix the period during which the said award shall continue in force.

Eighth. Shall provide that the parties shall agree to resume work until the award is given, and that they will each faithfully execute the award.

Ninth. Shall provide that the award and the papers and proceedings, including the testimony relating thereto, certified under the hands of the arbitrators, shall be filed in the office of the clerk of the circuit court of the county wherein the controversy arises or the arbitration is entered into, and shall be final and conclusive upon the parties to the agreement.

Tenth. May also provide that any difference arising as to the meaning or the application of the provisions of an award made by a board of arbitration shall be referred back to the same board or to a subcommittee of such board for a ruling, which ruling shall have the same force and effect as the original award; and if any member of the original board is unable or unwilling to serve, another arbitrator shall be named in the same manner as such original member was named.

Powers of arbitrators.

SEC. 7. For the purposes of this act the arbitrators herein provided for, or either of them, shall have power to administer oaths and affirmations, issue subpoenas, require the attendance and testimony of witnesses and the production of such books, papers, contracts, agreements and documents material to a just determination of the matters under investigation as may be ordered by the arbitration board and may invoke the aid of any court to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents as the arbitrators may desire.

Procedure.

SEC. 8. Every agreement of arbitration under this act shall be acknowledged by the parties thereto before a notary public or other person authorized to take acknowledgements and when so acknowledged shall be delivered to the board of mediation and conciliation or transmitted to the board to be filed in the office of the secretary of the board.

If the parties to an arbitration desire the reconvening of a board of arbitration to pass upon any controversy arising over the meaning or application of an award, they shall jointly so notify the governor in writing, and shall state in such written notice the question or questions to be submitted to such recon-

vened board. The governor shall thereupon promptly communicate with the members of the board of arbitration, or a subcommittee of such board if any appointed for such purpose pursuant to the provisions of the agreement of arbitration, and arrange for the reconvening of said board or subcommittee, and shall notify the respective parties to the controversy of the time and place at which the board will meet for hearings upon the matters in controversy to be submitted to it.

Sec. 9. The board of arbitration shall organize and select its own chairman and make all necessary rules for conducting its hearings; but in its award or awards the said board shall confine itself to findings or recommendations as to the questions specifically submitted to it or matters directly bearing thereon. All testimony before said board shall be given under oath or affirmation. The board of arbitration may employ such assistants as may be necessary in carrying on its work. The board of arbitration shall furnish a certified copy of its awards to the respective parties to the controversy, and shall transmit the original, together with the papers and proceedings and a transcript of the testimony taken at the hearings, certified under the hands of the arbitrators, to the board of mediation and conciliation, and a copy thereof shall be filed in the office of the clerk of the circuit court in the county wherein the award was made. Findings of any board of mediation and conciliation and any board of arbitration shall be competent evidence in any court of the State in any matter growing out of the controversy but may be controverted by the party against whom it is introduced: *Provided, however,* That in case any arbitration agreement or labor contract has been entered into between any such employer and such employees or a majority thereof, which provides for the arbitration of any matter by the public service commission of Indiana or members thereof, such commission or members thereof, shall continue to act as a board of arbitration for all such matters as so agreed upon by the parties thereto.

Sec. 10. The sum of seven thousand five hundred dollars (\$7,500) annually, or so much thereof as may be necessary, is hereby appropriated to carry out the purposes of this act. The sum of two thousand dollars (\$2,000) is hereby appropriated for the purposes of this act to be available May 1st, 1915. All moneys paid out under the provisions of this act shall be paid on the order of the governor.

Approved March 8, 1915.

Organization.

Awards.

Appropriation.

IOWA.

ACTS OF 1915.

[By provision of law the legislation of 1915 is arranged under code sections.]

Street railways—Vestibules—Toilet rooms.

SECTION 768-h. (added 1915) Every person, partnership, company or corporation, owning or operating a street railway in this State, shall after November first, nineteen hundred sixteen, from November first of each year to April first following, provide all motor cars used for the transportation of passengers, with vestibules inclosing the front and rear platforms on all sides for the protection of employees operating such cars, when in the performance of their duties, the employees are required to remain on said vestibules, the major portion of their time. Said vestibules shall be heated and each vestibule shall contain a seat for the use of the motormen and conductor, respectively, under reasonable rules and regulations. Vestibules required.

SEC. 768-i. (added 1915) Every person, partnership, company or corporation owning or operating a street railway in this State shall provide and maintain toilet facilities for the use of the employees at some suitable location upon each line, or run, and the running schedule of said cars, or the operating rules, shall be such as will permit said employee to use said toilet facilities. Toilet facilities.

SEC. 768-j. (added 1915) Every person, partnership, company or corporation, owning or operating a street railway in this State who shall fail or refuse to comply with any of the provisions of section seven hundred sixty-eight-h and section seven hundred sixty-eight-i of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each offense. Each day's failure to comply with any of the provisions of said sections shall be deemed a separate offense. Violations.

Payment of wages—Semimonthly pay day.

SECTION 2110-b1. (added 1915) Every railway corporation operating or doing business in the State of Iowa shall as often as semimonthly pay to every employee engaged in its business all wages or salaries earned by such employee to a day not more than eighteen days prior to the date of such payment. Any employee who is absent at the time fixed for payment, or who for any other reason is not paid at that time, shall be paid thereafter at any time upon six days' demand, and any employee leaving his or her employment or discharged therefrom shall be paid in full following his or her dismissal or voluntary leaving his or her employment at any time upon six days' demand. No corporation coming within the meaning of this act shall by special contract with the employees or by any other means secure exemption from the provisions of this act. And each and every employee of any corporation coming within the meaning of this act shall have his or her right of action against any such corporation for the full amount of his or her wages due on each regular pay day as herein provided in any court of competent jurisdiction of this State. Duty of railway companies.

SEC. 2110-b2. (added 1915) Any corporation, coming within the meaning of this act, violating section one of this act shall be deemed guilty of a misdemeanor and fined in a sum not less than Persons leaving service. Violations.

twenty-five dollars, or more than one hundred dollars, for each separate offense and each and every failure or refusal to pay each employee the amount of wages due him or her at the time, or under the conditions required in section one of this act, shall constitute a separate offense.

Bureau of labor statistics—Inspection, etc., of factories.

Bulletins. [Section 2470, relating to the duties of the commissioner of labor, is amended by adding thereto the following:]

Said commissioner may from time to time, with the consent of the executive council, issue bulletins containing information of importance to the industries of the State and to the safety of wage earners.

[Section 2473 is amended by striking out the words "five or more," before the word "wage-earners."]

Employment of children—Age limit, etc.

Age limit. SECTION 2477-a. (amended 1915) No person under fourteen years of age shall be employed with or without wages or compensation in any mine, manufacturing establishment, factory, mill, shop, laundry, slaughter house or packing house, or in any store or mercantile establishment where more than eight persons are employed, or in the operation of any freight or passenger elevator, or livery stable or garage, place of amusement, or in the distribution or transmission of merchandise or messages: *Provided*, That nothing in this section shall be construed as prohibiting a child from working in any of the above establishments or occupations when such are owned or operated by their own parents.

Work for parents.

Street trades.

SEC. 2477-a1. (added 1915) No boy under eleven years of age nor girl under eighteen years of age shall be employed, permitted or suffered to work at any time in any city of ten thousand or more inhabitants within this State in or in connection with the street occupations of peddling, bootblacking, the distribution or sale of newspapers, magazines, periodicals or circulars, nor in any other occupations in any street or public place: *Provided, however*, That in cities having a superior or municipal court, the superintendent of schools or person authorized by him, upon sufficient showing made by the said superior or municipal judge, shall have authority, in exceptional cases, to issue a permit to a boy under eleven years of age. No boy between eleven and sixteen years of age shall be employed, permitted or suffered to work in any such city in or in connection with any of the aforesaid occupations unless he complies with all the requirements for the issuance of work permits as described in this act except the filing of an employers' [employer's] agreement: *Provided, however*, That the school record so required shall certify only that the boy is regularly attending school and that the work in which he wishes to engage will not interfere with his progress at school. Upon compliance with these requirements such boy shall be entitled to receive from the officer authorized to issue work permits a badge which shall authorize such boy to engage in the above mentioned occupations at such time or times between four a. m. and seven thirty p. m. in each day as the public schools of the city or district where such boys reside are not in session, but at no other time: *Provided, however*, That during the summer school vacation such boy may engage in such occupation until the hour of eight thirty p. m. All such badges issued in the same calendar year shall be of the same color, which color shall be changed each year upon renewal and all such badges shall become void upon the first day of January of each year.

Violations.

The parent or person in charge of any child who shall engage in any such street occupation in violation of any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than

fifteen dollars. The truant or attendance officers of the public schools shall enforce the provisions of this section. Whoever furnishes or sells to any minor any article of any description with the knowledge that said minor intends to sell said article in violation of the provisions of this section or who shall continue to furnish or sell articles of any description to a minor after having received written notice from any officer charged with the enforcement of this section or from the officer issuing the badge required as aforesaid that said minor is unlicensed to sell such article, shall be punished by a fine of not less than fifteen dollars nor more than one hundred dollars for each offense.

SEC. 2477-b. (amended 1915) No person under sixteen years of age shall be employed at any work or occupation by which, by reason of its nature or the place of employment, the health of such person may be injured, or his morals depraved, or at any work in which the handling or use of gunpowder, dynamite or other like explosive is required, or in or about any mine during the school term, hotel, bowling alley, pool or billiard room, or in occupations dangerous to life or limb and no female under twenty-one years of age shall be employed in any capacity where the duties of such employment compel her to remain constantly standing. Dangerous employments.

SEC. 2477-c. (amended 1915) No person under sixteen years of age shall be employed at any of the places or in any of the occupations recited in section one [2477-a] hereof before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening, and if such person is employed exceeding five hours of each day, a noon intermission of not less than thirty minutes shall be given between the hours of eleven and one o'clock, and such person shall not be employed more than eight hours in any one day, exclusive of the noon intermission; nor shall any such person be employed more than forty-eight hours in any one week; nor shall any person under eighteen years of age be employed in the transmission, distributing or delivery of goods or messages between the hours of ten in the evening and five in the morning in any city of ten thousand or more inhabitants. Night work.
Time for meals.
Hours of labor.

SEC. 2477-d. (amended 1915) No child under sixteen years of age shall be employed, permitted, or suffered to work in or in connection with any of the establishments or occupations mentioned in section twenty-four hundred seventy-seven-a unless the person, firm or corporation employing such child procures and keeps on file, accessible to any officer charged with the enforcement of this act, a work permit issued as hereinafter provided, and keeps two complete lists of the names and ages of all such children under sixteen years of age employed in or for such establishments or in such occupations, one on file in the office and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed. On termination of the employment of a child whose permit is on file, such permit shall be returned by the employer within two days to the officer who issued it with a statement of the reasons for the termination of such employment. A work permit shall be issued only by the superintendent of schools or by a person authorized by him in writing, or, where there is no superintendent of schools, by a person authorized in writing by the local school board in the community where such child resides, upon the application of the parent, guardian or custodian of the child desiring such permit. The person authorized to issue work permits shall not issue any such permit until he has received, examined, approved and filed the following papers duly executed, namely: Certificate required.

(1), A written agreement from the person, firm or corporation into whose service the child under sixteen years of age is about to enter, promising to give such child employment, describing the work to be performed and agreeing to return the work permit of such child to the office from which it was issued within two days after the termination of the employment of such child; Evidence.

(2), The school record of such child filled out and signed by the chief executive of the school which such child has last attended certifying that the child is able to read intelligently and write legibly simple sentences in the English language and has completed a course of study equivalent to six yearly grades in reading, writing, spelling, English language, geography, and arithmetic. Such school record shall give also the name, date of birth and residence of the child as known on the records of the school and also the name of its parent, guardian or custodian;

(3), A certificate signed by a medical inspector of schools or if there be no such inspector then by a physician appointed by the board of education certifying that the applicant for the work permit has reached the normal development of a child of its age and is in sufficiently sound health and physically able to perform the work for which the permit is sought;

(4), Evidence of age showing that the child is fourteen years old or upwards which shall consist of one of the following proofs required in the order herein designated as follows:

(a) A transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births;

(b) A passport or a transcript of a certificate of baptism showing the date of birth and place of baptism of such child;

(c) A school census record;

(d) In cases where none of the above named proofs is obtainable, a certificate signed by the local medical inspector of schools, or if there be no such inspector then by a physician appointed by the local board of education certifying that in his opinion the applicant for the work permit is fourteen years of age or upwards.

General provisions.

A duplicate of every such work permit issued shall be filled out and forwarded to the office of the commissioner of labor between the first and the tenth day of the month following the month in which it is issued. The blank forms for the work permit, the employer's agreement, the school record and the physician's certificate shall be formulated by the State superintendent of public instruction and furnished by him to the local school authorities. The work permit shall in no case be issued to the applicant or its parent, guardian or custodian, but shall in every case be forwarded to the prospective employer of such applicant. Every such work permit shall give the name, sex, the date and place of birth and the residence of the child in whose name it is issued, describe the color of the hair and eyes, give his height and weight and shall contain a statement of the proof of age accepted, the school grade completed, the name and address of the establishment where the child is to be employed and shall describe the work for which the permit is issued; it shall further certify that the papers required for its issuance have been duly examined, approved and filed and that the person named therein has personally appeared before the officer issuing the permit and has been examined. A work permit shall be issued for every position obtained by a child between the ages of fourteen and sixteen years.

Children apparently under 16.

Any officer whose duty it is to enforce the provisions of this act shall have authority to demand of any employer in or about whose place or establishment a child apparently under the age of sixteen years is employed, permitted or suffered to work, and whose work permit is not filed as required by this section, that such employer shall either furnish him within ten days the same documentary evidence of age of such child as is required upon the issuance of a work permit, or shall cease to employ or permit or suffer such child to work in such place or establishment.

Free public employment offices.

Bureau established.

SECTION 2477-g1. (added 1915) The commissioner of the bureau of labor statistics of Iowa shall, within thirty days after the taking effect of this act, establish in his office at Des Moines,

Iowa, a department to be called The State Free Employment Bureau, and the said commissioner is hereby authorized and directed to establish such department and to adopt such rules and regulations as are necessary to carry out the purposes of this act. He shall, with the approval of the executive council, appoint a competent person who shall be placed in charge of such work and be known as the chief clerk of the State free employment bureau. His term of office shall be the same as that of commissioner of the bureau of labor statistics, and his salary shall be twelve hundred dollars annually, payable monthly, and shall be paid in the same manner as are the salaries of other officers of said bureau. All printing, postage, stationery and other necessary office expenses, including telephone and telegraph bills used to properly carry on the work of such free employment bureau, shall be paid by the State in the same manner as are paid the other expenses of the office of the commissioner of the bureau of labor statistics.

SEC. 2477-g2. (added 1915) The chief clerk of the State free employment bureau shall cause to be printed the number of all applicants and the character of the employment desired by the applicants and the number of those desiring to employ labor, and the class thereof, which have been received by him since making up his last list, and cause a true copy of said list to be mailed to the auditors of the several counties of Iowa, and to the clerks of all cities and towns within the State of Iowa having a population of five hundred or more, according to the last State or national census. Said list shall be mailed out as above provided with such frequency as will in his judgment best serve the needs of the public but not oftener than once each week nor less frequent[ly] than one [once] each month. Said list shall be immediately posted on receipt thereof by the county auditors or city and town clerks in an accessible, conspicuous and public place in their respective communities and shall at all times be subject to the inspection of all persons desiring employment and all persons wishing to employ labor. The chief clerk of the State free employment bureau, with the consent of the commissioner of the bureau of labor statistics and with the approval of the executive council may adopt and use such other methods of disseminating information as will in their judgment be helpful in bringing the unemployed in touch with those desiring to employ such labor. No fee or compensation shall be received, either directly or indirectly, from persons residing within this State applying for employment or help to said State free employment bureau.

Lists to be printed.

SEC. 2477-g3. (added 1915) Any person who shall deface, mutilate, destroy or remove any of the lists required to be posted by the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days.

Defacing, etc., lists.

Mine regulations.

[Section 2478 is amended by reducing the term of service of the mine inspectors from 6 years to 4.

[Section 2489-12a (sec. 40, ch. 106, Acts of 1911, is amended by requiring reports in February to cover the calendar year, instead of in August, to July 1, as formerly.]

Liability of employers for injuries to employees—Contributory negligence.

SECTION 3593-a. (added 1915) In all actions brought in the courts of this State to recover damages caused by the negligence of the defendant, the burden of proving contributory negligence shall rest upon the defendant: *Provided*, That this act shall only apply to actions brought by an employee against his or her em-

Burden of proof.

ployer, or by a passenger against a common carrier, and in such cases contributory negligence may be pleaded in mitigation of damages.

Inspection and regulation of factories, etc.

[Section 4999-a5 is amended by inserting the words, "or safeguarding health," after the words, "preventing bodily injuries," in the first sentence.]

Protection
against fire.

SECTION 4999-a6. (amended 1915) All buildings, structures or enclosures of three or more stories and such other buildings of a less number of stories as are included by law and which buildings are not equipped with fire escapes or which buildings may hereafter be erected or the fire escapes of which are renewed or in need of renewal, shall be equipped with such protection against fire and means of escape as is by law provided. The word "building" used in the law relating to fire escapes and protection against fire and means of escape from buildings shall be held to include all of the structures or enclosures embraced in this section or referred to more specifically in the law relating to fire escapes, protection against fire and means of escape from buildings. When a basement is five feet or over above ground it shall be counted as a story.

Number of
fire escapes.

SEC. 4999-a7. (amended 1915) Every building, structure or inclosure of three or more stories * * * shall have the number of fire escapes of the kind prescribed by law, which minimum number shall be based upon the following formula:

Number of fire escapes— $C X P^2$

P equals the average maximum number of persons on any story above the first story having the largest number; such number to be fixed and determined according to the purpose for which the building is used.

C is a coefficient and is fixed and shall be taken for the various classes of buildings as follows:

Buildings having wooden or combustible walls, C equals .020.

Buildings having brick or noncombustible walls with combustible interior, C equals .014;

Buildings having brick or noncombustible walls with combustible roof and slow burning construction, C equals .012;

Buildings of fireproof construction throughout, C equals .007;

Buildings of wooden or combustible walls equipped with efficient water sprinkler system, C equals .014;

Buildings having brick or noncombustible walls with combustible interior equipped with efficient water sprinkler system, C equals .008;

Buildings having brick or noncombustible walls and noncombustible roof and slow burning construction equipped with efficient water sprinkler system, C equals .006.

Fireproof buildings equipped with efficient water sprinkler system, C equals .003.

When the result of the said formula is one or any fraction thereof the number of escapes shall be equal to one. The number of escapes above one shall be a number sufficient to cover the number indicated by the formula, including any fraction as unity, except when such fraction shall be thirty-three hundredths or less, in which case the fraction may be dropped if permitted by the inspector.

The first fire escape required by law shall be placed as far as possible from the existing inside stairway or exits to the lower floors of the building, taking into account the hazard and the path or route of access to the escape from such stairway.

The distance from any inside stairway or exit to the lower floor to the nearest fire escape shall not exceed two hundred feet by way of the path or route of access to such fire escape from such stairway or exit.

¹ Evidently the equation in this section was intended to appear as: "Number of fire escapes= $C X P$."—Reporter.

Additional fire escapes to those otherwise provided by law shall be provided wherever it is necessary to pass within twenty feet of any stairway or elevator shaft from any portion of the building more than twenty feet from such stairway or shaft to reach the fire escape required by the other provisions of law and where there are peculiar, unusual or extreme hazards additional fire escapes may be required by those authorized by law to regulate and fix the number and requirements of fire escapes.

Provided also, That if by reason of the height of buildings or by reason of many or all stories above the second story of such buildings having near the average maximum of persons of any one floor above the first, such buildings shall be equipped with a sufficient number of fire escapes to permit the exit of such average maximum number of persons occupying such buildings above the first story, permanently, or temporarily in the course of business within the following periods of time:

Buildings with wooden or combustible walls, two minutes; buildings having brick or noncombustible walls with combustible interior, three minutes; buildings having brick or noncombustible walls and noncombustible roof and slow burning interior construction, four minutes; buildings of fireproof construction throughout, fifteen minutes; or a less period of time if hazard of merchantable contents of such building may so require; and in estimating the period of time required the rate of descent on the fire escapes shall not be taken in excess of one and five-tenths feet of vertical distance, or height per second, when said fire escapes are fully loaded, which rate of descent shall be estimated to permit the exit of not to exceed one person per second: *Provided*, That the time of complete exit as herein provided may be increased where efficient sprinkler systems are installed, such increase of time to be determined by the character and efficiency of the sprinkling system installed unless peculiar or unusual hazards shall exist.

SEC. 4999-a8. (amended 1915) All fire escapes shall be constructed as described in the following classifications: Construction.

Class A; Fire escapes of this class shall consist of those more safe and efficient than outside ladders and stairways and which shall have been approved as such by the commissioner of the bureau of labor statistics, and may include inside stairways and means of escape in fireproof buildings when approved by said commissioner.

Class B; Fire escapes of this class shall consist of a suitable outside stairway of not less than twenty-two inches clear width of steel or wrought iron constructed with platforms and with stationary stairway carried down to within six and one-half feet from the ground or with a drop or counterbalanced stairway from the second story platform or balcony to the ground.

Class C; Fire escapes of this class shall consist of at least one ladder not less than eighteen inches in width of steel or wrought iron construction of sufficient size and strength for safety attached to the outside walls of the building and provided with platforms of steel or wrought iron enclosed by suitable railings and of such dimensions and in such proximity to the windows of each story above the first so as to render access to the ladder from each story easy and safe, the said ladder to extend to within six and one-half feet from the ground or be provided with a drop ladder hung at the second story in such a manner that it can be easily lowered for use. All fire escapes reaching the top floor shall have suitable extensions reaching from the upper platform to safe landing on the roof of building.

All of the above classes of fire escapes shall be of suitable material, construction, arrangement and location to make the same safe and efficient and no fire escape of a higher class shall be less safe and efficient than of a lower class and the provisions of each lower class with respect to platforms, access to windows and openings and sufficiency of strength shall apply to the upper class except where allowed to be modified by those having authority.

Windows, etc. All fire escapes of any of the foregoing classes shall have such necessary windows or openings leading to the platforms or balconies of the same as shall be necessary to make the same safe and efficient and all routes or paths of access to said fire escapes shall be safe and sufficient, with all doors of rooms leading to fire escapes one-half glass and equipped with mortise latches or equivalent that the same may be easily and quickly opened by breaking the glass and turning the latches from the inside of the doors, all so as to render access to the fire escape from each floor above the first easy and safe. All windows or doors leading to the platforms of fire escapes shall not be fastened against exit.

The attachment of all fire escapes shall be made in a thorough and substantial manner and sufficient to carry the full load that may be placed on said fire escapes when the same are crowded, with a factor of safety of not less than four.

Suitable signs indicating the location of fire escapes shall be posted at all entrances to elevators, stairways, landings and in all rooms. In all buildings which are used for lodging or sleeping purposes and in opera houses, theatres and public assembly halls red lights shall be maintained at night or when the buildings are darkened to indicate the place or opening through which access to the fire escape is obtained.

Classes of buildings.

Sec. 4999-a9. (amended 1915) Hotels, lodging houses, tenements, apartment buildings, schools, retail or department stores, seminaries, and college buildings, office buildings, hospitals, asylums, opera houses, theatres, assembly halls and factories required to be equipped by law shall be equipped with escapes of class "A" or class "B". All other buildings and structures required to be equipped with fire escapes shall be equipped with some one or more of said classes of fire escapes.

Class "C" shall not be used on any building over three stories in height in which more than five persons are at any one time allowed upon any one of the floors above said third story nor where any of the persons allowed upon any floor above the third story are females or minors: *Provided, however*, The commissioner of the bureau of labor statistics may under peculiar conditions and where the hazards are not great permit fire escapes of class "C" to be used on buildings of more than three stories but when ladder fire escapes are permitted on buildings more than three stories in height the ladders thereof must offset at the platforms and not be continuous from one story to the next.

Where stairways not less than forty-four inches in clear width are provided they shall be taken as the equivalent of two or more single stairways in proportion to their width, provided the means of escape and efficiency and safety of said escapes are not thereby diminished.

Doors.

Sec. 4999-a9a. (added 1915) The entrance and exit doors of all hotels, * * * and other structures where the hazard is deemed sufficient by the inspector and the entrance doors to all class and assembly rooms in all public school buildings shall open outward and shall not be fastened against exit or so the same can not be easily opened from within.

Enforcement.

Sec. 4999-a10. (amended 1915) It shall be the duty of the building inspector in cities having such officer and if there be no such officer, then the chief of the fire department, and if there be no chief of a paid fire department, the mayor of each city or town or if the building is not within the corporate limits of any city or town, then the chairman of the board of supervisors shall inspect and they shall be the inspectors of all fire escapes within their respective jurisdictions, except such buildings as hotels and factories as are required otherwise to be inspected by law, and they shall as often as necessary and whenever complaint is made carefully inspect and examine such fire escapes and such inspection shall include all paths or routes of access between any interior exit to a lower floor and said fire escapes and shall include the openings and means of access to the said fire escapes and shall include signs, lights, exits and means of escape of all

buildings required to be equipped with fire escapes and required to have certain exits and means of escape and upon the complaint or request of any person that any fire escape, exit or means of escape from fire or any rule or regulation relative thereto or relative to protection against fire is being violated, such inspector shall examine into the complaint or request and determine what, if any, requirements should be made in relation thereto, and shall have power to make all reasonable requirements and regulations in conformity with law and to determine all matters with respect to fire escapes, protection from fire and means of escape from buildings. Said inspectors, however, shall be subject to and their duties shall not conflict with the duties of inspection of the commissioner of the bureau of labor statistics, the engineer of the State board of health and their assistants or deputies.

The commissioner of the bureau of labor statistics shall have general charge and supervision of the inspection and regulation of fire escapes and means of escape and of the enforcement of the law relating thereto and for this purpose the inspectors named herein shall be subject to his direction and to the rules and regulations adopted by such commissioner. The said commissioner shall adopt standard uniform specifications for the various classes of fire escapes provided by law and shall keep such specifications on file in his office and shall furnish copies of such specifications to all persons made by law inspectors of fire escapes and means of escape from fire and such persons shall keep the same on file in their respective offices.

It shall be the duty of any inspector required by law to inspect fire escapes or means of escape from fire to serve or cause to be served a written notice in behalf of the State of Iowa upon the owner if he be a resident of the county in which the buildings are situated, or if he be a nonresident of such county, then upon his agent or lessee, that the buildings within this State are not provided with fire escapes in accordance with the provisions of this act, or that the fire escapes or means of escape from fire are defective, unsafe or dangerous, notifying such owner of such want of fire escapes, condition of the building, defective, dangerous or unsafe means of escape from fire or any matter relating thereto and notifying him to comply with the law and requirements of the inspector or commissioner within sixty days after the service of such notice: *Provided*, The time of such notice may be extended by the commissioner of the bureau of labor statistics if necessary.

The owner, by himself, his agent or lessee, may appeal from the action or requirement of any inspector at any time within the said sixty days after the service of such notice by a written communication addressed to said commissioner, setting forth such objections as may be taken to the complaint, requirement or regulation of such inspector and it shall be the duty of the commissioner to pass upon and determine all matters of disagreement relating to fire escapes and the means of escape from fire from buildings and all rules, regulations, findings and orders of the commissioner shall be reasonable and not unduly burdensome wherever it is within the discretion of the commissioner.

The commissioner of the bureau of labor statistics shall make all necessary rules and regulations to carry out the purpose of this law and for all buildings wherever constructed and have the same printed in pamphlet form for distribution and he shall have the power to approve any and all plans relating to fire escapes of the various classes, and it shall be his duty to see that the same conform to the law and to make rulings and orders relative thereto, and where any dispute or disagreement arises with respect to the plans and specifications for any fire escapes or means of escape from fire the commissioner shall have the power and authority to determine and pass upon the same and make orders relative thereto. Said inspector shall, subject to the final decision of the commissioner, have power to determine the number

Appeals.

Rules

of exits from all theaters, opera houses and assembly halls and those having one or more balconies and the relation of such exits to the fire escapes, and shall require and enforce the requirement that all exits shall not be fastened against exit.

Violations. Sec. 4999-a11. (amended 1915) Any person who shall violate any of the provisions of law relating to fire escapes or means of escape from fire or any owner, agent or trustee having the full care and control of any building and who has been served with notice as provided herein and who shall within sixty days of the service of the notice or within the time as extended by the commissioner fail and neglect to comply with the requirements of law or of the inspector or the commissioner, unless he appeal therefrom or who shall fail, refuse or neglect to perform any order or requirement fixed by law or by the labor commissioner, if the same be reasonable, shall be subject to a fine of not less than twenty-five dollars and not more than one hundred dollars and shall be subject to a further fine of twenty-five dollars for each additional week of neglect to comply with such notice, order or requirement.

Tips to employees.

Tips forbidden. SECTION 5028-u. (added 1915) Every employee of any hotel, restaurant, barber shop, or other public place, and every employee of any person, firm, partnership, or corporation, or of any public service corporation engaged in the transportation of passengers in this State, who shall accept or solicit any gratuity, tip, or other thing of value or of valuable consideration, from any guest or patron, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars, or more than twenty-five dollars, or be imprisoned in the county jail for a period not exceeding thirty days.

Giving tips. Sec. 5028-v. (added 1915) Every person who shall give or offer any tip or gratuity to any person or employee prohibited from receiving or soliciting the same by the provisions of the preceding section shall be guilty of a misdemeanor and be punished upon conviction as provided by the preceding section.

Violations. Sec. 5028-w. (added 1915) Any person who shall knowingly permit a violation of this act in any place under his control or who shall fail to keep conspicuously posted in every said place under his control a notice bearing the words "No tipping allowed" shall be deemed guilty of a misdemeanor and be punished as provided in section one.

False charges against employees of railroads, etc.

What acts misdemeanors. SECTION 5028-w1. (added 1915) Every person who shall by any letter, mark, sign or designation whatever, or by any verbal statement, falsely and without probable cause, report to any railroad or any other company or corporation, or to any person or firm, or to any of the officers, servants, agents or employees of any such corporation, person or firm, that any conductor, brakeman, engineer, fireman, station agent or any employee of such railroad company, corporation, person or firm has received any money or thing of value for the transportation of persons or property or for other service for which he has not accounted to such corporation, person or firm, or shall falsely and without probable cause report that any conductor, brakeman, engineer, fireman, station agent or other employee of any railroad company, corporation, firm or person, neglected, failed or refused to collect any money or ticket for transportation of persons or property or other service when it was their duty so to do, shall, on conviction, be adjudged guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one hundred dollars or be imprisoned in the county jail for a period not exceeding thirty days.

KANSAS.

ACTS OF 1915.

CHAPTER 165.—*Payment of wages—Semimonthly pay day.*

SECTION 1. All corporations doing business in this State, which shall employ any mechanics, laborers, or other servants, shall pay the wages of such employees as often as semimonthly: *Provided*, This act shall not apply to the State or any municipal corporation. Duty of corporations.

SEC. 2. Any corporation violating section 1 of this act shall be deemed guilty of misdemeanor, and upon conviction thereof shall be fined in any sum not less than fifty dollars nor more than five hundred dollars for each offense. Violations.

Approved March 6, 1915.

CHAPTER 244.—*Mine regulations—Shot firers.*

SECTION 1. Section 4990, of chapter 79 of the Statutes of Kansas for the year 1909, is hereby amended to read as follows:

Section 4990. All owners, lessees, operators, of, or any other person, having the control or management of any coal shaft, slope, drift or pit in this State, employing miners to work therein, shall employ shot firers to fire the shots therein. Said shots shall be fired once a workday or shift, on each workday or shift when any such shaft, slope, drift or pit is in operation, but shall not be fired until after all miners and all other employees working therein, shall have been hoisted out of or vacated said mine: *Provided*, That this section shall not apply to any mine operated on the long-wall system of mining. Shot firers to be employed.

Approved March 17, 1915.

CHAPTER 245.—*Mine regulations—Wash rooms.*

SECTION 1. Section one of the chapter numbered 226 of the Laws of 1913 [shall] be amended to read as follows:

Section 1. It shall be duty of every owner, or lessee, its officers or agents, or other person or persons having jurisdiction or direction of any coal mines within the State of Kansas, to provide on and after the passage and publication of this act, a suitable building, which shall be convenient to the principal entrance of such mine or mines, and equipped with individual lockers or hangers, benches or seats, proper light, heat, hot and cold water, and shower baths, and maintain same in good order, for the use of persons employed therein, for the purpose of washing and bathing of employees and changing of clothing. Said building or bathhouse to have sufficient floor space for the accommodation of miners or others using the same. The flooring in said wash room or bathroom to be of concrete or cement and the flooring in the changing room to be optional with the owner as to the material used. All lockers in new bathhouses when made of steel, shall not be less than 12 inches by 12 inches by 48 inches in height; when made of lumber shall not be less than 12 inches by 22 inches by 48 inches in height, with partitions in centers of wood lockers. Individual hangers shall consist of not less than three hooks upon which to hang clothing and a receptacle of suitable size for use in connection therewith, attached to a proper chain or wire rope, and so suspended as to admit of hanger being Wash rooms required.

Construction.

raised such height that the wearing apparel, when hung thereon, will not be less than seven feet above the floor of said building, and of being locked in that position. The lockers or hangers in each bathhouse shall be sufficient in number to accommodate the employees using the same, and there shall be one shower bath for every 15 employees using the same. Said employees shall furnish their own towels and soap, and lock for their lockers or hanger, exercise control over, and be responsible for the property by them left therein. The individual owner, operator, lessee, agent or company or corporation shall keep said bathhouses in a clean and sanitary condition: *Provided*, That this section shall not apply to any mine operated on the long-wall system of mining: *Providing*, That the provisions of this act shall not apply to mines in this State in excess of 600 feet in depth.

Approved March 24, 1915.

CHAPTER 246.—*Mine regulations—Escape shafts.*

Extension of time. SECTION 1. In all cases where any coal mine heretofore in operation in this State, with its principal or main shaft of a depth of over one thousand feet, and having no air or escapement shaft other than its main or principal shaft, the time in which to complete such air or escapement shaft, as required by chapter 304, Laws of Kansas 1905, page 473, is hereby extended five years from the first day of March, 1915: *Provided*, That work on said escapement shaft shall commence within one year of the taking effect of this act.

Approved March 24, 1915.

CHAPTER 261.—*Mothers' pensions.*

Conditions of support. SECTION 1. Section 5545 of the General Statutes of 1909 [shall] be amended so as to read as follows:
 Section 5545. * * * *Provided*, That in any case where the mother of any child or children under the age of sixteen (16) years shall have the sole care and custody of such child or children by reason of such mother being a widow, divorced, or by reason of the husband of such mother being physically or mentally unable to earn a living for himself and family, or by reason of his being lawfully confined in any penal or other State institution, or by reason of the husband of such mother having at all times for three months last past abandoned or deserted such mother without just cause or collusion, and where such mother has been an actual and bona fide resident of the county for one year next preceding her application, and where such mother is a provident woman of good moral character and a fit person to have the care and custody of such child or children, and is financially unable to support such child or children, and where such child or children have not sufficient property or income to support such child or children, such mother shall be entitled to a "mother's aid" in caring for and supporting such child or children from the county in which she is a resident at the time she makes application; and in all such cases it shall be the duty of the county commissioners to pay to such mother, by way of allowance or pension, such sum, monthly, as may be reasonably necessary to support such mother and child or children, not to exceed [exceed] the charge of maintenance in the ordinary mode, which may be increased or diminished from time to time as may be necessary, just and reasonable: *Provided*, That the total sum allowed to any one mother coming under the provisions of this act shall not exceed the sum of twenty-five (\$25) dollars per month: *And provided further*, That before any such allowance or pension shall be granted as set forth in the foregoing proviso, it shall be the duty of such mother to file in the office of the county clerk of the county in which she is an actual and bona fide resident at the time as hereinbefore provided, an application for a mother's aid for caring for and supporting such child or children and setting forth

Amount of allowance.

Application.

in such application that she is an actual and bona fide resident of such county, and that she has been at all times for one year last past, that she is the mother of such child or children, and setting out a list of her property and that of such child or children together with the amount of income therefrom, and stating that she is financially unable to support and educate such child or children, and stating that she is a widow, or that her husband has abandoned her, and stating the date of abandonment, or that the husband is mentally or physically unable to earn a living for himself and family, or that the husband is confined in one of the State institutions, naming it, which application shall be duly verified by the applicant and supported by the affidavit of two disinterested householders of the township in which such mother is a resident, setting forth the same facts and that the mother is a woman of good moral character and a fit person to have the care and custody of such child or children, and thereupon, and before granting any such allowance or pension, provided for in this act, the board of county commissioners shall name and designate three reputable women, in no way related to such applicant, residing in the township or city where such applicant resides, who shall without compensation investigate such applicant, and report in writing to said board, under such rules and regulation as the board may prescribe or require. And after a full investigation the said commissioners shall decide and determine whether such applicant is entitled to such allowance or pension, provided for in this act, but nothing in this act shall be construed as repealing any laws now in force giving the county commissioners power to grant aid to the poor in their respective counties.

Investigation.

Approved March 24, 1915.

CHAPTER 275.—*Industrial welfare commission.*

SECTION 1. The State of Kansas exercising herewith its police and sovereign power declares that inadequate wages, long continued hours and unsanitary conditions of labor, exercise a pernicious effect on the health and welfare of women, learners and apprentices, and minors.

Basis of law.

SEC. 2. It shall be unlawful to employ women, learners, and apprentices and minors in any industry or occupation within the State of Kansas under conditions of labor detrimental to their health or welfare and it shall be unlawful to employ women, learners, and apprentices and minors in any industry within the State of Kansas at wages which are not adequate for their maintenance and for more hours in any one day than is consonant with their health and welfare, except as hereinafter provided.

What employment unlawful.

SEC. 3. There is hereby created a commission to be known as the Industrial Welfare Commission for the State of Kansas to establish such standard of wages, hours, and conditions of labor for women, learners and apprentices, and minors employed within this State as shall be held hereunder to be reasonable and not detrimental to health and welfare. This commission shall consist of the commissioner of labor and two others appointed by the governor, no two of whom shall be from any one congressional district. At least one member of this commission shall be a woman. The first appointment shall be made within sixty days after the passage of this act. One member shall be appointed to serve until January 1, 1917, a second to serve until January 1, 1918. Thereafter each member shall be appointed for a term of four years and until his successor is appointed and qualifies. The governor shall have the power of removal for cause. Any vacancy that may occur shall be filled in like manner for the unexpired portion of the term. The commission shall have power to elect its own chairman, a secretary, and such other employees as it may require. Two members of the commission shall constitute a quorum at all regular meetings: *Provided*, That no person shall be appointed on such commission, who is related by blood or marriage to the commissioner of labor, or to any State

Commission created.

officer, or to any member of any other State board or commission. And no person shall be appointed to any place or position on said commission or be employed by such commission in any way, who is related by blood or marriage to any member thereof, or to any of its chief officers or heads of departments.

Expenses. SEC. 4. Each member of the commission shall be paid all traveling and other necessary expenses incurred in the performance of his or her official duties, but shall serve without salary. The commission may incur other necessary expenses not exceeding the appropriation therefor and shall be provided with an office in the statehouse.

Powers and duties. SEC. 5. The commission may at its discretion investigate wages, hours and sanitary and other conditions affecting women, learners and apprentices and minors in any industry or occupation in the State. Upon the request of not less than twenty-five persons engaged in any occupation in which women, learners and apprentices and minors are employed, it shall become the duty of the commission to make such investigation as is herein provided. To this end, said commission shall have full power and authority to call for statements and to examine, either through its members or other authorized representatives, all pay rolls or other wage records of all persons, firms or corporations employing women, learners and apprentices and minors as to any matter that would have a bearing upon the question of wages, hours, or labor conditions of such employees.

Registers. SEC. 6. Every employer of women or of learners and apprentices, or of minors shall keep a register of all such persons employed by him in such form as the commission shall prescribe; and every such employer shall on request permit the commission, or any of its members, or agents to inspect such register.

Hearings. SEC. 7. The commission may hold public hearings at such times and places as it deems fit and proper for the purpose of investigating any matters it is authorized to investigate by this act. At any such public hearings, any employee, or employer or other interested person may appear and give testimony as to wages, hours, sanitation and other pertinent conditions of the occupation or industry under investigation. The commission or any member thereof shall have power to subpoena witnesses, to administer oaths, to compel the production of all wage records, papers, and other evidence, and to make findings and report such findings to the commission; but no order shall be made by less than a majority of the commission. Witnesses subpoenaed by the commission may be allowed such compensation for travel and attendance as the commission may deem reasonable, to an amount not exceeding the usual mileage and per diem allowed by statute to witnesses in civil cases in the district court.

Boards. SEC. 8. If after investigation the commission is of the opinion that in any occupation the wages, hours and conditions, sanitary and otherwise, are prejudicial to the health or welfare of any substantial number of the classes of employees named in this act and are inadequate to supply the necessary cost of living and to maintain the worker in health it shall establish a wage, hour, or sanitary board as the conditions developed may demand, which shall hereinafter be described as the "board" consisting of not less than three representatives of employers in the occupation in question, of an equal number of persons to represent the employees in the occupation in question, and of one or more disinterested persons appointed by the commission to represent the public, and shall make rules and regulations governing the selection of members and the modes of procedure of the board, and shall exercise exclusive jurisdiction over all questions arising with reference to the validity of the procedure and of the determinations of the board. The members of the board shall be compensated at the same rate as jurors in civil cases in the district court, and they shall be allowed the necessary traveling and clerical expenses incurred in the performance of their duties.

Sec. 9. The commission may transmit to each board all pertinent information in its possession relative to the wages, hours and sanitary conditions of the occupation in question. Each board shall endeavor to determine the minimum wage, whether by time rate or piece rate, required in the case of a woman worker of ordinary ability in the occupation in question to supply the necessary cost of living and the number of hours and other sanitary conditions necessary to maintain her health, and suitable minimum wages, hours, and sanitary conditions for learners and apprentices, and minors: *Provided, however,* That such board may recommend different minima hours and standards for each class in an occupation of different localities in the State, when, in the judgment of said board, the different conditions obtaining justify such action. When a majority of the members of a board shall agree upon minimum wage, standard of hours, or sanitary determinations, they shall report such determinations to the commission, together with the reasons therefor and the facts relating thereto.

D u t y o f
boards.

Report.

Sec. 10. Upon receipt of the report of the determinations of a board, the commission shall consider and review the same; and it may approve any or all of such determinations or disapprove any or all of them; and it may resubmit to the same board, or a new board, any subject covered by any determination so disapproved. If the commission approves any determination contained in a report from a board, it shall publish a notice, not less than once a week for four successive weeks in the official State paper, that it will on a date and at a place named in said notice, hold a public meeting at which all persons in favor of or opposed to said recommendations will be given a hearing; and, after said publication of said notice and said meeting, the commission may, in its discretion, make and render such an order as may be proper or necessary to adopt such determinations and carry the same into effect, and require all employers in the occupation affected thereby to observe and comply with such determinations and said order. Said order shall become effective in sixty days after it is made and rendered and shall be in full force and effect on and after the 60th day following its making and rendition. The commission shall, in so far as it is practicable, mail a copy of any such order to every employer affected thereby; and every employer affected by any such order shall keep a copy thereof posted in a conspicuous place in each room in his establishment.

C o m m i s s i o n
to review re-
port.

Orders.

Sec. 11. Whenever wages, hours, or conditions of labor have been made mandatory in any occupation, upon petition of either employers or employees, the commission may at its discretion reopen the question and reconvene the former board or call a new one, and any determinations made by such board shall be dealt with in the same manner as were the original determinations.

R e c o n s i d e r a -
tion.

Sec. 12. For any occupation in which only a minimum time wage has been established, the commission may issue to an employee physically defective or crippled, or of less than ordinary ability, or learners, apprentices and minors a special license authorizing the employment of such person at a wage and for a number of hours less than that fixed by said commission to be stated in said license.

S p e c i a l l i -
censes.

Sec. 13. The word "occupation" as used in this act shall be so construed as to include any and every vocation and pursuit and trade and industry. The words "learners" and "apprentices" shall include only such learners and apprentices as are minors or are women. Any board may make a separate inquiry into and report on any branch of any occupation; and the commission may make a separate order affecting any branch of any occupation. A "minor" shall mean a person, male or female, under 18 years of age. A "women" [woman] shall mean any female 18 years of age and over. Any board may include in its determinations definitions of "learner" and "apprentice" and the commission shall have power to make such rules and

D e f i n i t i o n s .

- regulations and to issue such orders relating to the same as it deems necessary to make effective the object of this act.
- Appeals to courts.** **SEC. 14.** Any employer or employee or other person who shall be interested therein, who shall be dissatisfied with any order, ruling or holding of the commission may, within thirty days from the making thereof, commence an action in the district court of Shawnee County or in the district court in the county in which the person so complaining shall reside or have his principal place of business against the industrial welfare commission, as defendant, to vacate and set aside such order, ruling or holding on the ground that the same is unauthorized by law, confiscatory or unreasonable, and in any such action all determinations of questions of fact which shall have been made by the commission under the foregoing provisions of this act shall be presumed to be correct and the burden of proof shall be upon the plaintiff to show the incorrectness of such determinations. In all such actions, the attorney general shall appear for and represent such commission. All such actions shall have preference in any court and on motion shall be advanced over any civil cause of a different nature pending in such court and such actions shall be tried and determined as other civil actions. Appeal from any decision of the district court may be taken from the district court to the supreme court in the same manner as provided by law in other civil actions and shall have precedence in the supreme court over civil cases of a different nature. During the pendency of any such action the orders, rulings and holdings complained of shall, unless temporarily stayed or enjoined by the court, remain in full force and effect until final judgment. Service of summons on any member of the board shall be sufficient service on the board.
- Violations.** **SEC. 15.** A violation of any provision of this act shall constitute a misdemeanor, and anyone convicted thereof shall be punished by a fine of not less than twenty-five (\$25) dollars, nor more than one hundred (\$100) dollars for each such misdemeanor.
- Discharging, etc., employees.** **SEC. 16.** Any employer who discharges, or in any other manner discriminates against any employee because such employee has signed or agreed to sign any request to the commission to investigate wages, hours, or sanitary, or other labor conditions, or has testified or is about to testify, or because such employer believes that said employee may testify in any investigation or proceedings or sign any request relative to the enforcement of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars for each such misdemeanor.
- Penalties.** **SEC. 17.** Any employer who employs any woman, or minor, learner or apprentice in any occupation at less than the minimum wage or for a greater number of hours in a day or week fixed or under sanitary or other conditions forbidden by order or license issued by the commission, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars for each such misdemeanor.
- Damages.** Any woman or minor or learner or apprentice who shall receive less than the minimum wage or shall be compelled to work for a greater number of hours than that fixed by order or license issued by the commission, shall be entitled to recover in a civil action the full amount of the legal minimum wage, and compensation at the same rate for the number of hours of overtime work as herein provided for, together with costs and attorney's fees to be fixed by the court, notwithstanding any agreement to work for such lesser wage or greater number of hours. In such action, however, the employer shall be credited with any wages which have been paid upon account.
- Enforcement.** **SEC. 18.** The commission shall, from time to time, investigate and ascertain whether or not employers or employees in the

State of Kansas are observing and complying with its orders and take such steps as may be necessary to have prosecuted such employers and employees as are not observing and complying with its orders.

SEC. 19. The commissioner of labor and the several inspectors of the bureau of labor shall, at any and all times, give to the commission any information or statistics in their respective offices that may assist said commission in carrying out this act and render such assistance to said commission as may not be inconsistent with the performance of their respective official duties. Duty of bureau of labor.

SEC. 20. The commission shall biennially make a report to the governor and legislature of its investigations and proceedings, and such reports shall be printed and distributed as in the case of other executive documents. Reports.

SEC. 21. This act is to be construed as supplemental to existing laws regulating the employment of women, learners and apprentices and minors. Act construed.

Approved March 6, 1915.

CHAPTER 281.—*Railroads—Structures near tracks.*

SECTION 1. It shall be unlawful for any person, corporation or municipality to erect, build or construct any overhead crossing or viaduct over and across the tracks or right of way of any railroad or railway company, without providing a clear space or clearance of not less than 22 feet from the top of the rail or rails of such railroad or railway tracks to the lowest girder under said elevated structure. Clearance required.

SEC. 2. It shall be the duty of the attorney general, on complaint of any citizen of the State that such unlawful structure is being erected, to bring an action in the name of the State, in any court of competent jurisdiction, to enjoin the erection of any such structure not having the clearance provided for in section 1. Enforcement.

Approved March 24, 1915.

CHAPTER 285.—*Railroads—Toilet conveniences for employees, etc.*

SECTION 1. Section 7151 of the General Statutes of Kansas, for 1909, [shall] be amended to read as follows:

Section 7151. Every such street or interurban car company, or other person, association or corporation, who own, control or operate any street or interurban car system, in whole or in part within the State of Kansas, shall provide and maintain proper toilet facilities on said interurban cars for the use of its employees and passengers to which such employees and passengers shall have access. It is hereby made the duty of the public utilities commission to strictly enforce the provisions of this section. Conveniences to be supplied.

Approved March 24, 1915.

MAINE.

ACTS OF 1915.

CHAPTER 88.—*Private employment offices.*

[This act amends section 4 of chapter 87, Acts of 1911, by permitting a fee of \$1.25 for procuring employment, when the fee is not paid in advance, but is charged to the applicant. The applicant is to be given a statement of the amount charged, and the charge is to be canceled if no position is secured.]

CHAPTER 112.—*Employees' deposits—License to receive.*

[SECTION 1.] Section two of chapter sixty-nine of the Public Laws of nineteen hundred thirteen, is hereby amended * * * so that said section as amended shall read as follows:

Section 2. A corporation that may desire to encourage thrift among its employees by receiving deposits subject to interest at a specified rate may apply to the bank commissioner for a license to receive such deposits and at the same time file with the commissioner a complete statement of its financial condition, sufficient to satisfy the commissioner of its solvency. If satisfied that the applying corporation is solvent and reputable, the commissioner may, at his discretion, issue a license to such corporation, authorizing it to receive such deposits from its employees only, upon filing with the State treasurer its bond, payable to him and his successors in office for the use of its depositors, and secured by a surety company authorized to do business in this State, or by personal sureties approved by the bank commissioner, in such amount as the bank commissioner may specify in such license, conditioned for the payment of all such deposits and interest thereon.

Employers
may procure
license.

Approved March 16, 1915.

CHAPTER 169.—*Public utilities commission—Inspector.*

SECTION 1. Section one of chapter one hundred twenty-nine of the Public Laws of nineteen hundred thirteen is hereby amended * * * so that said section as amended shall read as follows:

Section 1. The governor with the advice and consent of the council shall appoint three commissioners, one of whom he shall designate as chairman, which said commissioners shall be jointly known as the public utilities commission. * * * Said commission shall appoint a clerk and an assistant clerk; also a chief inspector of utilities who shall be a practical railroad man and shall perform such duties as the commission may require. * * *

Appointment.

Inspector.

Approved March 23, 1915.

CHAPTER 252.—*Fire escapes on factories, etc.*

[This act amends sections 38, 39, 40, 42 and 44 of chapter 28 of the Revised Statutes, the amendments consisting in substituting the fire inspectors and the chiefs of the fire departments of towns for boards of fire engineers as the inspecting officials in connection with the installation and maintenance of fire escapes.]

CHAPTER 296.—*Payment of wages—Weekly pay day.*

[SECTION 1.] Chapter thirty-nine of the Public Laws of nineteen hundred eleven, as amended * * * is further amended by striking out all of said chapter and inserting in place thereof the following:

Application of law. [Section 1.] Every corporation, person or partnership, engaged in a manufacturing, mechanical, mining, quarrying, mercantile, street railway, telegraph or telephone business; in any of the building trades; upon public works, or in the construction or repair of street railways, roads, bridges, sewers, gas, water or electric light works, pipes or lines; every incorporated express company or water company; and every steam railroad company or corporation shall pay weekly each employee engaged in his or its business the wages earned by him to within eight days of the date of said payment, but any employee, leaving his or her employment, shall be paid in full on the following regular pay day:

Discharged employees. *Provided*, That when an employee is discharged he shall be paid the wages due him on demand; and the State, its officers, boards and commissions shall so pay every mechanic, workman and laborer who is employed by it or them, and every county and city shall so pay every employee who is engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer or employee requests in writing to be paid in a different manner; and every town shall so pay each employee in its business if so required by him; but an employee who is absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand. The provisions of this section shall not apply to an employee engaged in cutting and hauling logs and lumber, nor the driving of same until it reaches its place of destination for sale or manufacture; nor to an employee of a cooperative corporation or association if he is a stockholder therein unless he requests such corporation to pay him weekly. No corporation, contractor, person or partnership shall by a special contract with an employee or by any other means exempt himself or itself from the provisions of this act. Whoever violates the provisions of this act shall be punished by a fine of not less than ten nor more than fifty dollars.

Exceptions.

Approved April 1, 1915.

CHAPTER 327.—*Employment of children—General provisions.*

Age limit. SECTION 1. No child under fourteen years of age shall be employed, permitted or suffered to work in, about, or in connection with any manufacturing or mechanical establishment. No child under fourteen years of age shall be employed, permitted or suffered to work at any business or service for hire, whatever during the hours that the public schools of the town or city in which he resides are in session.

Certificates. SEC. 2. No minor between the ages of fourteen and sixteen years shall be employed, permitted or suffered to work in any of the aforementioned occupations unless the person, firm or corporation employing such child procures and keeps on file accessible to any truant officer, factory inspector or other authorized officer charged with the enforcement of this act, a work permit issued to said child by the superintendent of schools of the city or town in which the child resides, or by some person authorized by him in writing. The person authorized to issue a work permit shall not issue such permit until such child has demonstrated his ability to read at sight and write simple sentences in the English language and perform simple arithmetical problems involving the fundamental processes of addition, subtraction, multiplication and division, such educational test to be prepared and furnished by the superintendent of schools or the school committee of each city and town in the State, or has furnished a certificate to that effect signed by

any teacher in any of the public schools of the city or town in which such child resides, or by the principal of any approved private school; nor until he has received, examined, approved and filed satisfactory evidence of age showing that the child is fourteen years old or upwards which shall consist of a certified copy of the town clerk's record of the birth of said child, or a certified copy of his baptismal record, showing the date of his birth and place of baptism, or a passport showing the birth.

The superintendent of schools, or the person authorized to issue such work permit may require, in doubtful cases, a certificate signed by a physician appointed by the school board, or, in case there is no school physician, from the medical officer of the board of health, stating that such child has been examined by him, and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work which he intends to do. The State factory inspector, his deputy or agent, may require a similar certificate in doubtful cases, of the minors employed under a work permit.

Physician's certificate.

A work permit when duly issued shall excuse such child from attendance at public school; but no person shall issue such permit to any minor then in or about to enter his employment or the employment of the firm or corporation of which he is a member, stockholder, officer, or employee.

Vacation permits shall be issued by the local superintendent of schools, or by some person authorized by him in writing, to minors between fourteen and sixteen years of age, on satisfaction of the same requirements, with the exception of the educational qualifications, as for the regular work permits, and shall entitle their holders to work during the summer school vacation. These permits shall be void after the first Monday of September following. They shall be known as vacation permits, shall be of different color from the work permits and shall state plainly the date after which they are void.

Vacation permits.

The blank work permit and other papers required in this section shall be formulated by the commissioner of labor, and furnished by him to the persons authorized to issue work permits. Said forms shall be approved by the attorney general.

Blanks.

Every work permit and every vacation permit shall be made out in duplicate. All duplicates, accompanied by the original papers on which such permits were issued, shall be forwarded to the department of labor and industry, by the officer issuing same, between the first and tenth days of each month. Said department shall examine said papers and promptly return them to the officer who sent them. Said original papers upon which said permits were issued shall be filed by said officer and preserved for such time as said permits are outstanding, or until the minor arrives at the age of sixteen. They shall be at all times accessible to the commissioner of labor or any authorized agent of his department. Said officer shall return to said child all papers with him filed in proof of age, upon a surrender of the work permit. All permits thus surrendered shall be marked canceled by the officer receiving them. Whenever there is reason to believe that a work permit was improperly issued the commissioner of labor and State factory inspector, his deputy or agent, shall notify the local superintendent of schools of the place in which said certificate was issued. The local superintendent shall cancel such permit when directed so to do by the commissioner of labor.

Duplicates to be filed.

Blank employment certificates, to be formulated by the commissioner of labor, approved by the attorney general, and supplied by the department of labor, shall be prepared by the employer of said child and mailed within twenty-four hours to the office of the commissioner of labor to be kept on file by him. When such child leaves such employment, the employer shall return to the child the work permit by him filed, and immediately notify the commissioner of labor that such child has left his employ.

Evidence of age. SEC. 3. Any record of age, as provided under section two to determine whether or not a work permit may be issued to any child shall be received as evidence of the age of such child in any prosecution under this act.

Certificate as evidence. SEC. 4. A work permit in regular form and signed by a duly authorized officer, for all minors between the ages of fourteen and sixteen years shall be conclusive evidence of age and educational attainment in behalf of the employer of any child, upon any prosecution for violation of the provisions of the law relating to the employment of children. An inspector of factories, truant officer, or other officer charged with the enforcement of this act may make demand on any employer in or about whose place or establishment a minor apparently under the age of sixteen years is employed, permitted or suffered to work, that such employer shall either furnish him within ten days documentary evidence of age as specified in section two, or shall cease to employ, permit or suffer such child to work in such place or establishment.

Violations. SEC. 5. Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for some firm or corporation, or by himself, or through agents, servants or foremen; employs, permits or suffers any child to be employed, or to work in violation of any of the provisions of this act, or otherwise fails to comply with any of the provisions of this act, shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars.

Any person having under his control as parent, guardian, custodian, or otherwise, any child, who permits or suffers such child to be employed or to work in violation of any of the provisions of this act, or who presents, permits or allows any child under his control to present to any employer, owner or superintendent, overseer or agent as required under section two any work permit containing any false statements as to the date of birth or age of such child, knowing them to be false, shall be punished by a fine of not less than ten dollars nor more than fifty dollars for each offense.

Any person authorized to issue a work permit who shall knowingly fail to perform the duties of his office as required by the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense.

Whoever being authorized to sign the foregoing work permit, or whoever signing any certified copy of a town clerk's record of birth, or certified copy of a child's baptismal record, or a physician's certificate, shall knowingly testify to any false statement therein, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense.

Enforcement. SEC. 6. All fines or penalties provided for by the terms of this act may be recovered or enforced by complaint or indictment, and in all prosecutions under this chapter and amendments and additions thereto, trial justices and judges of the municipal and police courts within their counties shall have by complaint original and concurrent jurisdiction with the supreme judicial and superior courts.

Approved April 2, 1915.

CHAPTER 348.—*Department of labor and industry.*

[This chapter amends sections 4, 7 and 8 of chapter 65, Acts of 1911, and adds a new section, numbered 12. The change in section 4 relates to the wording as to interfering with inspection. In section 7, the maximum amount payable to an agent is increased from \$3 to \$5 per day. The change in section 8 relates to the amount of the appropriations for the various expenditures, the proviso on this point now reading: "Provided, That the amount thereof, shall not exceed for any two years the sum of fourteen thousand dollars, making the annual appropriation for this department of labor for all purposes, exclusive of the salaries

provided for by this section, seven thousand dollars." The added section (12) is identical with section 6 of chapter 327, ante.]

CHAPTER 350.—Hours of labor of women and children.

SECTION 1. No male minor under sixteen years of age, and no female shall be employed in any workshop, factory, manufacturing or mechanical establishment or laundry more than nine hours in any one day; except when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed fifty-four in a week. Nine-hour day in factories, etc.

SEC. 2. No minor under sixteen years of age shall be employed or permitted to work in or in connection with any of the establishments or occupations named in section one of this act, before the hour of six-thirty o'clock in the morning or after the hour of six o'clock in the evening of any one day. Night work.

SEC. 3. No male minor under sixteen years of age and no female shall be employed in any telephone exchange employing more than three operators or in any mercantile establishment, store, restaurant, telegraph office or by any express or transportation company in the State of Maine more than fifty-four hours in any one week. The provisions of this section shall not apply between the seventeenth day of December and the twenty-fourth day of December both inclusive, and shall not apply during the eight days prior to Easter Sunday to persons employed in millinery shops or stores. In cases of emergency, in which there is danger to property, life, public safety or public health and in cases of extraordinary public requirement the provisions of this act shall not apply to employers [employees] engaged in public service. Hours of labor in mercantile establishments, offices, etc.

SEC. 4. No female shall, except in cases of emergency or extraordinary public requirement as provided in section three of this act, be employed or permitted to work for more than six hours continuously at one time in any establishment or occupation named in sections one and three of this act in which three or more such females are employed without an interval of at least one hour; except that such female may be so employed for not more than six and one-half hours continuously at one time if such employment ends not later than half-past one o'clock in the afternoon and if she is then dismissed for the remainder of the day. Time for meals.

SEC. 5. Every employer except those hereinafter designated, shall post and keep posted in a conspicuous place in every room in any establishment or place of occupation named in sections one and three of this act in which females or male minors under sixteen years of age are employed, a printed notice stating the number of hours such females or male minors are required or permitted to work on each day of the week, the hours of beginning and ending, and the recess allowed for meals: *Provided, however*, That every employer engaged in furnishing public service or in any other kind of business in respect to which the State department of labor and industry shall find that public necessity or convenience requires the employment of women or male minors as aforesaid by shifts during different periods or parts of the day shall post in a conspicuous place in every room in which such persons are employed, a printed notice stating separately the hours of employment for each shift or hour of duty, and the amount of time allowed for meals. The printed form of such notice shall be furnished by the commissioner of labor and industry and State factory inspector. Law to be posted.

The employment of any such female or male minor for a longer time in any day than that stated in the printed notice, or, in case the hours named in such notice are less than as provided in sections one and three of this act, the employment of any such female or male minor for a longer time in any day than as provided in sections one and three of this act, shall be deemed a violation of the provisions of this section except in cases of emergency or extraordinary public requirement as provided in section three of this Violations.

act, and in such cases no employment in excess of the hours authorized under the provisions of this act shall be considered as legalized until a written report of the day and hour of its occurrence and its duration is sent to the commissioner of labor and industry and State factory inspector. Whenever the nature of the business makes it impracticable to fix the recess allowed for meals at the same time for all females or male minors employed, the commissioner of labor and industry and State factory inspector may issue a permit dispensing with the posting of the hours when the recess allowed for meals begins and ends, and requiring only the posting of the total number of hours which females or male minors are required or permitted to work on each day of the weeks, and the hours of beginning and stopping such work. Such permit shall be kept by such employer upon such premises, and exhibited to the commissioner of labor and industry and State factory inspector, his deputy, or any authorized agent of the labor department, who is hereby authorized to enforce this act.

Records.

Sec. 6. Every employer shall keep a time book or record for every female, and every male minor under sixteen years of age employed in any establishment or occupation named in sections one and three of this act, stating the number of hours worked by each female and each male minor under sixteen years of age on each day of the week. Such time book or record shall be open at all reasonable hours to the inspection of the commissioner of labor and industry and State factory inspector, his deputy, or any authorized agent of the labor department. Any employer who fails to keep such record as required by this section or makes any false entry therein, or refuses to exhibit such time book or record, or makes any false statement to the commissioner of labor and industry and State factory inspector, his deputy or any authorized agent of the labor department, in reply to any question put in carrying out the provisions of this act shall be liable for a violation thereof.

Penalties.

Sec. 7. Any person who violates any of the provisions of this act shall upon conviction be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for the first offense; for the second offense by a fine of not less than fifty dollars nor more than two hundred dollars; for a third offense and every subsequent offense by a fine of not less than two hundred and fifty dollars nor more than five hundred dollars.

**Canneries,
etc.**

Sec. 8. Nothing in the seven preceding sections shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon to prevent decay thereof or damage thereto.

Enforcement.

Sec. 9. All fines or penalties provided for by the terms of this act may be recovered or enforced by complaint or indictment, and in all prosecutions under this chapter and amendments and additions thereto, trial justices and judges of the municipal and police courts within their counties shall have by complaint original and concurrent jurisdiction with the supreme judicial and superior courts.

Approved March 31, 1915.

MASSACHUSETTS.

ACTS OF 1915.

CHAPTER 27.—*Employment of women—Moving boxes, etc.*

SECTION 1. Section one of chapter four hundred and twenty-six of the acts of the year nineteen hundred and thirteen, as amended * * *, is hereby further amended * * * so as to read as follows:

Section 1. Boxes, baskets and other receptacles which with their contents weigh seventy-five pounds or over and which are to be moved by female employees in any manufacturing or mechanical establishment, shall be provided with pulleys or casters connected with such boxes or other receptacles so that they can be moved easily from place to place in such establishments. Devices re-
quired.

Approved March 2, 1915.

CHAPTER 47.—*Retirement of laborers employed by municipalities.*

[This act amends the first section of chapter 503, Acts of 1912, by allowing the inclusion of not more than an aggregate of two years' absence on account of sickness in the period of employment that conditions the receipt of a pension.]

CHAPTER 57.—*Employment of women and children—Overtime work.*

[This act amends section 48 of chapter 514, Acts of 1909, by adding to the fourth sentence thereof the words, "nor shall such overtime employment be authorized because of the stopping of machinery for the celebration of any holiday."]

CHAPTER 60.—*Vacations for laborers employed by cities.*

SECTION 1. Any city in which a majority of the voters at the last State election voted to accept the provisions of chapter two hundred and seventeen of the acts of the year nineteen hundred and fourteen may by vote of the city council, approved by the mayor, or by vote of the commission in any city under a commission form of government, require the heads of the executive departments to grant a vacation of two weeks without loss of pay to any person regularly employed by such city who is classified as a common laborer, skilled laborer, mechanic or craftsman in the labor service, as classified by the civil service commission, under regulations established by said commission for cities to which the labor rules adopted by the civil service commission are or may become applicable. If such vacations are authorized, they shall be granted by the heads of the executive departments, and shall begin at such times as in the opinion of the heads of the executive departments will cause the least interference with the performance of the regular work of the city. Vacations to
be allowed
when.

Approved March 12, 1915.

CHAPTER 62.—*Labor organizations, etc.—Bank deposits.*

SECTION 1. Section thirty-eight of chapter five hundred and ninety of the acts of the year nineteen hundred and eight is hereby amended * * * so as to read as follows:

Section 38. Such report [of savings banks] shall, in the year nineteen hundred and nine, and in each fifth year thereafter, also Reports to be
made.

state the number and amount of deposits of * * * labor and credit unions, and in trust, respectively, received during the twelve months last preceding.

Approved March 12, 1915.

CHAPTER 65.—*Minimum wages—Posting of notices.*

Power of commission. SECTION 1. The minimum wage commission may require employers to post in conspicuous positions in their places of employment such notices as the said commission may issue for the information of employees.

Approved March 12, 1915.

CHAPTER 69.—*Factory, etc., regulations—Ventilation.*

Penalty. SECTION 1. Section ninety of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended * * * so as to read as follows:

SECTION 90. Whoever fails to comply with any provision of sections eighty-three to eighty-nine, inclusive [relating to ventilation], shall, for the first offense be punished by a fine of not less than twenty-five nor more than one hundred dollars, and, for a second offense he shall be punished by the fine aforesaid or by imprisonment in jail for not more than sixty days or by both such fine and imprisonment.

Approved March 17, 1915.

CHAPTER 70.—*Employment of children—Certificates.*

[This act amends section 61 of chapter 514, Acts of 1909, by adding thereto the following sentence: "Whoever, without authority, alters an employment certificate after the same is issued shall be punished by a fine of ten dollars."]

CHAPTER 74.—*Factory inspectors.*

Age limit. SECTION 1. The second paragraph of section eight of chapter seven hundred and twenty-six of the acts of the year nineteen hundred and twelve is hereby amended * * * so that the said paragraph will read as follows:

Inspectors and assistant inspectors shall be not over forty-five years of age on the date of their first appointment, but this age limit shall not apply to any reappointment, or to the first appointment of any person who filed his application for examination by the civil service commission for such position prior to the first day of January, nineteen hundred and fifteen, and who was not then over forty-five years of age.

Approved March 17, 1915.

CHAPTER 75.—*Payment of wages—Weekly pay day.*

[This act amends section 112 of chapter 514, Acts of 1909, as last amended by chapter 247, Acts of 1914, by striking out in the first sentence thereof the words, "or any of the building trades," and inserting in lieu thereof the words, "or in the erection, alteration, repair or removal of any building or structure."]

CHAPTER 81.—*Employment of children—School attendance.*

[This act amends sections 1 and 2 of chapter 44, Revised Laws, by providing for the excusing of necessary absences for 7 day sessions and 14 half-day sessions in any period of 6 months, instead of 5 and 10 respectively as before.]

CHAPTER 108.—*Strikes, etc.—Notice in advertisements for labor.*

SECTION 1. Section four of chapter three hundred and forty-seven of the acts of the year nineteen hundred and fourteen is hereby amended * * * so as to read as follows:

Section 4. Any person, firm, association or corporation violating any provision of this act shall, upon complaint of and after investigation by the State board of conciliation and arbitration, be punished by a fine not exceeding one hundred dollars for each offense.

Penalty.

Approved March 27, 1915.

CHAPTER 116.—*Factory regulations—Violations.*

SECTION 1. Section eighty-nine of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, * * * is hereby amended * * * so as to read as follows:

Section 89. Inspectors of the State board of labor and industries, upon receipt of notice in writing, signed by any person having knowledge of the facts, that any factory or workshop as aforesaid is not provided with the apparatus prescribed in sections eighty-six and eighty-seven of this act shall visit and inspect such factory or workshop, and for that purpose they are authorized to enter any such factory or workshop during working hours; and if they ascertain, in the foregoing or in any other manner, that the owner, proprietor or manager thereof has failed to comply with the provisions of said sections, they shall make complaint to a court or judge having jurisdiction, and cause such owner, proprietor or manager to be prosecuted.

Enforcement.

Approved March 30, 1915.

CHAPTER 117.—*Factory regulations—Pure drinking water.*

SECTION 1. Section seventy-eight of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, * * * is hereby amended * * * so as to read as follows:

Section 78. All industrial establishments within this Commonwealth shall provide fresh and pure drinking water to which their employees shall have access during working hours. Any person, firm, association or corporation owning, in whole or in part, managing, controlling or superintending any industrial establishment in which the provisions of this section are violated shall, upon complaint of an inspector of the State board of labor and industries, of the board of health of the city or town, or of the selectmen of the town in which the establishment is located be punished by a fine of one hundred dollars for each offense.

Water to be supplied.

Approved March 30, 1915.

CHAPTER 129.—*Commission on homes for workingmen.*

[This act amends section 1 of chapter 607, Acts of 1911, substituting the word "department" for the word "board" where it occurs in the first sentence.]

CHAPTER 155.—*Accident, etc., insurance—Monthly payments.*

SECTION 1. Any person who is insured by an insurance company, and who is entitled to payment on account of sickness or accident, shall be paid at least once in thirty days the amount due, but this requirement need not be set forth in the policy of insurance or certificate of membership issued to such person.

Payments required.

Approved April 12, 1915.

CHAPTER 179.—*Liability of employers for injuries to employees.*

[This act amends section 128 of chapter 514, Acts of 1909, by inserting after the word "section" in the first sentence thereof the words, "or an injury caused by the negligence of the employer himself."]

CHAPTER 198.—*Retirement of employes of the State.*

[This act amends chapter 532, Acts of 1911, so as to allow time of employment as teachers in public schools to count on time of employment required before eligible for retirement as State employes.]

CHAPTER 214.—*Payment of wages—Weekly pay day—Violations.*

Procedure.

SECTION 1. A justice or clerk of a police, municipal or district court, or a trial justice may, upon the application of any employee issue a summons to an employer to appear and show cause why a warrant should not issue against him for a violation of section one hundred and twelve of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine. Upon the return of such summons and after a hearing the justice may issue a warrant upon the complaint of any such employee.

Approved April 29, 1915.

CHAPTER 216.—*Factory regulations—Provisions for accidents.*

SECTION 1. Section one hundred and four of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended * * * is hereby further amended * * * so as to read as follows:

Provisions
required.

Section 104. Every person, firm or corporation operating a factory or shop in which machinery is used for any manufacturing or other purpose except for elevators, or for heating or hoisting apparatus, shall at all times keep and maintain, free of expense to the employees, such medical or surgical chest, or both, as shall be required by the State board of labor and industries, and containing plasters, bandages, absorbent cotton, gauze, and all other necessary medicines, instruments and other appliances for the treatment of persons injured or taken ill upon the premises. Every such person, firm or corporation, employing one hundred or more persons, shall, if so required by the State board of labor and industries, provide accommodations, satisfactory to said board, for the treatment of persons injured or taken ill upon the premises. Every person, firm or corporation carrying on a business in a mercantile establishment in which twenty or more women or minors are employed, shall in the manner aforesaid provide such medical and surgical chest as the State board of labor and industries may require. A person, firm or corporation violating any provision of this section shall be punished by a fine of not less than five dollars nor more than five hundred dollars for every week during which such violation continues.

Approved April 29, 1915.

CHAPTER 277.—*Hours of labor of employes on street railways.*

[This act amends chapter 533, Acts of 1912, as amended by chapter 833, Acts of 1913, by adding dispatchers to the list of persons enumerated in section 2 as covered by the act.]

MICHIGAN.

ACTS OF 1915.

ACT No. 3.—*Inspection and regulation of factories, etc.*

[This act amends section 17, act No. 285, Acts of 1909, by adding thereto the following:]

Where railway cars are used for sleeping or living purposes or where other premises for sleeping or living accommodations are furnished by any employer or his agent, for men or women engaged in construction of railroad or other work, such cars or other premises shall be maintained in a cleanly and sanitary condition and kept sufficiently heated and well lighted and ventilated and a separate place and facilities shall also be provided for the purpose of drying clothes. Any firm, person or corporation or any agent or foreman thereof, or any contractor or other person who has control over such conditions may be prosecuted at the instance of the factory inspector or other proper authority when there occurs a violation of this section with respect to the conditions specified therein, over which such person, firm or corporation has control. It shall be unlawful for any employee to do anything to hinder or make difficult, compliance with this section: *Provided*, That the provisions of this section shall not apply to railway sleeping cars used exclusively for the transportation and accommodation of passengers carried by said railways.

Bunk. etc., cars.

Approved March 9, 1915.

ACT No. 37.—*Unemployment insurance—Railway conductors', etc., mutual companies.*

SECTION 1. Any number of persons not less than five, desiring to become a body corporate for the purpose of insuring railway conductors, railway engineers and railway officials for loss of position resulting from discharge or retirement, may, by complying with the provisions of this act, become a body corporate for the purpose herein stated.

Who may organize.

SEC. 2. The persons proposing to form such corporation shall associate by signing articles of association in duplicate and acknowledge the same before any notary public or officer of this State, duly authorized to take acknowledgment of deeds.

Articles to be signed.

SEC. 3. Such articles of association shall state:

Contents.

(a) The names of the persons associating in the first instance and their respective residences;

(b) The name by which such corporation shall be known;

(c) The period for which the company is incorporated which shall not exceed thirty years;

(d) The number of directors which shall not be less than five, nor more than eight, and the names of the directors chosen for the first year;

(e) The place where the main office of the company shall be located, which shall be within the State of Michigan;

(f) The object of the corporation.

SEC. 4. The amount of capital stock of any company organized under the provisions of this act shall not be less than twenty-five thousand dollars, the par value of all shares of stock to be one hundred dollars.

Capital.

SEC. 5. Any company organized under the provisions of this act shall have the right to insure railway conductors, railway engineers and railway officials in an amount not exceeding five hun-

Powers.

dred dollars for loss of position arising from discharge or retirement, on such terms and conditions and subject to such rules and regulations as shall be prescribed in the by-laws of any such company, which by-laws shall be printed in full and constitute a part and portion of each policy or insurance contract issued.

Stock.

Sec. 6. No company shall be incorporated under the provisions of this act until the total amount of authorized capital stock is subscribed for and until at least one-half of the total amount of authorized capital stock is actually paid. No such company shall be authorized by the commissioner of insurance to transact business in this State until it has deposited a sum equal to at least the total amount of the authorized capital stock of the company with the State treasurer of this State. Said deposit shall consist of bonds, stocks or securities such as are required in accordance with the provisions of law governing the deposits of life insurance companies in this State. The deposit so required to be made with the State treasurer shall be held for the security and protection of any person insured under the provisions of this act and if any such company shall go out of business, such deposit shall be returned in accordance with the provisions of the life insurance law of this State.

Deposit.

Approval of articles.

Sec. 7. When the articles of incorporation of any such company shall be executed, they shall be submitted to the commissioner of insurance for his approval. If the commissioner of insurance shall find that the articles conform to the provisions of this act, he shall thereupon approve same and indorse a certificate to that effect, and attach same to said articles. Upon the filing of said articles and the indorsement of the commissioner of insurance, with the commissioner of insurance, and with the county clerk of the county in which the main office of the company is by its articles located, the persons executing such articles shall thereupon become a body corporate for the purposes set forth in this act, and shall have the right to carry on and conduct the business of insurance as herein indicated. Any such company shall have the right to take over the business of, or reinsure any other company, mutual, cooperative, or otherwise, conducting a business similar to that herein authorized.

Directors.

Sec. 8. The business and affairs of the corporation shall be managed by the board of directors. The directors shall be chosen from among the stockholders annually at a meeting of the stockholders of said company to be held on the second Wednesday of January each year, and shall hold office until their successors are elected and have qualified.

By-laws.

Sec. 9. The directors of any company organized under the provisions of this act shall have power to enact by-laws for the management of the business of the company, which by-laws shall not be inconsistent with the provisions of this act.

Officers.

Sec. 10. The officers of any company organized under the provisions of this act shall be chosen from among the directors and shall consist of a president, one or more vice presidents, a secretary and treasurer. The offices of secretary and treasurer may be held by one person. Service of process shall be made upon the president or secretary of the company; upon an attorney who shall be appointed for the purpose of receiving process or upon the commissioner of insurance. Each company organized under the provisions of this act, as a condition precedent to the renewal of an annual certificate to do business to be issued by the commissioner of insurance in accordance with the law governing insurance companies shall make and file in the office of the commissioner of insurance annually, such statement as is required by and in accordance with the provisions of act one hundred thirty-three of the Public Acts of nineteen hundred nine, which statement shall set forth the condition of business of such company up to and including December thirty-first of the preceding year.

Agents.

Sec. 11. It shall be unlawful for any person to act within this State as agent in receiving or procuring applications or in any

manner directly or indirectly to aid in transacting the business of insurance permitted by this act, without procuring from the commissioner of insurance a certificate of authority to be governed by the provisions of law in force relative to life insurance companies in the State.

Sec. 12. Such provisions of act seventy-seven of the Public Acts of eighteen hundred sixty-nine, as amended, and of act two hundred thirty-seven of the Public Acts of eighteen hundred eighty-one as are not inconsistent with, or in conflict with provisions of this act, are hereby made applicable to the operation of any company organized under the provisions of this act. What law governs.

Sec. 13. Any person violating any of the provisions of this act shall be deemed guilty of misdemeanor and upon conviction thereof shall be fined in a sum not more than five hundred dollars, or be imprisoned in the county jail not more than ninety days, or both such fine and imprisonment in the discretion of the court. Violations.

Approved April 1, 1915.

ACT No. 39.—*Unemployment insurance—Railway and street railway employees' mutual companies.*

SECTION 1. * * * Sections one and eight of act number one hundred twenty-five of the Public Acts of nineteen hundred nine * * * are hereby amended to read as follows:

Section 1. Any number of conductors, engineers and motormen on steam and electric railways, not less than seven, who shall be residents of this State, desiring to become a body corporate for the purpose of carrying on upon the assessment or cooperative plan the business of providing indemnity to members, not exceeding five hundred dollars, for loss of position arising from discharge or retirement, may, by complying with the provisions hereof, become, with those engineers, motormen and conductors on steam and electric railways, who may hereafter be associated with them or their successors, a body corporate and politic. Who may organize.

Sec. 8. The by-laws of the association may provide that officers of the association other than the president, treasurer and trustees need not be members. Otherwise, and except as in this act specifically provided and in all respects not inconsistent with the provisions of this act, associations organized hereunder shall be governed by and subject to all the provisions of act number one hundred eighty-seven of the Public Acts of eighteen hundred eighty-seven, entitled "An act to revise the laws providing for the incorporation of cooperative and mutual benefit associations, and to define the powers and duties and regulate the transaction of the business of all such corporations and associations doing business within this State," as amended and now in force. Officers.

Approved April 1, 1915.

ACT No. 110.—*Sale of intoxicants near lumber camps, etc.*

SECTION 1. It shall be unlawful for any person to sell, give, furnish or deliver any vinous, malt, brewed, fermented, spirituous or intoxicating liquors, or any mixed liquors or beverages, any part of which is intoxicating, at any lumber camp where logs, poles, bolts, railroad ties, tan bark or other timber products are cut, piled, skidded, drawn by teams or loaded on cars, or at any sawmill, planing mill, shingle mill, lath mill, stave or heading mill, or the yard or yards connected therewith to any employee therein when such mills or yards are operated or are owned or controlled by the same individual, firm or corporation owning, operating or controlling such lumber camp, or on or along the right of way of any logging railroad to any one employed thereon: *Provided*, That this shall not prevent any individual employer or company engaged in these lines of industry, or his or their agent or foreman, when authorized by said employer, from furnishing any of the above-mentioned liquors for necessary medical Sale forbidden.

use, nor any legally qualified physician from prescribing the same in his regular professional attendance on any such employee.

Violations.

SEC. 2. Any person on conviction of violating any of the provisions of section one of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars and costs of prosecution, for the first offense, and for any subsequent violation of the provisions of this act he shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars and costs of prosecution or be confined in the county jail for not less than thirty days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

Definition.

SEC. 3. For the purposes of this act a logging railroad is declared to be a railroad owned or controlled by the same individual, firm or corporation owning, operating or controlling such lumber camp as described in section one.

Approved April 29, 1915.

ACT No. 216.—*Department of labor—Free public employment offices.*

[This act amends section 35 of act No. 285, Acts of 1909, as amended by act No. 191, Acts of 1911, by adding the cities of Lansing, Bad Axe, and St. Louis to the list of cities in which offices must be maintained. It is also provided that managers receiving salary or wages from the State shall give their entire time to the work of their office.]

ACT No. 218.—*Department of labor—Officials, etc.*

SECTION 1. Sections four, thirty-six and thirty-seven of act two hundred eighty-five of the Public Acts of nineteen hundred nine, * * * are hereby amended to read as follows:

Salaries.

Section 4. The compensation of such commissioner shall be two thousand five hundred dollars per annum, and that of his deputy eighteen hundred dollars per annum, together with all necessary expenses, and the compensation of factory inspectors shall not exceed one thousand dollars per annum, and the assistants or special canvassers [canvassers] or clerks in any office of the department shall receive such compensation as shall be fixed by such commissioner. All such compensation and also the expense provided for in section one of this act, shall be audited and paid in the same manner as the salaries and expenses of other State officers: *Provided*, That the amount thereof, exclusive of the compensation allowed to said commissioner and his deputy, shall not in any one year exceed the sum of forty-five thousand dollars, which sum shall defray the salaries and expenses of the entire department, including factory inspection, the gathering of all statistics, the expense of the several free employment bureaus of this State, the inspection of public buildings, school buildings, opera houses and theaters, and every department of investigation coming within the jurisdiction of such department, for which provision is not otherwise made by law: *Provided further*, That in addition to the above allowance for expenses, said commissioner shall be authorized to have printed not to exceed five thousand copies of his annual report for the use of the department and for general distribution, and all printing, binding, blanks or map work, and all supplies shall be done or furnished under any contract which the State now has or shall have for similar work with any party or parties, and the expense thereof shall be audited and paid in the same manner as other State printing.

Expenses.

[The amendments to sections 36 and 37 relate only to the increase of the annual maintenance fund from \$40,000 to \$45,000.]

Approved May 13, 1915.

ACT No. 228.—*Assignments of wages—Wage brokers.*

SECTION 1. No person, partnership or corporation shall engage in the business of making loans of three hundred dollars or less, upon real and chattel securities of any kind whatsoever, or upon indorsement or guarantee of third persons, or upon salaries or wage earnings, or without security, when a higher rate of interest than seven per cent per annum is charged, without first having obtained a license from the clerk of the city in which the business is to be carried on. License re-quired.

SEC. 2. Any person, partnership, or corporation intending to engage in the business provided for in this act shall make application for a license in writing and file the same with the clerk of the city in which he desires to do business, which application shall state fully the name or names of the person, partnership or corporation, and every member of the partnership, the street and number and the building and room in which the applicant proposes to do business, and, in the case of a corporation, shall also state the date and place of its incorporation and the name of its statutory agent upon whom process may be served with his address, and shall pay to such clerk at the time of filing such application a license fee of fifty dollars. Such applicant shall also, at the time of filing his application, file with such clerk a bond to the people of the State of Michigan, in the penal sum of one thousand dollars, executed by the principal and by a surety company authorized to do business in this State, or by two sureties who shall be male residents and freeholders of the city in which such business is proposed to be carried on, and who shall severally depose on oath and in writing attached to said bond that he is worth in real estate situated within the county in which such business is proposed to be carried on, a sum equal to the amount of the bond over and above all indebtedness and exemptions from sale on execution; the conditions of such bond shall be that if the principal shall pay any judgment which may be recovered against him in any court of competent jurisdiction and all damages and costs by the borrower resulting from any violation of the provisions of this act, then said obligation to be void, otherwise to remain in full force and effect. Upon filing the application and bond as above required, and upon payment by the applicant of the license fee required, the clerk of the city shall forthwith issue a license to such applicant, for a period of one year, which license shall state fully the name or names of the person, partnership or corporation, and of every member of the partnership, the street and number and the building and room in which the business is to be conducted, and in the case of a corporation, shall also state the date and place of its incorporation, and the name of its statutory agent, upon whom process may be served, with his address. The licensee shall not make any loan or transact any business provided for by this act at any other place than that stated in such license; and such license shall not be transferable to any other person, partnership or corporation; if a change of his place of business is made during his license period, the licensee shall make and file with the clerk an affidavit stating in full the place to which his business has been removed, and thereupon the clerk shall indorse upon the license his consent to such change. Application. Bond. License.

SEC. 3. Every person, partnership or corporation licensed as herein provided shall give to each borrower a card upon which shall be written in ink, or typewritten, or printed, the name of the person, partnership or corporation making such loan, the name of the borrower, the amount of the loan, the amount and date of each payment to be made, the amount of expense charged, exclusive of interest, the time for which such charge is made, the date when the loan is made and the date when payable; and shall also give the borrower a receipt for each payment of principal, interest or any other charge made on the loan, and if any pay- Statement to be furnished.

ment shall consist of principal and interest or any other charge, such receipt shall specify the amount of each. Upon the back of such card or immediately attached thereto, shall be printed in English, in type as large as that [in] which the Public Acts of this State are printed, the following words: If interest or charges in excess of the amount fixed by the laws of this State are asked or received, this loan is void and of no effect; and the borrower can not be made to pay back the money loaned, or any interest, or any charges, or any part thereof.

Assignments
of wages.

SEC. 4. No such person, partnership or corporation so licensed shall receive any assignment of salary or wage in blank, but all blank spaces shall be filled in with ink or typewritten with the proper names and figures, showing the name of the person, partnership or corporation by whom the person making the assignment is employed. If the borrower is married the assignment shall be void unless it contains the signature of the husband or wife, as the case may be, of the borrower.

Spouse to
sign.

Interest.

SEC. 5. Any person, partnership or corporation licensed as herein provided may lawfully charge upon any such loan a rate of interest not to exceed three per cent per month where such loan does not exceed the sum of one hundred dollars, and not to exceed two per cent per month where such loan exceeds the sum of one hundred dollars and does not exceed three hundred dollars. In addition to such interest, in any case where a loan is made for a period of not less than four months, a charge may be made for investigation, examination of property, drawing necessary papers, and all other services and expenses of every kind or description, not to exceed one dollar where the amount loaned does not exceed fifty dollars, and not to exceed two dollars where the amount loaned exceeds fifty dollars: *Provided, however,* That where the loan is made for a period of less than four months, the charge in addition to interest as aforesaid shall not exceed fifty cents where the amount loaned does not exceed fifty dollars; and not to exceed one dollar where the amount loaned does exceed fifty dollars; and any loan of the character herein provided for shall be void and of no binding effect which provides for or contemplates the payment of any amount or sum in excess of the rates of charges herein provided for, or where any provision of section three of this act has been disregarded or violated.

Charges.

Interest on any loan shall not be payable in advance, and shall be computed on unpaid monthly balances only, but without compounding of interest.

Licensee shall not be entitled to any examination fee or to make any charge whatsoever unless a loan is actually made.

No person, partnership or corporation or agent or employee thereof shall make a loan upon real or chattel securities of any kind whatsoever, or upon the indorsement of third persons, or upon the salary or wage earnings of another, or without security, at a rate of interest and charge or receive therefor in excess of the amounts provided for in this act.

Extra charges.

SEC. 6. It shall not be lawful to divide or split up loans under any pretext whatsoever for the purpose of requiring or exacting any other or greater charges than prescribed herein, or to make any such charge for renewals, part renewals or extensions or for any transfers or changes of the loan within four months of the date of the original loan, or oftener than once in each four months thereafter, except in cases where a new and additional sum shall be loaned at the time of such renewal or change at the request of the borrower, in which case the fee above provided may be charged for such additional amount loaned. Any payment or charge in excess of the rate or charge hereby authorized shall operate as a discharge of the principal of the loan, and the borrower shall not be obliged to pay or tender any balance of the principal, interest or charge unpaid.

Violations.

SEC. 7. Any person, partnership or corporation, or any agent or employee thereof, violating any of the provisions of this act, or that carries on the business of making loans of the kinds herein

specified without first obtaining a license as provided in this act, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars for the first offense, and by a like fine and in the discretion of the court by imprisonment in the county jail not to exceed sixty days for the second and each subsequent offense, and it shall become the duty of any court upon a second conviction for violation of this act, to order the revocation and cancellation of any license theretofore issued to such person, partnership or corporation, and the same shall thereupon become revoked, canceled and of no further force or effect.

SEC. 8. This act shall not apply to any person, partnership or corporation operating or doing business by or under the authority of the laws of this State or of the United States relating to banks, trust companies, building and loan associations or pawnbrokers. This act shall not apply to any person, partnership or corporation engaged or intending to engage in the business of making the loans herein specified, in any city or village having a population of less than fifteen thousand, according to the last preceding Government census.

Approved May 13, 1915.

ACT No. 230.—*Arbitration and mediation of labor disputes—
State board.*

SECTION 1. The provisions of this act shall apply to employers and employees in the following industries: Railroads, mines, public utilities, including electric light, power and water: *Provided, however,* That the employers and employees of such other industries, not herein enumerated, who may mutually agree to come under the operation of this act, may do so by filing with the commissioner of mediation and conciliation, such agreement.

SEC. 2. Whenever a controversy concerning wages, hours of labor, or other conditions of employment between an employer, or employers, and employees subject to this act, interrupting or threatening to interrupt the business of said employer or employers to the detriment of the public interest, either party to such controversy may apply to the board of mediation and conciliation created by this act and invoke its services for the purpose of bringing about an amicable adjustment of the controversy; or the respective parties to the controversy may, on their own initiative, enter into an agreement to submit the matters in controversy to arbitration under the provisions of this act.

SEC. 3. Upon the request of either party to a controversy the board of mediation and conciliation shall, with all practicable expedition, put itself in communication with the parties to such controversy and shall use its best efforts, by mediation and conciliation, to bring them to an agreement; and if such efforts to bring about an amicable adjustment through mediation and conciliation shall be unsuccessful, the said board shall at once endeavor to induce the parties to submit their controversy to arbitration under the provisions of this act. During the carrying on of the mediation proceedings under this act, neither party to the proceedings shall avail itself of the time to secure any advantage over the other side in the event of the failure of the mediators to bring about a settlement of the controversy or an agreement to arbitrate. In any case in which a controversy arises over the meaning or the application of any agreement reached through mediation under the provisions of this act, either party to the said agreement may apply to the board of mediation and conciliation for an opinion from said board as to the meaning or application of said agreement, or of such part of it as may be in dispute, and the said board shall upon receipt of such request, give its opinion as soon as may be practicable.

SEC. 4. Whenever a controversy shall arise between an employer, or employers, and employees subject to this act, which can not be

Exemptions.

Scope of law.

Application to board.

Procedure.

Arbitration.

settled through mediation and conciliation in the manner hereinbefore provided, or which the respective parties prefer to submit directly to arbitration, such controversy may be submitted to the arbitration of a board of four persons who shall be chosen in the following manner: The employer, or employers, parties to the controversy shall name one arbitrator, and the employees one; and the two thus named shall select the remaining two arbitrators necessary to make up the board of four; but in the event of their failure to name the two arbitrators, or one of them, within fifteen days after their first meeting, the said two arbitrators, or one of them, if the first two arbitrators have agreed upon one of the two, shall be named by the board of mediation and conciliation. In the event that the employees concerned in any given controversy are not organized, such employees may select a committee and give it the right to represent them and to name the arbitrator who is to be named by the employees as above provided in this section.

Agreements.

SEC. 5. The agreement to arbitrate

First, Shall be in writing;

Second, Shall stipulate that the arbitration is had under the provisions of this act;

Third, Shall be signed by duly accredited representatives of the employer, or employers, and of the employees;

Fourth, Shall state specifically the questions to be submitted to the said board for decision;

Fifth, Shall stipulate that a majority of the said board shall be competent to make a valid and binding award;

Sixth, Shall fix a period from the date of the naming of the arbitrator or arbitrators necessary to complete the board of four within which the said board shall commence its hearings;

Seventh, Shall fix a period from the beginning of the hearings within which the said board shall make and hand down its award;

Eighth, Shall provide for the date from which the award shall become effective and shall fix the period during which the said award shall continue in force;

Ninth, Shall provide that the respective parties to the award will faithfully execute the same and abide by its provisions;

Tenth, Shall provide that the award and the papers and proceedings, including the testimony relating thereto, certified under the hands of the arbitrators, shall be filed in the office of the board of mediation and conciliation;

Eleventh, And may also provide that any dispute arising as to the meaning or the application of the provisions of any award made by a board of arbitration shall be referred back to the same board or to a subcommittee of such board for a ruling, which ruling shall have the same force and effect as the original award; and if any member of the original board is unable or unwilling to serve, another arbitrator shall be named in the same manner as such original arbitrator was named.

Powers of arbitrators.

SEC. 6. For the purposes of this act the arbitrators herein provided for, or either of them, shall have power to administer oaths and affirmations, sign subpoenas, require the attendance and testimony of witnesses, and the production of such books, papers, contracts, agreements, and documents material to a just determination of the matters under investigation as may be ordered by the court; and may invoke the aid of the courts of the State to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements and documents to the same extent and under the same conditions and penalties as is provided for in the act creating the railroad commission of this State and the amendments thereto.

Agreements to be acknowledged.

SEC. 7. Every agreement of arbitration under this act shall be acknowledged by the parties thereto before a notary public or a clerk of a court of record or before a member of the board of mediation and conciliation, the members of which are hereby authorized to take such acknowledgments; and when so acknowledged, shall be delivered to a member of said board or transmitted to the office of said board, there to be placed on file. When

such agreement of arbitration has been filed with the said board, or one of its members, and when the said board or a member thereof, has been furnished the names of the arbitrators chosen by the respective parties to the controversy, the board, or a member thereof, shall cause a notice in writing to be served upon the said arbitrators, notifying them of their appointment, requesting them to meet promptly to name the remaining arbitrators necessary to complete the board, and advising them of the period within which they are empowered to name such arbitrators. When the arbitrators selected by the respective parties have agreed upon the remaining arbitrators they shall notify the board of mediation and conciliation; and in the event of their failure to agree upon both or either of the necessary arbitrators within the fifteen days, as hereinbefore provided, they shall at the expiration of such period, notify the board of mediation and conciliation of the arbitrators selected, if any, or of their failure to make or to complete such selection. If the parties to an arbitration desire the reconvening of a board to pass upon any dispute arising over the meaning or application of any provisions of an award, they shall jointly so notify the board of mediation and conciliation and shall state in such written notice, the question or questions to be submitted for decision to such reconvened board. The board of mediation and conciliation shall thereupon promptly communicate with the members of the board of arbitration and arrange for the reconvening of the board and shall notify the respective parties to the controversy of the time and place at which the board shall meet for hearings upon the matter in controversy to be submitted to it.

Procedure.

SEC. 8. The board of arbitration shall organize and select its own chairman and make all necessary rules for conducting its hearing; and in its award or awards the said board shall confine itself to findings, or recommendations, directly bearing upon the questions submitted to it for decision. All testimony before said board shall be given under oath or affirmation. The board may employ such assistants as may be necessary in carrying on its work. It shall furnish a certified copy of its awards to the respective parties to the controversy, and shall transmit the original award, together with the papers and proceedings and a transcript of the testimony taken at the hearings, certified under the hands of the arbitrators, to the office of the board of mediation and conciliation.

Hearings.

Awards.

SEC. 9. Whenever receivers appointed by the courts of the State of Michigan, or subject thereto, are in possession and control of the business of employers covered by this act, the employees of such employers shall have the right to be heard through their representatives in such court upon all questions affecting the terms and conditions of their employment; and no reduction of wages shall be made by such receivers without the authority of the court therefor, after notice to such employees, said notice to be given not less than twenty days before the hearing upon the receivers' petition or application.

Employees of receivers.

SEC. 10. Each member of the board of arbitration created under the provisions of this act shall receive such compensation as may be fixed by the board of mediation and conciliation, together with his traveling and other necessary expenses.

Compensation.

SEC. 11. Within thirty days after the passage of this act, there shall be appointed by the governor, by and with the advice and consent of the senate, a commissioner of mediation and conciliation, whose salary shall be two thousand five hundred [dollars] per annum, and necessary expenses, and who shall be provided with an office by the board of State auditors. Said commissioner shall hold office for a term of two years, and until his successor is appointed and qualified, and shall be removed by the governor only for misconduct in office. The commissioner of mediation and conciliation shall place his entire time at the disposal of his official duties. The governor shall also appoint by and with the advice and consent of the senate, one other person who shall, together

Commissioner to be appointed.

Board.

with the commissioner of mediation and conciliation, constitute the board of mediation and conciliation referred to in various places in this act. The person so appointed shall be required to give only such time to the work of said board as may be necessary to carry on its work satisfactorily, and he shall receive ten dollars per diem, together with traveling and other necessary expenses, while actually engaged in his duties in connection with the work of the board.

Employees of board.

SEC. 12. The commissioner of mediation and conciliation shall have power to employ such assistance for his office or for the work of the board of mediation and conciliation as may be provided for in the appropriation acts of the legislature.

Expenses, etc.

SEC. 13. All compensation and also the expense provided for in sections eleven and twelve of this act shall be audited and paid in the same manner as the salaries and expenses of other State officers: *Provided*, That the amount thereof, exclusive of the compensation allowed to said commissioner of mediation and conciliation, shall not in any one year exceed the sum of six thousand dollars: *Provided, further*, That in addition to the above allowance for expenses, the said commissioner shall be authorized to have printed not to exceed five thousand copies of an annual report for the use of his department and for general distribution, and all printing, binding, blanks, etc., and all supplies shall be done or furnished under any contract which the State now has or shall have for similar work with any party or parties, and the expenses thereof shall be audited and paid in the same manner as other State printing.

Appropriation.

SEC. 14. The auditor general shall add to, and incorporate in, the State tax for the year nineteen hundred fifteen the sum of six thousand dollars, and for the year nineteen hundred sixteen the sum of six thousand dollars, which sums, when collected, shall be added to the general fund in the State treasury to reimburse the same for the amounts appropriated by this act.

Approved May 14, 1915.

ACT No. 255.—Hours of labor in factories, etc.—Employment of children—General provisions.

[This act amends sections 9, 10, and 11 of chapter 285, Acts of 1909, as amended by act No. 220, Acts of 1911. Section 9 is amended by adding the words "any office or restaurant" to the list of establishments in which working time is restricted. Section 10 is amended so as to read as follows:]

Minors.

Section 10. No child under the age of twenty-one years shall be employed, permitted or suffered to work in any theater, concert hall, or place of amusement where intoxicating liquors are sold.

Age limit in general employments.

No child under fifteen years of age shall be employed, permitted or suffered to work in or in connection with any mercantile institution, store, office, hotel, laundry, manufacturing establishment, mine, bowling alley, billiard or pool room conducted for profit, theater, passenger or freight elevator, factory or workshop, tele-

Canneries during vacation.

graph or messenger service within this State: *Provided*, This section shall not apply to any child of the age of fourteen years or over, working during the established vacation period in preserving perishable goods in fruit or vegetable canning establishments.

Registers.

It shall be the duty of every mercantile institution, store, office, hotel, laundry, manufacturing establishment, mine, bowling alley, workshop, telegraph or messenger service or any person coming within the provisions of this act to keep a register in which will be recorded the name, birthplace, age and place of residence of every person employed under the age of sixteen years, and it shall

Certificates.

be unlawful for any such establishment or person to hire or employ, or permit to be hired or employed or suffered to work, any child under the age of sixteen years without there is first provided and placed on file in the business office thereof a permit issued by the superintendent of schools of the school district in which such child resides, or some one duly authorized by him in writing, or, where there is no superintendent of schools, by the

county commissioner of schools, or some one duly authorized by him in writing, any of whom shall have power to administer oaths in relation thereto. Such permit shall be returned immediately to the issuing officer when such child leaves such employment; every limited vacation permit, hereinafter to be described, shall, upon its expiration, be void and of no effect. The said register and permit shall be produced for inspection on demand of any factory inspector appointed under this act. No fee shall be charged for such permit or other record required by this act by any officer by whom it shall be issued. Every employer complying with the provisions of this section shall be at liberty to employ the person so presenting the permit hereinbefore referred to, and is justified in considering and treating such person as of the age shown in such permit and shall not be liable, if it transpire that such person is under the age represented in such permit, to any greater extent than such employer would be liable if such person were of the age represented. The person authorized and required to issue such permit shall not issue the same until he has received, examined, approved and filed the following papers, duly executed:

Evidence.

(a) The school report of said child properly filled out and signed as hereinafter provided: *Provided, however,* That when such permit is issued during the summer vacation no such record shall be required, but all such permits, called in this act limited vacation permits, shall expire upon the first Monday in September, commonly called Labor Day, shall contain a conspicuous statement of the time at which they shall expire and shall be of a special color distinct from regular permits;

(b) A passport, or duly attested transcript of the record of birth, as kept by any duly authorized public authority, or a record of baptism or other religious record, showing the date and place of birth of such child;

(c) A statement from a physician connected officially with the board or department of health, which shall be required, however, only in case the above-mentioned official or religious record can not be produced, which statement shall certify that, in the opinion of the physician issuing said statement, the child is fifteen years of age or upwards, is in sound health and physically able to perform the work which it intends to do. Such statement shall also certify to the correct weight and height of said child, and shall be kept on file by the person issuing working permits; such person may, in his discretion, require also an affidavit from the parents or other evidence as additional proof of age;

(d) A statement by the issuing officer that he has examined said child, that in his opinion the child can read intelligently and write legibly simple sentences in the English language, that in his opinion the child is fifteen years of age or upwards, and has reached the normal development of a child of its age and is in sound health and physically able to perform the work which it intends to do, and that in his opinion the services of the child are essential to the support of itself or its parents. In doubtful cases, such physical fitness shall be determined by a medical officer of the board or department of health. Every such permit shall be signed in the presence of the officer issuing the same by the child in whose name it is issued; and shall state the date and place of birth of the child, and describe the color of the hair and eyes, the height and weight and any distinguishing facial marks of such child, and that the paper required by the preceding sections has been duly examined, approved and filed, and that the child named in such permit has appeared before the officer signing the same and been examined. The school record required by this article shall be signed by the principal or chief executive officer of the school which such child has attended and shall be furnished on demand to a child entitled thereto. It shall contain a statement certifying that the child has regularly attended the public school, or schools equivalent thereto, or parochial schools for not less than one hundred days during the school year previous to his

Physical tests.

Contents of permit.

arriving at the age of fifteen years or during the year previous to applying for such school record, and is able to read intelligently and write legibly simple sentences in the English language, and in the case of the public schools, has passed satisfactorily the work of the school up to and including the work of the sixth grade, as provided in the course of study of the public schools, or in the case of schools other than public, the equivalent thereto. Such school record shall also give the age and residence of the child as shown on the records of the school and the name of its parents or guardians or custodian: *Provided*, That in the case of limited vacation permits the school record and all other requirements relating to educational qualifications shall be waived, but all other requirements shall be complied with as prescribed in this section. Every month after the issuance of a permit the child shall report to the person who issued same, either in person or in writing, through its parent or guardian, stating that the child is employed, giving the name of employer and the location of the place of employment, and if not employed said child shall be compelled to attend school: *Provided*, That nothing in this act shall be used to invalidate the right of any minor over the age of fourteen years to use a working permit issued before the passage of this act.

Reports by
child.

Violations.

(e) Any person who shall make a false statement, transcript, passport, school certificate, certificate of physical fitness, school record or any other writing required to be made or filed by the provisions of this section shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than ten nor more than one hundred dollars or imprisonment for not less than ten days nor more than ninety days, or by both such fine and imprisonment in the discretion of the court.

[Section 11 is amended by inserting the following before the proviso in the first paragraph:]

Boys over 16. *Provided, however*, That any male person over sixteen and under eighteen [eighteen] years of age, may be employed in any occupation, other than the cleaning of machinery while in motion and occupations in or about any distillery, brewery or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped or bottled, subject to the following conditions:

Such employment shall be for a total of not more than fifty-four hours in any week, nor more than ten hours in any one day.

The occupation in which such person is employed shall be approved by the department of labor as not being injurious to health or morals, or unduly hazardous.

Approved May 17, 1915.

ACT No. 314.—JUDICIARY LAW.

CHAPTER XLII.—*Assignments—Wages as preferred claims.*

Order of pay-
ment.

SECTION 11. Funds available for distribution shall be applied to the payment of the following items and in the following order:

1. All taxes legally due and owing by the assignor to the United States, State, county or municipality;
2. The cost of administration;
3. All labor debts entitled to preference under the laws of this State;

* * * * *

CHAPTER LXXVI.—*Exemption of wages from garnishment.*

Liability of
garnishee.

SECTION 5. The person summoned as garnishee, from the time of the service of such summons, shall be deemed liable to the plaintiff in such suit, to the amount of the property, money and effects in his hands or possession or under his control, or due from him to the defendant in such suit, but not to exceed the amount of plaintiff's demand and the total cost which he may

tax: *Provided*, That when the defendant is a householder having a family, nothing herein contained shall be applicable to any indebtedness of such garnishee to the defendant for the personal labor of such defendant, or his family to the amount of sixty per cent of such indebtedness, but in no case shall more than thirty dollars of such indebtedness, be exempt from the operation of this chapter, and in all cases at least eight dollars shall be so exempt: *Provided further*, That in case the defendant is not a householder having a family, nothing hereinbefore contained shall be applicable to any indebtedness of such garnishee to the defendant for the personal labor of such defendant to the amount of thirty per cent of such indebtedness, but in no case where the principal defendant is not a householder shall more than fifteen dollars of such indebtedness be exempt from the operation of this chapter, although in all cases of the description mentioned in this proviso at least four dollars shall be so exempt.

Approved May 18, 1915.

MINNESOTA.

ACTS OF 1915.

CHAPTER 29 (as amended by chapter 37, Acts of 1915).—*Payment of wages—Semimonthly pay day.*

SECTION 1. All public service corporations doing business within this State are required to pay their employees at least semi-monthly, the wages earned by them to within fifteen (15) days of the date of such payment, unless prevented by inevitable casualty: To whom law applies.

Provided, however, That whenever an employee shall be discharged, his wages shall be paid to him at the time of his discharge or whenever he shall demand the same thereafter. Discharged employees.

SEC. 2. Whenever any public service corporation shall for five days neglect or refuse to pay its employees as prescribed by section 1 of this act, the wages due them may be recovered by action without further demand, and there shall be allowed to the plaintiff, and included in his judgment, in addition to his disbursements allowed by law, five dollars costs if the judgment be recovered in a justice court, and a like sum if the judgment be recovered in a municipal court, where no statutory costs are now allowed in such municipal court in such action, and double costs in all other courts or on appeal. Neglecting to pay.

Approved March 18, 1915.

CHAPTER 105.—*Payment of wages—Nonpayment by contractors.*

SECTION 1. Any contractor or subcontractor on any improvement to real estate within the meaning of section 7020, General Statutes 1913, who, with intent to defraud, shall use the proceeds of any payment made to him on account of such improvement by the owner of such real estate or person having any improvement made, for any other purpose than the payment for labor, skill, material and machinery contributed to such improvement, while any such labor performed, or skill, material or machinery furnished for such improvement at the time of such payment remains unpaid for, shall be guilty of larceny of the proceeds of such payment so used. Misuse of funds.

Approved April 10, 1915.

CHAPTER 171.—*Railroads—Safe clearance along roadway.*

SECTION 1. Section 2 of chapter 307 of General Laws of Minnesota for 1913 is hereby amended so as to read as follows: Clearance required.

SEC. 2. On and after the passage of this act, it shall be unlawful for any common carrier, or any other person, to erect or reconstruct and thereafter maintain on any standard gauge road on its line or on any standard gauge sidetrack used in connection therewith, for use in any traffic mentioned in section one of this act, any warehouse, coal chute, stock pen, pole, mall crane, stand pipe, hog drencher, or any permanent or fixed structure or obstruction, or in excavating allow any embankment of earth or natural rock to remain upon its line of railroad, or on any sidetrack used in connection therewith at a distance less than eight feet measured from the center line of the track, which said structure or obstruction adjoins on standard gauge roads; nor shall any overhead wires, bridges, viaduct or other obstruction passing over or above its tracks as aforesaid be erected or reconstructed at a

less height than twenty-one (21) feet, measured from the top of the track rail:

Proviso.

Provided, however, That this act shall not be construed to apply to yards and terminals of depot companies or railway companies used only for passenger service. But, nevertheless in the event of personal injury sustained by any employee of any such company in this proviso mentioned, by reason of noncompliance with the provisions of this act, such employee, or in case of his death, his personal representative, shall have all the rights, privileges and immunities enumerated in section 9 hereof.

Sec. 2. Section 3 of said chapter 307 of Laws of 1913, is hereby amended so as to read as follows:

Special cases.

Sec. 3. The railroad and warehouse commission may upon application made, after a thorough investigation in any particular case or class of cases, permit any common carrier to which this act applies to erect any overhead or side obstruction at a less distance from the track than herein provided for, when in the judgment of said commission a compliance with the clearance prescribed herein would be unreasonable or unnecessary.

Approved April 17, 1915.

CHAPTER 187.—*Employers' liability—Railroad companies.*

Liability declared.

SECTION 1. Every company, person or corporation owning or operating, as a common carrier or otherwise, a steam railroad or railway in the State of Minnesota, shall be liable in damages to any employee suffering injury while engaged in such employment; or, in case of death of such employee, to the surviving widow or husband and children of such employee; and, if none, then to such employee's parents; and, if none, then the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents or employees of such employer, or by reason of any defect or insufficiency due to the employer's negligence.

The damages recoverable in case of death to be distributed to the parties in interest in the same proportion as personal property of persons dying intestate.

Who may sue.

Sec. 2. Every company, person or corporation owning or operating, as a common carrier or otherwise, a steam railroad or railway in the State of Minnesota, shall be liable in damages to any person suffering injury while he is engaged in the line of his employment, or in case of the death of such employee, to his or her surviving widow or husband and children of such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents or employees of such employer, or by reason of any defect or insufficiency in such employer's appliances, machinery or apparatus furnished.

Contributory negligence to be measured.

Sec. 3. In all actions hereafter brought against any such employer under or by virtue of any of the provisions of this act, to recover damages for personal injury to the employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee: *Provided,* That no such employee who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such employer of any statute enacted for the safety of employees contributed to the injury or death of such employee.

Assumed risks.

Sec. 4. In any action brought against any employer under or by virtue of any of the provisions of this act to recover for injuries to or the death of any of its employees, such employee shall not be held to have assumed the risk of his employment in any case where the violation by the employer of any statute enacted

for the safety of employees contributed to the injury or death of such employee.

SEC. 5. Any contract, rule, regulation or device whatsoever the purpose or intent of which shall be to enable any employer to exempt such employer from any liability created by this act, shall to that extent be void: *Provided*, That in any action brought against any such employer under or by virtue of any of the provisions of this act, such employer may set off therein any sum he has contributed or paid to any insurance, relief, benefit or indemnity that may have been paid to the injured employee, or the persons entitled thereto on account of the injury or death for which said action was brought.

Contracting out.

SEC. 6. The term employer as used in this act shall include the receiver or receivers or other persons or corporations charged with the duty of management and operation of any business employing labor.

Definition.

SEC. 7. Any right of action given by this act to a person suffering injury shall survive for the benefit of the surviving widow or husband and children of any such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, but in such cases there shall be only one recovery for the same injury.

Survival of action.

SEC. 8. No action shall be maintained under this act unless commenced within two years from the day the cause of action accrues.

Limitation.

Approved April 20, 1915.

CHAPTER 202.—*Exemption of wages from execution.*

SECTION 1. Subdivision 16 of section 4317 of Revised Laws of Minnesota, 1905, * * * same being subdivision 16 of section 7951 of General Statutes of Minnesota, 1913, is hereby amended so as to read as follows:

16. The wages of any person, not exceeding thirty-five dollars, due for any services rendered by him for another during thirty days preceding any attachment, garnishment or the levy of any execution against him: *Provided*, That all wages paid to such person, and earned within said thirty-day period, shall be deemed and considered a part of, or all, as the case may be, of said exemption of thirty-five dollars.

What sum exempt.

Approved April 20, 1915.

CHAPTER 211.—*Preference of domestic products for use on public buildings.*

SECTION 1. In any and all buildings hereafter erected by the State of Minnesota, or to the erection of which the State of Minnesota has granted aid, preference shall always be given in the erection thereof to materials produced or manufactured in the State of Minnesota by citizens or residents thereof wherever practicable: *Provided*, That in the building and erecting of foundations, steps, approaches, and the outer walls of any and all such buildings, materials produced and manufactured in the State of Minnesota by citizens and residents thereof only shall be used: *Provided*, That the provisions of this act shall not apply to metal lath or Portland cement necessarily used in any such foundations, steps, approaches or outer walls.

Preference.

Requirement.

Proviso.

SEC. 2. This act shall not affect buildings now in process of construction nor shall it affect buildings for which contracts for the construction thereof have been entered into prior to the passage of this act: *Provided further*, That nothing in this act shall prevent the completion of buildings now partially erected with the same kind of materials which have heretofore been used: *Provided further*, That nothing in this act shall prevent an addition being made to any building now constructed out of the same material as the original building, nor the completion of any

Existing contracts, etc.

group of buildings out of the same material as was used in the construction of the buildings already completed.

Combinations to raise prices. SEC. 3. The provisions of this act shall not apply in any case where, in the judgment of the different officers, boards, or other authority in this State, now or hereafter vested with the power of contracting for the buildings hereinbefore referred to, it appears that an attempt is being made by producers or manufacturers in this State to form a pool, trust or combination of any kind for the purpose of fixing or regulating the price of materials to be used in any such building or buildings.

Approved April 21, 1915.

MISSOURI.

ACTS OF 1915.

Railroads—Headlights on locomotives.

(P. 228.)

SECTION 1. Section 1, of an act * * * [p. 184, Acts of 1913] is hereby amended * * * so that said section * * * shall read as follows:

Section 1. All companies, corporations, lessees, owners, operators or receivers of any railroad or railway company operating a railroad or railway in whole or in part in this State, are hereby required to equip, maintain and use upon every locomotive being operated in road service in this State in the nighttime an electric headlight of fifteen hundred candlepower brilliancy, measured with the aid of a reflector, and classification signals not less than six candlepower: *Provided*, That nothing in this act shall be so construed as to prevent a locomotive engine whose headlight has become defective while on the road from proceeding to the most convenient terminal or division point where the necessary facilities exist for remedying such defect, but nothing in this act shall relieve any such company, corporation, lessee, owner, operator or receiver of any railroad or railway company of any liability for injury or damage to persons or property, or for the death of any person, caused by proceeding with an engine having such defective headlight: *And provided further*, That the provisions of this act shall not apply to independent lines of railroad less than seventy-five miles in length: *And provided further*, That the provisions of this act shall not apply during the first ninety days of a strike of the particular employees whose duties are to repair and maintain electric headlights.

Headlight required.

Exceptions.

Approved March 23, 1915.

Railroads—Switch lights.

(P. 229.)

SECTION 1. The provisions of this act shall apply to any common carrier or carriers, their officers, agents and employees, engaged in the transportation of passengers or property by railroads operating in whole or in part in the State of Missouri. The term "railroad" as used in this act shall include all bridge and ferries companies, terminal and switching companies used or operated in connection with any railroad or railway operating in this State.

Scope of law.

SEC. 2. All common carriers, their officers, agents and employees operating any railroad or part of railroad in this State, are hereby required on or before the first day of June (1915) nineteen hundred and fifteen, to adopt, put in use and maintain lights between sunset and sunrise, on main line switches, and all lead switches in yards, where cars are switched in making up or breaking up of trains: *Provided*, That this act shall not include branch lines where trains do not operate at night, or independent lines of less than fifty (50) miles in length: *Provided further*, That the provisions of this section shall not apply to trailing point switches on double track.

Lights to be maintained.

SEC. 3. Any company or corporation, lessee or other person, owning or operating any railroad or part of a railroad in this State, who shall fail to do any act or thing in this act required

Violations.

to be done, or shall aid or abet any such omission, shall be deemed guilty of a violation of this law, and shall forfeit and pay the sum of not less than ten dollars (\$10) for every such offense and each day shall constitute a separate and distinct offense. At every term of a court of record of this State having criminal jurisdiction, the judge thereof shall direct and charge grand juries to make special inquiry as to violation of this law.

Suits for damages.

SEC. 4. When any employee or other person shall be injured, maimed or killed, by reason of noncompliance with the provisions of this act, then in any action for damage which may be instituted against any railroad company, corporation or lessee for such injury, maiming or killing, proof of contributory negligence on the part of any employee or other persons so injured, maimed or killed, shall not relieve such railroad company, corporation or lessee from liability.

Approved March 22, 1915.

Factory regulations—Foundries.

(P. 326.)

SECTION 1. The law of 1913 * * * found on page 401 of the Session Acts of Missouri of 1913, is hereby amended by adding a new section thereto to be known as section "a" ["1a"], which new section shall read as follows:

Gangways.

Section 1a. In all establishments mentioned in section one hereof all gangways shall be not less than eight (8) feet wide, shall be kept dry and free from any and all obstructions during all times when employees are working therein. All such gangways shall

Water tanks.

have dirt floors and shall be under water-tight roof; all water tanks shall be so placed that the top thereof shall be not less than thirty (30) inches above the level of the floor; shall be kept clear of any gangways and shall have an outlet near the top thereof, which outlet shall be connected with a sewer or other receptacle sufficient to prevent the overflow of such tank upon the floor of such establishment. Every corporation, company or person engaged in operating any such foundry shall provide and maintain adequate and efficient devices for carrying off all poisons or injurious fumes, gases and dust from such foundry.

Ventilation.

Approved March 24, 1915.

Mine regulations—Sprinkling.

(P. 329.)

SECTION 1. Article 2, chapter 81 of the Revised Statutes of Missouri for the year 1909 [shall] be amended by adding two new sections to be known as "section 4869a" [8469a] and "section 4869b" [8469b], * * * which sections shall read as follows:

Inspections for dust.

Section 8469a. The State mine inspectors for lead mines, zinc mines, and other mines, other than coal, are hereby authorized, empowered and directed to thoroughly inspect all underground excavations in all such mines, as often as the inspector or either of his deputies may deem proper, for the purpose of ascertaining or discovering in the air in any such mine or mines the presence of dust in such quantities as shall be injurious to the health of employees engaged in working in such underground excavation; and upon finding dust in the air of any such mine in such quantities as shall tend to injure the health of the employees of such mine, such inspector or deputy inspector shall immediately notify the owner, managing agent or operator of such mine, in writing, specifying the underground excavation so found to contain dust particles as aforesaid in the air thereof, and such owner, agent or operator of such mine shall within fifteen days after receiving

Apparatus for sprinkling.

such written notice, provide, install, equip, and thereafter at all times, maintain in such mine an independent water line, fully equipped and in good serviceable working order and repair,

leading up to the face of any and all drifts where such dust is produced, or so close to the face of said drifts so that by the use of suitable hose extension or sprinkling attachments to be supplied by the owner or owners of said mine, the mineral or earth in and adjoining the face of the drift or drifts of such mine can be sprinkled or wet by water from said pipe line; thereupon and thereafter every person drilling, squibbing or blasting in said mine shall keep the face, surface and drill holes in said drift or drifts wet or moist by the use of water from said water line to such an extent and in such a way as shall prevent, as far as possible, any dust raising [rising] from the working of any such face or from the drilling, "blowing" or "shooting" of any hole or holes; and the ground boss in charge of the underground in any such mine, so equipped with a water line, shall require all ground or dirt after being shot or blasted to be thoroughly wet or sprinkled to such an extent as shall prevent, as far as possible, any dust from arising therefrom while the employees are at work therein.

Use of water.

Sec. 8469b. Every owner or part owner of any such mine and every employee of the owner of any such mine, who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five dollars nor more than fifty dollars.

Violations.

Approved March 23, 1915.

Mine regulations—Dressing rooms—Zinc and lead mines.

(P. 330.)

SECTION 1. Article II, chapter 31 [81], of the Revised Statutes of Missouri for the year 1909, is hereby amended by adding a new section thereto, to be known as section 8469b,¹ * * * which section shall read as follows:

Section 8469b. It shall be the duty of every owner or operator of any zinc or lead mine in the State of Missouri, to provide and maintain a room or building of sufficient size and dimensions and properly equipped, for the use of employees of said mines, as a dressing room and for the purpose of changing, keeping and storing their clothes and dinner pails. Said room shall be equipped with lockers with lock and key, and said employees shall be permitted to store their clothing and dinner pails in said lockers. Sufficient washing conveniences shall be provided in said room or building for the use of said employees, and sufficient benches or seats shall be provided for the use of employees in said room or building; and said room or building shall at all times be properly heated and shall be kept in a clean and sanitary condition. It shall be the duty of the mine inspector to see that the provisions of this section are properly enforced. Any person, firm or corporation operating a lead or zinc mine in this State failing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not less than five dollars or more than twenty-five dollars.

Dressing rooms required.

Equipment.

Violations.

Approved March 23, 1915.

Mine regulations—Drinking devices.

(P. 331.)

SECTION 1. Article 2, chapter 81, Revised Statutes of Missouri, 1909, is hereby amended by adding one new section thereto, to be known as section 8469c, which said section shall read as follows:

Section 8469c. Every owner, agent or operator of any lead or zinc mine in this State, employing ten or more men, shall provide sanitary drinking devices for the use of their employees.

Devices required.

Approved March 23, 1915.

¹This is a duplicate numbering (see foregoing act), but is as given in the laws.

Mine regulations—Dangerous mines.

(P. 331.)

Mines to be closed, when. SECTION 1. The chief mine inspector and his assistants shall have the power and it is hereby made their duty, to stop the operation of and close any mine or part thereof, where poisonous damps exist, where rotten ropes or unsafe cages are used, or where a safe escape way is not provided, for all employees. Any person or persons violating the provisions of this section, and any member or stockhold[er] or officer of any company or corporation who shall violate the provisions of this section, shall be deemed guilty of a misdemeanor, and on conviction thereof be punished by a fine of not less than twenty-five dollars, nor more than one hundred dollars, or imprisonment in the county jail thirty days nor more than ninety days, or by both such fine and imprisonment for each and every separate offense.

Approved March 22, 1915.

Mine regulations—Warehouses—Coal mines.

(P. 332.)

Wash rooms required. SECTION 1. It shall be the duty of every person, corporation or company, and of his or its agents, officers, representatives or person or persons in charge of, owning and operating or operating as lessees a coal mine within the State of Missouri, wherein ten or more miners are employed in digging coal to provide within six months after the approval of this act a suitable building to be used by said miners as a washhouse of a size not to exceed [sic] twelve feet in width and twenty feet in length and one story in height, and to be located within a reasonable distance, not to exceed three hundred feet of the shaft house of the said mine, for the accommodation of the miners who desire to use the same; said washhouse to be equipped with a stove or other heating apparatus, and if a stove be furnished that the fuel to be burned in the same to be furnished [sic] by the operator of said mine; said washhouse shall be kept in a good and sanitary condition by the miners who use the same for the purpose of washing themselves and changing clothing when going to and returning from the mine. The room for the negroes shall be separate from the white race, but may be in the same building. An available supply of water shall be furnished by the operator and the same shall be carried to said washhouse by the miners; the miners shall furnish their own towels, basins, and soap, and shall exercise control over and be responsible for all property by them left therein.

Equipment.

Loss of property. SEC. 2. No person, corporation or company, its agents, officers or representatives, furnishing such a washhouse at his or its mines as required in section one hereof shall be legally liable for the loss or destruction of any property left at or in said washhouse.

Violations. SEC. 3. Any person, corporation or company, its officers or agents, failing, neglecting or refusing to comply with the provisions of section one of this act shall be guilty of a misdemeanor and shall, upon conviction be fined in any sum not less than twenty-five dollars (\$25), nor more than one hundred dollars (\$100). Each week that such person, corporation or company, fails and neglects to comply with the provisions of said section shall constitute a separate offense: *Provided*, This act shall not apply to strip pit or steam shovel coal mining.

Approved March 22, 1915.

MONTANA.

ACTS OF 1915.

CHAPTER 17.—*Suits for wages—Attorneys' fees.*

SECTION 1. In an action to establish a claim for salary or wages under the provisions of part 3, title 4, chapter 3, of this code, the court must allow as costs a reasonable attorney's fee to each claimant who establishes his claim as provided in section 7302, of the Revised Codes of Montana, 1907, or to the defendant if such claim be not established. Fees to be allowed.

Approved February 18th, 1915.

CHAPTER 79.—*Sale of intoxicants near labor camps.*

SECTION 1. Section 8555 of the Revised Codes of the State of Montana of 1907 [shall] be amended, so as to read as follows:

Section 8555. Every person who sells, furnishes or gives away any spirituous or malt liquors, wine or cider, or any beverage containing any intoxicating liquors, within five miles of any railroad grade, irrigating ditch, canal or other public works under the course of construction, or on any railroad grade on which track is being laid, or within five miles of any logging camp, saw-mill, mine, stone quarry, or sheep-shearing camp in operation is punishable by imprisonment in the county jail not exceeding sixty days, or a fine not exceeding one hundred (100) dollars or by both such fine and imprisonment. The provisions of this section do not apply to the selling, furnishing or giving away intoxicating liquors, wine or cider within the limits of any town or city: *Provided*, That the word "town" or "city" within the meaning of this section shall include all places and only such places as have a bona fide permanent population of not less than fifty persons over the age of twenty-one years residing within the territory not exceeding one mile square and excluding from such enumeration all persons who have not resided at least one year in such place, and also excluding all employees, owners or agents engaged in any of the above-named business[es]: *Provided*, That the provisions of this section shall not apply to any person previously engaged in selling intoxicating liquors at a fixed place of business, established two years prior to the beginning of work in or upon, in the erection of [or] construction, or operation of any of the things enumerated in this act, or to his assigns. Sale forbidden.
Cities and towns.
Prior establishments.

Approved March 5th, 1915.

CHAPTER 86.—*Mothers' pensions.*

SECTION 1. Every child under the age of 14 years, whose father is dead or an inmate of some Montana State institution of charity or correction, or who is physically or mentally unable to work, which act of disability shall have occurred while a resident of the State, and who has, for a period of two years or more, failed to provide for said child, shall be entitled to assistance which will help make it possible for such child to be cared for in his or her own home instead of being sent to some public institution, said financial aid to be given to the mother of said child or children. Aid for children.

Sec. 2. Every child as provided for in section 1, whose mother is wholly dependent upon her labor for support, shall be allowed from the public moneys of the county, in which said mother re- Allowance to mother.

sides, the sum of \$10 per month if there is one child in said family; if more than one child then \$7.50 per month for a second child and \$2.50 per month for each additional child, said money to be paid to the mother of said child or children.

Conditions. SEC. 3. The allowance herein referred to shall be made subject to the following conditions: (1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children. (2) The allowance shall be made only when in absence of such allowance, the mother would be required to work regularly away from her home and children, when by means of such allowance, she will be able to remain at home with her children. (3) The mother must, in the judgment of the juvenile court officer if there be one, and if not then in the judgment of the judge of the district court, be a proper person physically, mentally and morally for the bringing up of her children. (4) Such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect. (5) No person shall receive the benefit of this act, who shall not have been a resident of the county in which such application is made, for at least two years next before the making of such application for such allowance. (6) *Provided*, That the provisions of this act shall not apply to any child which has property of its own sufficient for its support.

Order by judge. SEC. 4. Whenever the judge shall determine that an allowance under this act shall be made, he shall make an order to that effect, which order, among other things, shall set out in full the name of the mother, her place of residence, the names and ages of the children, and the amount allowed to each child, and upon presentation of such order, the county commissioners shall direct monthly warrants to be drawn therefor, which warrants shall be paid from the general funds of the county.

Age. SEC. 5. No allowance for any child shall continue after such child shall have reached the age of fourteen years. Whenever any mother of any child on whose account any allowance shall have been made under the provisions of this act, shall marry, such allowance shall cease.

Approved March 5th, 1915.

CHAPTER 96, PART V.—*Industrial accident board—Inspection and regulation of places of employment.*

Industrial accident board. SECTION 2. (a) There is hereby created a board to consist of three members. The commissioner of labor and industry shall be one member, the State auditor shall be one member, and one member shall be appointed by the governor, which board shall be known as the industrial accident board, and shall have the powers, duties, and functions hereinafter conferred. The term of office of the appointed member of the board shall be for four years and until his successor shall have been appointed and qualified. He shall receive an annual salary of four thousand dollars, payable monthly, and shall be the chairman of the board. The board shall elect one of their number as treasurer of the board.

(b) A vacancy in the office of the appointed member of the board shall be filled in the same manner as the original appointment, but shall only be for the unexpired term of such vacancy. The appointed member shall not be removed except for cause, and after a hearing had before and a finding made by the remaining members of the board, and both of the remaining members of the board must concur in the removal of the appointed member.

(c) Each member shall, upon entering upon the duties of his office, execute to the State of Montana and file with the secretary of state a bond in the sum herein prescribed, executed by not less than four responsible sureties or by some surety company authorized to become sole surety on bonds in the State of Montana, such bonds to be approved by the governor, and conditioned that he will faithfully and impartially discharge the duties of his office.

Such bonds shall be in addition to any other bonds required by law to be furnished.

(d) The bond of the treasurer of the board shall be in a sum to be fixed by the governor, not less than twenty-five thousand dollars (\$25,000) nor more than one hundred thousand dollars (\$100,000). The bonds of the members of the board other than the treasurer shall be in the sum of ten thousand dollars (\$10,000).

(e) Neither the commissioner of labor and industry nor the State auditor shall receive any additional compensation for the duties imposed upon them by this act.

(f) A majority of the board shall constitute a quorum for the transaction of any business. A vacancy on the board shall not impair the right of the remaining members to perform all of the duties and exercise all the powers and authority of the board. The act of the majority of the board when in session as a board shall be deemed to be the act of the board, but any investigation, inquiry, or hearing which the board has power to undertake or to hold may be undertaken or held by or before any member thereof or any examiner or referee appointed by the board for that purpose. Every finding, order, decision, or award made by any commissioner, examiner, or referee pursuant to such investigation, inquiry, or hearing, when approved and confirmed by the board and ordered filed in its office, shall be deemed to be the finding, order, decision, or award of the board.

(g) The board shall have a seal bearing the following inscription: "Industrial Accident Board, State of Montana, Seal." The seal shall be affixed to all writs and authentications of copies of records, and to such other instruments as the board shall direct. All courts shall take judicial notice of said seal.

(h) The board shall keep its principal office in the capital of the State, and shall be provided with suitable rooms, necessary office furniture, stationery, and other supplies. For the purpose of holding sessions in other places, the board shall have power to rent temporary quarters.

(i) The board shall appoint a secretary, who shall hold office at the pleasure of the board. It shall be the duty of the secretary to keep a full and true record of all the proceedings of the board, to issue all necessary processes, writs, warrants, and notices which the board is required or authorized to issue, and generally to perform such other duties as the board may prescribe.

(j) The board shall employ such assistants and other employees as it may deem necessary to carry out the provisions of this act.

(k) All officers and employees of the board shall receive such compensation for their services as may be fixed by the board, shall hold office at the pleasure of the board, shall perform such duties as are imposed on them by law or by the board.

(l) The salaries of members of the board, secretary, and every other person holding office or employment under the board, as fixed by law or by the board, shall be paid monthly, after being approved by the board upon claims therefor, to be audited and approved by the State board of examiners.

(m) All expenses incurred by the board pursuant to the provisions of this act, including the actual and necessary traveling and other expenses and disbursements of the members thereof, its officers, and employees incurred while on business of the board, either within or without the State, shall, unless otherwise provided in this act, be paid from the industrial administration fund, after being approved by the board upon claims therefor, to be audited and approved by the State board of examiners.

(n) The board shall cause to be printed such blank forms as it shall deem requisite to facilitate or promote the efficient administration of this act. It shall provide a book in which shall be entered the minutes of all its proceedings, a book of record in which shall be recorded all awards made by the board, and such other books or records as it shall deem requisite for the purpose

and efficient administration of this act. All such records are to be kept in the office of the board.

(o) The board shall have the power and authority to publish and distribute, at its discretion, from time to time, in addition to its annual report, such further reports and bulletins covering its operations, proceedings, and matters relative to its work as it may deem advisable.

(p) The board shall have power and authority to charge and collect the following fees:

1. For copies of papers and records not required to be certified or otherwise authenticated by the board, 15 cents for each folio; for certified copies of official documents and orders filed in its office or of the evidence taken at any hearing, 20 cents for each folio.

2. To fix and collect reasonable charges for publications issued under its authority.

3. The fees charged and collected under this section shall be paid monthly into the treasury of the State to the credit of the industrial administration fund, and shall be accompanied by a detailed statement thereof.

(q) The attorney general shall be the legal adviser of the board and shall represent it in all proceedings whenever so requested by the board or any member thereof.

Safe place. Sec. 50. (a) No employer shall construct, maintain, or operate, or cause to be constructed, maintained, or operated any place of employment that is not safe.

Removing safety devices. (b) No employee shall remove, displace, damage, destroy, or carry off any safety device or safeguard furnished and provided for use in any employment or place of employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for protection of any employee in such employment or place of employment, or fail or neglect to do anything reasonably necessary to protect the life and safety of himself and other employees.

Power of board. (c) The board is vested with full power and jurisdiction over and shall have such supervision of every employment and place of employment in this State as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment and place of employment to be safe and requiring the protection of the life and safety of every employee in such employment or place of employment.

Place. (d) The board shall have power, in addition to other powers herein granted, by general or special orders, rules, or regulations or otherwise:

Safety devices and standards. 1. To declare and prescribe what safety devices, safeguards, or other means or methods of protection as are well adapted to render employees and places of employment safe.

2. To fix such reasonable standards and to prescribe, modify, and enforce such reasonable orders for the adoption, installation, use, maintenance, and operation of safety devices, safeguards, and other means and methods of protection as may be necessary for the protection of the life and safety of employees.

3. To fix and order such reasonable standards for the construction, repair, and maintenance of places of employment as shall render them safe.

4. To require the performance of any act necessary for the protection of life and safety of employees.

Accident reports. 5. To declare and prescribe the general form of industrial accident reports, the accidents to be reported and the information to be furnished in connection therewith, and the time within which such reports shall be filed. Nothing in this act contained shall be construed to prevent the board from requiring supplemental accident reports: *Provided, however,* That where by the laws of the State of Montana the manner or method of carrying on any business, or the rules or regulations in relation thereto, or the character or kind of safety devices has been prescribed, no other or additional requirements shall be made by the board, but it

shall be the duty of the board to see that the employer lives up to and obeys said laws.

(e) Upon the fixing of a time and place for the holding of a hearing for the purpose of considering and issuing a general safety order or orders, the board shall cause a notice of such hearing to be published in one or more daily newspapers of general circulation, published and circulated in the State. No defect or inaccuracy in such notice or in the publication thereof shall invalidate any general order issued by the board after a hearing has been had. Notice of hearings.

SEC. 51. (a) After July 1, 1915, every place of employment of a work or occupation defined by sections 4 (a), 4 (b), 4 (c), 4 (d), 4 (e), and 5 of this act to be hazardous shall be inspected at least once during each year by an inspector or examiner appointed by the board. Such inspection shall be for the purpose of determining the condition and operation of such places of employment as regards the safety of employees working therein, and the use of safeguards, safety appliances, and reasonably safe tools and appliances. Inspections.

(b) A report of such inspection shall be filed in the office of the board, and a copy thereof given the employer. Reports.

(c) Each place of employment inspected as provided in section 51 (a) and found in a satisfactory condition shall receive from the board, upon payment of the inspection fees hereinafter provided for, a certificate to that effect, which certificate must be prominently displayed, under glass, in one of the principal places of the establishment so inspected. Certificates.

(d) If after such inspection and report thereof to the board, it shall be found that any such place of employment is not constructed, maintained, or operated as provided in this act, the board shall order the installation, use, maintenance, and operation, within such reasonable time as the board may direct, of such safety devices, safeguards, and other means and methods of protection as may be necessary to reasonably insure the safety of the workmen employed therein, subject to the provisions of section 51 (e). Orders.

(e) If after such inspection the board or any inspector or examiner thereof shall find such place of employment in such an unsafe condition as to constitute an immediate menace to the safety of the workmen employed therein, the board, or any inspector or examiner thereof, may order any such place of employment closed, or the work therein to cease, until such safety devices, safeguards, and other means and methods or changes or removals as may be ordered by the board, or any inspector or examiner thereof, shall have been installed, repaired, changed, or removed, and such place of employment put in such condition as will reasonably insure the safety of the workmen employed therein. Closing place of work.

SEC. 52. (a) For each annual inspection made under the provisions of this section the employer shall pay, at the time of such inspection, a fee of five cents for each one thousand dollars or fraction thereof of his annual pay roll for the preceding year: *Provided*, That no inspection fee under this section shall be less than five dollars. Fees.

(b) The fees for any subsequent or reinspection made during any year in which an annual inspection shall have been made shall be:

Where the annual pay roll for the preceding year shall have been not more than twenty-five thousand (\$25,000) dollars, five (\$5) dollars.

Where the annual pay roll for the preceding year shall have been more than twenty-five thousand (\$25,000) dollars but not more than one hundred thousand (\$100,000) dollars, ten (\$10) dollars.

Where the annual pay roll for the preceding year shall have been more than one hundred thousand (\$100,000) dollars but not

more than five hundred thousand (\$500,000) dollars, twenty (\$20) dollars.

Where the annual pay roll for the preceding year shall have been more than five hundred thousand (\$500,000) dollars but not more than one million (\$1,000,000) dollars, forty (\$40) dollars.

Where the annual pay roll for the preceding year shall have been more than one million (\$1,000,000) dollars, fifty (\$50) dollars.

Funds go to
treasurer.

(c) All fees received by the board for inspection or for subsequent or reinspection, and all fines imposed or collected for a violation of the safety provisions of this act, shall be paid monthly to the State treasurer, who shall credit such payments to the industrial administration fund.

Orders of
board.

SEC. 53. (a) Whenever the board shall find that any employment or place of employment is not safe, or that the practice or means or methods of operation or processes employed or used in connection therewith are unsafe, or do not afford adequate protection to the life and safety of employees in such employments and places of employment, the board shall make and enter and serve such order relative thereto as may be necessary to render such employment or place of employment safe and protect the life and safety of the employees in such employments and places of employment, and may in said order direct that such additions, repairs, improvements, or changes be made; and such safety devices and safeguards be furnished, provided, and used as are reasonably required to render such employment or places of employment safe, in the manner and within the time specified in such order.

Time for
compliance.

(b) The board may, upon application of any employer or other person affected thereby, grant such time as may reasonably be necessary for compliance with any order, and any person affected by such order may petition the board for an extension of time, which the board shall grant if it finds such an extension of time necessary.

Investiga-
tions.

(c) Whenever the board shall learn or have reason to believe that any employment or place of employment is not safe or is injurious to the welfare of any employee it may summarily investigate the same, with or without notice or hearings, and enter and serve such order as may be necessary relative thereto.

Compliance.

(d) Every employer, employee, and other person shall obey and comply with each and every requirement of every order, decision, direction, rule, or regulation made or prescribed by the board, and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, rule, or regulation.

Powers of
other boards,
etc.

(e) Nothing contained in this act shall be construed to deprive any other public corporation, board, or department of any power or jurisdiction over or relative to any place of employment: *Provided*, That whenever the board shall by order fix a standard of safety for employments or places of employment such order shall, upon the filing by the board of a copy thereof with the secretary or clerk of any such public corporation to which or within whose jurisdiction it may apply, establish a minimum requirement concerning the matters covered by such order, and shall be construed in connection with any local order relative to the same matter and to amend or modify any requirement in such local order not up to the standard of the order of the board.

Presump-
tions as to or-
ders.

(f) Every order of the board, general or special, its rules or regulations, findings or decisions, shall be admissible in evidence in any prosecution for, or suit to prevent, the violation of any of the provisions of this act, and shall be presumed to be reasonable. This presumption is, however, a rebuttable presumption.

Investiga-
tions of acci-
dents.

(g) The board may investigate the cause of all industrial accidents occurring in any employment or place of employment, or directly or indirectly arising from or connected therewith, resulting in personal injury or death; and the board shall have the power to make such orders or recommendations with respect to such accidents as may be just and reasonable: *Provided*, That

neither the order nor the recommendation of the board, nor any accident report filed with the board, shall be admitted as evidence in any action for damages, or any proceeding to recover compensation, based on or arising out of such injury or death.

(h) If by reason of poor or careless management or otherwise any place of employment be unduly dangerous, in comparison with other like places of employment, and the employer operating the same shall not have complied with the safety provisions of this act, and such employer shall be under compensation plan number three, the board, in addition to any other penalty provided by this act, shall advance the rate upon such place of employment fifty per centum, and such advanced rate shall continue and be in force until such place of employment shall have ceased to be unduly dangerous in comparison with other like places of employment, and such employer shall have obtained a certificate of the inspector or examiner provided for herein.

Increase of
premium rates.

Sec. 54. Every employer, employee, or other person who either individually or acting as an officer, agent, or employee of a corporation or other person violates any safety provisions contained in this act, or any part of any such provision, or who shall fail or refuse to comply with any such provision or any part thereof, or who directly or indirectly knowingly induces another so to do, is guilty of a misdemeanor.

Violations.

Sec. 55. (a) Whenever in this act the inspection of mines is referred to, such inspection shall be made by the inspector of mines or his deputy, and nothing in this act contained shall be construed as modifying or limiting in any way the duties required to be performed by the inspector of mines as may be otherwise provided by law: *Provided, however,* That the inspector of mines shall collect and account for the fees herein prescribed for inspection or subsequent or reinspection.

Inspection of
mines.

No rule, regulation, or requirement relating to the operation of mines within the State of Montana made by said board shall be lawful or valid unless the same shall be concurred in and approved by the State mine inspector, and shall have been within the power of the said State mine inspector to make in the first instance.

(b) A copy of any order, direction, or requirement of the inspector of mines shall be filed with the board and shall thereupon become and have all the force and effect of an order of the board, subject only to review by the court as in this act provided.

Orders.

Sec. 56. All acts and parts of acts in conflict herewith are hereby repealed.

Repealer.

Sec. 57. This act shall be in full force and effect from and after its passage and approval.

Act in effect.

Approved March 8, 1915.

NEBRASKA.

ACTS OF 1915.

CHAPTER 71.—*Employment of women—Hours of labor.*

SECTION 1. Section 3564, Revised Statutes of Nebraska for 1913, is hereby amended to read as follows: Law applies where.

3564. In metropolitan cities, in cities of the first class having more than 40,000 and less than 100,000 inhabitants, in cities of the first class having less than 40,000 and more than 25,000 inhabitants, in cities of the first class having more than 5,000 and less than 25,000 inhabitants, no female shall be employed in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant, office, or by any public service corporation in this State more than nine hours during any one day or more than fifty-four hours in one week. The hours of each day may be so arranged as to permit the employment of such female at any time from six o'clock a. m. to ten o'clock p. m., but in no case shall such employment exceed nine hours in any one day: *Provided, however,* Such female shall not be employed between the hours of 10 p. m. and 6 a. m.: *Provided, further,* Public service corporations may employ females between the hours of 10 p. m. and 6 a. m. Nine-hour day.
Night work.

Approved March 26, 1915.

CHAPTER 75.—*Free public employment bureaus—Omaha welfare board.*

SECTION 1. In each city of the metropolitan class there may be a board of public welfare, which shall be selected as provided by ordinance: *Provided,* That the members of said board shall not be selected prior to June 15, 1915. The board of public welfare shall have such power as may be provided by ordinance, which shall include, subject to such limitations as may be provided by the mayor and city council; Law applies where.
Powers of board.

* * * * *
The authority to establish an employment bureau.
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Approved April 16, 1915.

CHAPTER 171.—*Assignments of wages.*

SECTION 1. Every contract or agreement for the sale, assignment or transfer of the wages or earnings of the head of a family shall be void unless such contract, agreement, assignment or transfer shall be executed and acknowledged by both husband and wife in the same manner that conveyances of real estate are required to be signed and acknowledged by the laws of this State. Spouse to sign.

Approved March 11, 1915.

CHAPTER 187.—*Mothers' pensions.*

SECTION 1. Hereafter, when a petition is filed in the county court of any county in the State, properly verified by any person, stating that the said person is the parent of any child or children; that all of said persons are and have been for two years last past actual residents of the State of Nebraska and residents of the county where the petition is filed for at least one year Petition.

- last past; that such residence was not acquired with the intention of applying for relief under this act; and that such child or children are liable to become dependent or neglected, that the petitioner is trying to maintain a home, that by reason of limited means said person is not able to properly care for, maintain and educate said child or children, the county judge shall try and determine the matters contained in the said petition: *Provided*, That no such hearing shall be had except in the presence of the county attorney of the county wherein the petitioner resides, which county attorney shall appear and represent said county in said matter: *Provided further*, In counties having more than fifty thousand inhabitants at the last general census, the said petition shall be filed and the hearing had in the district court of the county.
- Hearing.**
- Order.** SEC. 2. If upon the hearing of said petition, the court finds the allegations thereof are true, and that the petitioner is poor and unable to properly care for such child or children but otherwise is a proper guardian and that it is for the welfare of the child or children to remain at home under the guardianship of their mother, or guardian, the court may make an order finding such facts and fixing the amount of money necessary to enable the petitioner to properly care for such child or children, and thereupon, it shall be the duty of the court to certify his findings to the board of supervisors or commissioners and it shall be the duty of said board to pay to the petitioner the amount so specified therein for the benefit of said petitioner until the further order of the court: *Provided*, Not more than \$10 per month shall be allowed for the care of each child: *Provided further*, No such order shall be effective for more than six months, unless renewed by the court at or after the expiration of that period. All payments are to be made from the general fund of the county.
- Amount of relief.**

Approved March 18, 1915.

CHAPTER 202.—*Railroads—Height of wires above tracks.*

- Who to supervise.** SECTION 1. The Nebraska State railway commission shall have general supervision over any and all wires for transmitting electric current, or any other wire whatsoever crossing under or over any track of a railroad in this State at public highway crossings.
- Regulations.** SEC. 2. Within thirty (30) days from the taking effect of this act, said Nebraska State Railway Commission shall make regulations prescribing the manner in which said wires shall cross such railroad tracks in this State at public highway crossings.
- Act unlawful.** SEC. 3. It shall hereafter be unlawful for any corporation or person or association of persons to place or string any such wire for transmitting electric current, or any wire whatsoever, across any track of a railroad in this State at public highway crossings, except in such manner as may be prescribed by the Nebraska State Railway Commission as provided by this act.
- Investigation.** SEC. 4. The Nebraska State Railway Commission shall, as soon as possible, after the taking effect of this act, either by personal examination or otherwise, obtain information where the track or tracks of railroads at public highway crossings are crossed by wires strung over said tracks contrary to or not in compliance with the rules prescribed by the said Nebraska State Railway Commission, as contemplated by this act, and shall order such change or changes to be made by the persons or corporations, or associations of persons owning or operating such wires, as it may deem necessary to make the same comply with said rules, and within such reasonable time as it may prescribe. In case the railroad companies and other interested persons, companies or corporations affected by the act are unable to agree as to which party shall pay or bear the cost or any part thereof of any such changes the Nebraska State Railway Commission shall decide and determine which party shall pay or bear the cost of such changes, at public highway crossings.

Sec. 5. In case such wire or wires cross over said track, in no case shall said Nebraska State Railway Commission prescribe a less clearance than twenty-five (25) feet above the rails under the most unfavorable conditions of temperature and loading for all wires except electric wires for trolley cars, and such wires shall not be placed at a height of less than twenty-two (22) feet from the top of the rails. Height of wires.

Sec. 6. The Nebraska State Railway Commission is hereby authorized to provide for and regulate the crossing of wires over, under and across railroad rights of way at public highways within the State: *Provided*, That when the crossing desired is between steam and electric railways, the respective companies owning or operating steam or electric lines shall attempt to agree upon the terms and conditions of such crossing, and if such agreement can not be concluded then the Nebraska State Railway Commission shall have jurisdiction to determine the terms and conditions, subject to this act. Crossing right of way.

Sec. 7. Any person or corporation, or association of persons, who shall string or maintain any wire over, under or across any railroad track in this State at a different height or in a different manner than that prescribed by the Nebraska State Railway Commission, shall forfeit and pay to the State of Nebraska the sum of one hundred (\$100) dollars for each separate period of ten days during which such wire is so maintained, said forfeiture to be recovered in a civil action brought in any court of competent jurisdiction in the name of the State of Nebraska, by the attorney general, or by the county attorney of the county in which such wire is situated, at the request of the Nebraska State Railway Commission, and it is hereby made the duty of the said attorney general and of the respective county attorneys to bring such action forthwith upon being so requested. Violations.

Approved, April 17, 1915.

CHAPTER 204.—*Assignments of wages—Wage brokers.*

SECTION 1. It shall be unlawful for any person, firm, partnership, association or corporation to engage or continue in the business of making loans or make a loan on plain indorsed or guaranteed notes or due bills, or otherwise, or upon the mortgage or pledge of chattels or real or personal property of any kind or of purchasing or making loans on salaries or wage earnings or of furnishing guarantee or security in connection with any loan or purchase as aforesaid at a greater rate of interest than ten per cent per annum: *Provided*, That any person, firm, partnership, association or corporation may after procuring a license from the secretary of state engage or continue in such business and charge an examination fee and a brokerage fee: *Provided, further*, That the interest and examination fee and brokerage fee contracted for or required to be made by such licensed money lenders, though the same may aggregate a greater amount, taking into account all the terms and conditions of such transactions, that [than] is, or may be allowed by the laws of this State to be taken or collected as interest on the ordinary contracts for the payment of money, shall not make such payment, or contract therefore [therefor], usurious, but all such contracts may be enforced, and such interest and examination fee and brokerage fee collected in the same manner as other debts on contracts not usurious: *Provided, further*, That no person, firm, partnership, association or corporation within this State shall be exempt from the operation of the usury law of this State except such as hold such license as provided in this act. Interest rate.

Sec. 2. Any person, firm [,] partnership, association or corporation desiring to obtain a license shall apply therefor under oath on forms prescribed by the secretary of state and by paying annually a license fee in the sum of sixty dollars shall be entitled to obtain a license. The said license shall be issued by the secretary of state and shall expire the first day of March next Fees.

Contracts not usurious.

License.

following the date of its issuance but no abatement of said charges shall be made if licenses are issued for less than one year. Every such license shall be renewed annually on the first day of March in each year. No license shall be granted to any person, firm, partnership, corporation or association unless and until such applicant shall in writing and in due form to be first approved by and filed with the secretary of state, appoint the county clerk of the county where the business is to be conducted as agent, upon whom all judicial and other processes or legal notice directed to such applicant may be served and service on said agent shall be equivalent to personal service on the licensee. That said secretary of state may revoke any license if the licensee shall knowingly violate any of the provisions of this act. Whenever for any cause such license is revoked, said secretary of state shall not issue another to said licensee until the expiration of at least one year from the date of revocation of such license and not at all if such licensee shall have been convicted of a violation of this act.

Application. SEC. 3. Every application shall be filed not less than thirty days prior to the granting of such license and notice of the filing of such application shall be posted in the office of the said secretary of state and be published by the secretary of state at least twice each week for three successive weeks in a daily newspaper of general circulation published in the county where the applicant resides or the said business is to be located, the expense of publication to be paid by applicant. Protest may be made by any person to the issuing of such license and when such protests are filed with said secretary of state the latter shall give notice to persons whom he considers interested and hold a public hearing within two weeks on such protest before issuing such license. The said secretary of state shall have the power to reject any application for license after hearing upon such protest.

Bond. SEC. 4. Such license shall not be issued until licensee gives to the secretary of state a bond in the penal sum of two thousand dollars to be executed by the licensee and a surety company approved by the secretary of state conditioned for the faithful performance by the licensee of the duties and obligations pertaining to the business so licensed and the prompt payment of any judgment recovered against him or for which any one of the licensees may be liable under the provisions of this act, which bond shall be renewed and refiled annually in March of each year or the licensed person, firm or corporation shall within thirty days thereafter cease doing business and his or their license shall be revoked by the said secretary of state, but said bond until renewed and refiled shall remain in full force and effect.

Statements required. SEC. 5. The application for a license shall state fully the name or names, the address of the person or corporation and of every member of the firm, partnership, corporation or association authorized to do business thereunder and the location of the office or place of business in which the business is conducted and in the case of a corporation shall also state the date and place of its incorporation, the names and address of its directors for the period for which the license is issued, the name and address of the agent as provided in section 2 of this act. Such license shall be kept posted in a conspicuous place in the office where the business is transacted. No person, firm, partnership, corporation or association so licensed shall transact or solicit business under any other name. Not more than one office or place of business shall be maintained under the same license. But in case of removal the

Posting. secretary of state may, on application, indorse thereon a transfer to the new place of business with the date of transfer and from the time of such indorsement the new place so designated shall be deemed the place designated in the license.

Single office. SEC. 6. The secretary of state is hereby charged with the duty of inspecting the business records and accounts of all persons, firms, corporations or associations which lend money under the provisions of this act and is hereby empowered to appoint deputy in-

Inspection.

spectors in each county in the State who shall, under the direction of the secretary of state, inspect the books and records of such persons, firms, corporations or associations annually and more often when directed to do so by the secretary of state and said inspectors shall be compensated for their services at the rate of five dollars per day for the time actually employed for such inspection and a full day shall consist of eight working hours. Said compensation for said inspectors' services shall be paid by the person, firm, corporation or association whose business books and records are inspected.

Sec. 7. Each person, firm, partnership, corporation or association licensed as herein provided shall keep a record showing the name of each borrower, the amount of money loaned, the rate of interest charged and the manner in which payment is to be made. And shall give a receipt to the borrower for all money paid on principal, interest, fees or otherwise and the secretary of state in his biennial report shall publish the names, places of business and amount of money loaned by each licensee in the State of Nebraska.

Records.

Sec. 8. Any person, firm, corporation, partnership or association who shall obtain a license in accordance with the provisions of this act shall be entitled to loan money at his, their or its place of business for which said license is issued and to charge the borrower thereof for its use or loan, interest not to exceed the rate of ten per cent per annum and a brokerage fee of not more than one-tenth of the amount actually loaned. No charge in addition to the said interest and brokerage fee shall be exacted, charged or collected, excepting an examination fee of not more than fifty cents on all loans not exceeding fifty dollars in amount: *Provided*, That where loans are made for a period of less than six months the examination fee and brokerage fee shall be pro rated according to the period for which said loan is made: *And provided further*, If personal property is deposited with the licensee as security for a loan then no examination fee shall be charged.

Interest and charges.

It shall not be lawful for said lender to divide or split up applications for loans or said loans under any pretext whatsoever so as to require or exact any other or greater charges than prescribed herein; or to make any charges for renewals or extensions or for any transfers or changes of any loan or loans within six months of the date of the original loan. Said licensee shall be entitled to charge for each renewal, extension or transfer of any loan made after the expiration of six months from date of said loan a new brokerage fee as hereinbefore specified: *Providing*, Said renewal, extension or transfer shall be for a period of not less than six months from date of making said renewal, extension or transfer; and said new brokerage fee shall be chargeable only upon the balance of the principal of the original loan which shall be actually due at time of renewal, extension or transfer. The brokerage fee chargeable either upon the original loan or upon a renewal, extension or transfer shall not be payable in advance but only upon final payment of loan. Interest shall not be payable in advance and chargeable only upon unpaid balances. The examination fee hereinbefore provided shall be payable at the time of the making of the loan. A licensee shall not be entitled to any examination fee or any charge whatsoever unless a loan is actually made. If interest or charges in excess of those hereinbefore prescribed shall be received by any licensee, the said licensee shall thereupon lose all his right to collect or receive any sum whatever on said indebtedness.

Larger charges.

Renewals, etc.

Sec. 9. No such person, firm, partnership, corporation or association so licensed shall receive any chattel mortgage or assignment of salary or wages signed in blank but all blank spaces shall be filled in with ink or typewritten or printed with the proper names and amounts showing the name of the person, firm, partnership, corporation or association by whom the person making the conveyance or assignment is employed. No assignment or order for wages shall be valid which contains an amount in excess of

Assignment of wages.

the sum borrowed, together with the legal rate of interest and charges as provided herein. No licensee shall take a power of attorney or any instrument signed by an attorney and not personally, or any instrument signed in which blanks are left to be filled after execution. No assignment of or order for wages to secure a loan or advancement shall be valid when made by a married man or woman unless the written consent of the wife or husband to the making of said loan is attached thereto.

Spouse to sign.

Statements to be furnished. Every person, firm, partnership, corporation or association as licensed as herein provided shall give to each assignor or borrower a card upon which shall be written in ink or typewritten or printed in English the name of the person, firm, partnership, corporation or association making such loan, the name of the assignor or borrower, the amount of the loan, the amount of interest charged, the amount of expense charged exclusive of interest and the time for which such charge is made, the date when the loan is made and the date when payable; and shall also give the assignor or borrower a receipt for each payment on principal, interest or any other charge made on the loan and if any payment consists of principal or interest, or any other charge, such receipt shall specify the amount of each.

Violations.

SEC. 10. Any person, firm, partnership, corporation or association violating any of the provisions of this act shall, upon conviction or upon judgment in civil action by the borrower, forfeit to the borrower both principal and interest, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars or be imprisoned in the county jail not less than thirty days nor more than three months. Any person convicted of making a false statement to secure a loan shall pay a fine of not more than twenty-five dollars or be imprisoned in the county jail not exceeding ten days but such a punishment shall not be exacted where such a loan is made after the money lender is aware of the falsity of the statement.

False statements.

Acts of agents.

SEC. 11. Any person acting as the agent of any other person, firm, partnership, corporation or association engaged in the business of chattel or salary loans under the terms of this act who shall, in the course of said business, or who shall in any manner violate any of the provisions of this act, [shall] be deemed guilty of a misdemeanor and shall, upon conviction thereof, pay a fine of not less than twenty-five dollars and not more than one hundred dollars or be imprisoned in the county jail not less than thirty days or more than three months, or both such fine or [and] imprisonment in the discretion of the court.

Provisions severable.

SEC. 12. If any clause, sentence, paragraph or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Approved, April 14, 1915.

CHAPTER 209.—*Private employment offices.*

License required.

SECTION 1. No person, firm or corporation in this State shall open, operate or maintain a private employment agency for hire or for help without first obtaining a license for the same from the commissioner of labor, and the license fee shall be sixty (\$60) dollars per annum payable in advance on the first day of May of each year, and shall expire on the last day of April of each year. Every license shall contain a designation of the city, street and number of the building in which the licensed parties conduct said employment agency and no employment agency shall be conducted in any room or rooms where intoxicating liquor is sold, offered for sale or given away or in any room or rooms in connection therewith. In case of removal to another location during the period covered by such license, the commis-

sioner of labor shall be at once notified and the license corrected accordingly. No such license shall be transferable: *Provided*, That the license fee for teachers agencies shall be the sum of ten (\$10) dollars per annum.

Sec. 2. The commissioner of labor or the deputy commissioner of labor shall require with each application for a license a surety bond in the penal sum of two thousand dollars (\$2000) to be approved by said commissioner of labor and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions or requirements of this act. The deputy commissioner of labor is authorized to cause an action or actions to be brought on said bond in the name of the State for any violation of any of its conditions and he may revoke upon a full hearing any license whenever in his judgment the party licensed shall have violated any of the provisions of this act; and in the prosecution of any such inquiry, the deputy commissioner of labor is hereby empowered to administer oaths, subpoena witnesses, take depositions, compel the attendance of witnesses, and the production of books, accounts, papers, records, documents and testimony.

Bond.

Sec. 3. In case of refusal of any person to comply with the order of the commissioner of labor or his deputy or subpoena issued by him or the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, or refusal to permit any inspection as aforesaid, the deputy commissioner of labor may cancel the license held by such person, firm or corporation refusing to comply with the orders of the commissioner of labor: *Provided*, That the orders of the commissioner of labor be in accord with the provisions of this act. When such license shall be so canceled it shall not be reissued to said person, firm or corporation for a period of six months from the date of said cancellation.

Cancellation of license.

Sec. 4. No private employment agency shall print, publish or paint on any sign, window, or insert in any newspaper or publication a name similar to that of the Nebraska Free Employment Bureau.

Use of name.

Sec. 5. It shall be the duty of every licensed agency to keep a register in which shall be entered the name and sex of every person for whom employment is secured, and the amount of fee charged. Such licensed agency shall also enter into a register the name and address of every person for whom help or servants are secured. Such register shall at all reasonable hours be open to the inspection and examination of the deputy commissioner of labor or his agent, and a copy of such facts shall be filed with the deputy commissioner of labor not later than the 10th day of each succeeding calendar month.

Register.

Sec. 6. Every licensed agency shall issue a receipt to each person securing employment or help showing the occupation, name and address of the applicant, and the amount of the fee charged for procuring the position and such receipt shall also show the wages to be paid to said person securing employment, together with the name and address of the employer and the name of the agency issuing such receipt. Also the nature of the employment offered and if a strike or lockout is known to exist the fact shall be stated.

Receipts.

Said receipt shall be made upon forms prescribed by the commissioner of labor and the third copy to [shall] be retained by the agency issuing same. The carbon copy of each and every receipt issued shall be mailed to the deputy commissioner of labor as prescribed in section 5.

Sec. 7. No licensed agency shall charge a registration fee for filing or receiving application for help or employment nor on any agreement to furnish employment or help. Monthly reports shall be made to the deputy commissioner of labor upon forms prescribed by him, showing all registrations for employment or help.

No registration fee.

Sec. 8. The fee for procuring employment or help shall in all cases be clearly set out in the receipt as provided in section 6. The receipt shall plainly show the amount of the fee, all commis-

Fee for procuring employment.

sions and expenses or compensations whatsoever to such licensed agency for procuring employment or help. In case the party paying such fee fails to obtain the employment specified and such failure shall not be the fault of such applicant for employment, such licensed agency shall repay the same to such person upon demand being made therefor: *Provided*, That in cases where the person seeking employment is sent beyond the limits of the city in which such employment agency operates, such licensed agency shall repay in addition to the above any actual expenses incurred by reason of failure to receive employment, in all cases when it shall appear that the employment agency made false representations.

Dividing fees.

SEC. 9. Any licensed agency, or agent thereof, who shall be guilty of dividing fees with any superintendent, manager, foreman or other employer of any person, company, corporation or association, for whom employees are furnished shall be guilty of a misdemeanor and shall be fined not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars for each offense, or be imprisoned in the county jail for a period not exceeding three months at the discretion of the court.

Immoral resorts.

SEC. 10. No agency shall knowingly send or cause to be sent any female help or servant to any place of bad repute, house of ill fame, or assignation house, or to any house or place of amusement kept for immoral purposes. No such licensed agency shall publish or cause to be published any false information, make any false promise concerning or relating to work or employment to any one who shall register for employment and no licensed agency shall make any false entries in the register to be kept as herein provided.

Enforcement.

SEC. 11. It shall be the duty of the deputy commissioner of labor to enforce this act. When informed of any violation thereof it shall be his duty to investigate same, as hereinbefore provided, and he may institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. Any person convicted of a violation of the provisions of this act not otherwise provided for, shall be guilty of a misdemeanor and shall be fined not less than fifty (\$50) dollars nor more than one hundred dollars (\$100) for each offense or be imprisoned in the county jail for a period not to exceed three months or both such fine and imprisonment at the discretion of the court: *Provided*, That any person or persons who shall send any female help or servant to any place of bad repute, house of ill fame or assignation house or to any house or place of amusement kept for immoral purposes, shall be punished by imprisonment for not less than thirty days nor more than three months and no license to operate an employment agency shall be issued to such party.

Violations.

Duty of employers.

SEC. 12. Every person, company, corporation or association doing business in this State, who shall have persons brought into this State for the purpose of employment through or by means of any employment agency operating in another State, shall fulfill the terms of the contract made between such persons shipped in for the purpose of employment and the employment agency, or shall within a reasonable period of time after the arrival of such persons desiring employment provide such persons with transportation to their original starting point and such meals and lodging as may be necessary for the proper subsistence of such persons until they arrive at their destination. Failure to comply with this section shall subject the offending parties to a fine of not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars for each offense.

Definition.

SEC. 14. The term employment or work, whenever used in this act, shall be construed to mean manual or mechanical labor, clerical, domestic or professional service.

Agency defined.

SEC. 15. Any person, firm or corporation who for hire or with a view to profit shall undertake to secure employment or help or through the medium of cards, circulars, pamphlets of any nature whatsoever, or through the display of a sign or bulletin offer to

secure employment or help or give information as to where employment or help shall be secured, shall be deemed a private employment agency and shall be subject to the provisions of this act.

SEC. 16. In case for any reason, any paragraph or any provision of this act shall be questioned in any court and shall be held to be unconstitutional or invalid, the same shall not be held to affect any other paragraph or provision of this act. Provisions severable.

SEC. 17. All fees herein provided for shall be paid into State treasury and placed to the credit of the bureau of labor and shall be appropriated every two years by the legislature for the use of said bureau. Use of fees.

Approved, April 16, 1915.

CHAPTER 210.—*Damages for personal injuries—Physicians' liens.*

SECTION 1. Whenever any person shall employ a physician to perform professional services in connection with an injury and such injured person shall claim damages from the party causing the injury, such physician shall have a lien on the amount due for the reasonable value of services necessarily performed: *Provided*, That no physician's lien shall be valid against any one coming under the workmen's compensation act. What sum a lien.

SEC. 2. In order to perfect such lien it shall be necessary for such physician to serve a written notice upon the person or corporation from whom damages are claimed, that he claims a lien for professional services stating therein the amount due and the nature of such services: Proviso.

Provided, however, That whenever an action is pending in court for the recovery of such damages, it shall be sufficient to file a notice of such lien in the pending action. Notice.

SEC. 3. The term "physician" shall include "surgeon" and shall mean one legally authorized to practice his profession within the State of Nebraska and in good standing in his profession at the time. Definition.

Approved March 11, 1915.

14015°—Bull. 186—16—15

NEVADA.

ACTS OF 1915.

CHAPTER 8.—*Mine regulations—Inspection.*

SECTION 1. * * * Section 4201 of the Revised Laws of Nevada, is hereby amended to read as follows:

Section 4. It shall be the duty of the inspector of mines at least once a year, to visit in person each mining county in the State of Nevada and examine all such mines therein as, in his judgment, may require the examination for the purpose of determining the condition of such mines as to safety, and said inspector of mines shall post or cause to be posted, in a prominent place upon the gallows frame or other superstructure at the collar of the main workings of such mine, a copy of his recommendations within twenty-four hours from the date of such examination, and it shall be the duty of the inspector of mines to collect information and statistics relative to mines and mining and the mineral resources of the State, and to collect, arrange, and classify mineral and geological specimens found in this State and to forward the same to the State school of mines, and it shall be the duty of the inspector of mines to establish a uniform code of signals. Annual in-
spections.

Approved February 8, 1915.

CHAPTER 41.—*Discharge of employees—Hearings.*

SECTION 1. It shall be unlawful for any person, firm, association, or corporation, or agent, superintendent, or manager thereof, employing any special agent, detective, or person commonly known as "spotter" for the purpose of investigating, obtaining and reporting to the employer, his agent, superintendent, or manager, information concerning his employees, to discipline or discharge any employee in his service, where such act of discipline or the discharge is based upon a report by such special agent, detective, or spotter, which report involves a question of integrity, honesty, or a breach of rules of the employer, unless such employer, his agent, superintendent, or manager shall give notice and accord a hearing to the employee thus accused, when requested by the said employee, at which hearing said accused employee shall have opportunity to be confronted with the person making such report and shall have the right to furnish testimony in his defense. Hearing to
be allowed,
when.

Sec. 2. Any person, corporation, firm, association, or employer violating any provision of this act shall be liable to the State of Nevada for a penalty of five hundred dollars for each offense; and such penalty shall be recovered and suit brought in the name of the State of Nevada in a court of proper jurisdiction by the attorney general, or under his directions by the district attorney in any county having proper jurisdiction. Violations.

Approved February 27, 1915.

CHAPTER 51.—*Employment of labor—Foreman, etc., accepting fees.*

SECTION 1. It shall be and is hereby made unlawful for any manager, superintendent, officer, agent, servant, foreman, shift boss, or other employee of any person or corporation, charged or intrusted with the employment of any workmen or laborers, or Accepting
fees unlawful.

with the continuance of workmen or laborers in employment, to demand or receive, either directly or indirectly, from any workman or laborer, employed through his agency, or worked or continued in employment under his direction or control, any fee, commission, or gratuity of any kind or nature as the price or condition of the employment of any such workman or laborer, or as the price or condition of his continuance in such employment; any such manager, superintendent, officer, agent, servant, foreman, shift boss, or other employee of any person or corporation, charged or intrusted with the employment of laborers or workmen for his principal, or under whose direction or control such workmen and laborers are engaged in work and labor for such principal, who shall demand or receive, either directly or indirectly, any fee, commission, or gratuity of any kind or nature, from any workman or laborer employed by him or through his agency, or worked under his direction and control, either as the price and condition of the employment of such workman or laborer, or as the price and condition of the continuance of such workman or laborer in such employment, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars (\$50) and not exceeding three hundred dollars (\$300), or by imprisonment not exceeding six (6) months, or both such fine and imprisonment, in the discretion of the court trying the charge.

Penalty.

SEC. 2. Section * * * 6783 of the Revised Laws of 1912, is hereby repealed.

Approved March 2, 1915.

CHAPTER 62.—*Protection of employees as voters, etc.*

Interference forbidden.

SECTION 1. It shall be unlawful for any person, firm, or corporation doing business or employing labor in the State of Nevada to make any rule or regulation, prohibiting or preventing any employee from engaging in politics or becoming a candidate for any public office in this State.

Violations.

SEC. 2. Any person, firm, or corporation violating the provisions of this act shall upon conviction thereof be fined in a sum of not less than one hundred dollars nor more than five hundred dollars. The foregoing penalty shall be recovered in a suit brought for that purpose by the attorney general in the name and for the benefit of the State of Nevada, but no such prosecution shall be commenced later than three months after the commission of the offense herein described. In all prosecutions hereunder the person, firm, or corporation violating this act shall be held responsible for the acts of his, her or its managers, officers, agents, and employees.

Damages.

SEC. 3. Nothing herein contained shall be construed to prevent the injured employee from recovering damages from his or her employer for injury suffered through violation of this act.

Approved March 6, 1915.

CHAPTER 73.—*Mine regulations—Supply of drinking water.*

Water to be supplied.

SECTION 1. Every corporation, company, owner, or operator of a mine or underground workings in this State employing more than five men, shall, during working hours, provide suitable receptacles containing fresh, clean water for drinking purposes at places convenient to where men are employed in said underground workings. Said receptacles shall be supplied with a substantial cover which may be securely fastened or locked to prevent dust or dirt from entering therein, and shall be so made that the water shall be drawn from a valve or faucet.

Enforcement.

SEC. 2. It shall be the duty of the State inspector of mines to enforce the provisions of this act.

Violations.

SEC. 3. Any corporation, company, owner, or operator who fails, neglects, or refuses to obey the provisions of this act shall be

guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

Approved March 8, 1915.

CHAPTER 86.—*Railroads—Sufficient crews for trains.*

SECTION 1. Section 5 of * * * [Chapter 74, Acts of 1913] is hereby amended so as to read as follows:

Section 5. The provisions of this act shall not apply to or include any railroad company, or receiver, or manager thereof, of any line of railroad in this State less than 95 miles in length, nor of any line of railroad in this State on which but one train a day is operated each way; neither shall they apply to the operation of light engines and tenders when running as such outside the yard limits.

Exemption.

Approved March 11, 1915.

CHAPTER 128.—*Railroads—Headlights on locomotives.*

SECTION 1. Section 1 of * * * [Chapter 32, Acts of 1913] is hereby amended to read as follows:

Section 1. Every company, corporational lessee, manager, or receiver, owning or operating a railroad in this State, is hereby required to equip, maintain, use, and display at night upon each and every locomotive being operated in road service in this State, an electric or other headlight of at least 1,500-candlepower, measured without the aid of a reflector: *Provided*, That any electric headlight, which will pick up and distinguish an object the size of a man dressed in dark clothes upon a dark, clear night at a distance of 1,000 feet, shall be deemed the equivalent of a 1,500-candlepower headlight measured without the aid of a reflector: *Provided further*, That this act shall not apply to locomotive engines regularly used in switching cars or trains: *And provided further*, That this act shall not apply to railroads not maintaining regular night-train schedules nor to locomotives going to or returning from repair shops when ordered in for repairs.

Headlight required.

SEC. 2. Section 2 of the * * * [act above mentioned] is hereby repealed.

Approved March 15, 1915.

CHAPTER 131.—*Mothers' pensions.*

SECTION 1. It shall be the duty of the county commissioners of each county in this State, and they are hereby empowered and authorized, to provide funds in an amount sufficient to meet the purposes and requirements of this law, for the support of women whose husbands are dead or are inmates of a penal institution or an insane asylum, or who are abandoned by their husbands, and such abandonment has continued for more than one year, or because of the total disability of their husbands, and who are unable to support their children, when such women are destitute or are dependent upon their own efforts for the maintenance of their children and are mothers of children under the age of fifteen years, and such mothers and children reside in such counties in the State.

Who to receive aid.

SEC. 2. The allowance to each of such mothers shall not exceed the sum of fifteen dollars per month when she has but one child under the age of fifteen years, and if she has more than one child under the age of fifteen years, it shall not exceed the sum of fifteen dollars a month for the first child and five dollars a month for each of the other children under the age of fifteen years.

Amount.

Conditions. Sec. 3. Such allowance shall be made and fixed by the board of county commissioners for their respective counties upon the following conditions:

First—The child or children for whose benefit the allowance is made must be living with the mother of such child or children.

Second—When by means of such allowance the mother will be able to maintain a home for her child or children.

Third—The mother must, in the judgment of the board of county commissioners, be a proper person, morally, physically, and mentally, for the bringing up of her children.

Fourth—No person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least one year next before the making of such application for such allowance.

Age limit. Sec. 4. Whenever any child shall reach the age of fifteen years, any allowance made to the mother of such child, for the benefit of such child, shall cease. The board of county commissioners may, in their discretion, at any time before such child reaches the age of fifteen years, discontinue or modify the allowance to any mother or for any child.

Fraud. Sec. 5. Any person procuring fraudulently any allowance for a person not entitled thereto shall be deemed guilty of a gross misdemeanor.

Order. Sec. 6. In each case where an allowance is made to any woman under the provisions of this act, an order to that effect shall be entered upon the records of the board of county commissioners making such allowance. Proceedings to obtain the benefits of this act shall be instituted by the applicant for allowance by filing an application before the board of county commissioners, same being properly verified under oath.

Appeals. Sec. 7. In each case where an allowance is made or refused to any mother under the provisions of this act by the board of county commissioners, an appeal may be taken to the district court from such decision, by the applicant or by any taxpaying citizen, and such appeal shall be subject to the rules of procedure as in the case of appeals from the justice court.

Legal advice. Sec. 8. The district attorney shall render all necessary assistance to applicants under this act, and shall appear in every such proceeding, and shall carefully investigate the merits of every application, to the end that this act may be fairly administered and no person granted relief hereunder except those justly entitled thereto; and no officer of the court or county officer shall receive any fees for services rendered in carrying out the provisions of this act. A certified copy of said order shall be filed with the county auditor of the county in which such child's mother is resident, and thereupon, and thereafter, and so long as such order remains in force and unmodified, it shall be the duty of the county auditor each month to draw on the general fund of the county in favor of the mother for the amount specified in such order, which warrant shall be by the auditor delivered to the mother upon her executing duplicate receipts therefor, one to be retained by the auditor, and the other to be filed by the clerk with the records in the proceeding relating to such child or children. It shall be the duty of the county treasurer, and he is hereby authorized and empowered, to pay such warrant out of the general funds of the county.

Approved March 15, 1915.

CHAPTER 186.—*Blacklisting—Statement of cause of discharge.*

SECTION 1. Section * * * [6782, Revised Statutes] is hereby amended to read as follows:

Clearance
letter.

Section 6782. The two preceding sections shall not be construed as prohibiting any corporation, company, organization, or individual from giving in writing, at the time said employee leaves or is discharged from the service of said employer, a truthful statement of the reason for such leaving of the service or discharge of such employee, nor shall the foregoing sections be con-

strued to prevent any employer from giving any employee or former employee any statement with reference to any meritorious services which said employee may have rendered to such employer, and it shall be the duty of the employer to supply upon demand from employee, statements as provided in this section. The word "employee," as used in this act, shall be construed to mean every person who shall have entered upon service or employment of an employer, and such employment shall be deemed to commence from the date of the entry or performance of any service, and any contract of employment, rule, regulation, or device to the contrary shall be void: *Provided*, That no statement shall be required unless the employee shall have been in service for a period of not less than sixty days and that only one such statement shall be issued to such employee.

Approved March 22, 1915.

CHAPTER 203.—*Labor commissioner.*

SECTION 1. There is hereby created the office of labor commissioner [commissioner] of the State of Nevada, and one member of the Nevada industrial commission, other than a State officer, shall be designated by the governor to act as [sic] ex officio as such commissioner. Said commissioner shall receive as compensation for his services as labor commissioner a salary of six hundred (\$600) dollars per annum, payable in monthly installments out of the State treasury of Nevada as other salaries are paid. Said commissioner shall receive his actual traveling expenses when traveling in the discharge of his official duties, and may employ such clerical or stenographic assistance, not to exceed the sum of one thousand (\$1,000) dollars per annum, as may be approved by the board of examiners.

SEC. 2. Said commissioner shall collect and systematize, and present in biennial reports to the governor and legislature, statistical details relating to labor in the State.

SEC. 3. Said statistics may be classed as follows:

First—In agriculture.

Second—In mining.

Third—In mechanical and manufacturing industries.

Fourth—In transportation.

Fifth—In clerical and other skilled and unskilled labor not mentioned above.

Sixth—The number, age, sex, and condition of persons employed, the nature of their employment, the extent to which the apprenticeship system prevails in the various industries, the number of hours of labor per day, the average length of time employed per annum, and the net wages received in the industries and employments within the State.

Seventh—The number and condition of the unemployed, their age, sex, and nationality and the cause of their unemployment.

Eighth—The sanitary conditions of workshops, dwellings, the cost of fuel, rent, food, clothing, and necessities of life; the extent to which labor-saving processes are employed in the displacement of labor.

Ninth—The number and condition of the Chinese and Japanese in this State, and to what extent their labor comes into competition with the other industrial classes of the State.

Tenth—The number and nature of the employment of inmates in State prisons and county jails, and the extent their employment comes into competition with labor outside of these institutions.

Eleventh—The number of hospitals within the State; the number of hospitals maintained through cooperative arrangements between employer and employee; the cost of maintenance thereof; the amount of fees charged for hospital, medical, and surgical attention to employees in the State; the character of the arrangements and maintenance thereof between employer and employee; the sanitary condition and efficiency of such hospitals; the nature of their equipment and the character of services, expert and otherwise, rendered therein.

Letter to be given.

Definition.

Office created.

Salary.

Expenses.

Duty.

Statistics.

Twelfth—A description of the different kinds of labor organizations within the State, their objects, purposes, and accomplishments, as near as may be.

Thirteenth—The number of employment bureaus or agencies within the State, character, and nature of their business, requirements, fees, and service.

Fourteenth—All such other information in relation to labor as said commissioner may deem essential to further the objects of this act.

Law enforcement.

SEC. 4. Said commissioner shall inform himself of all laws of the State for the protection of life and limb in any of the industries in this State, all laws regulating the hours of labor, the employment of minors, and all other laws enacted for the safety of the public and for the protection of employees; and it shall be the duty of said labor commissioner to enforce all such laws in the State, and whenever after due inquiry he shall be satisfied that any such law has been violated he shall present the facts to the district attorney of any county in which such violation occurred, and it shall be the duty of such district attorney to prosecute the same.

Cooperation.

SEC. 5. Said labor commissioner shall cooperate with such bureaus or departments of labor of the National Government and other States as may be established.

Duty of public officers.

SEC. 6. It shall be the duty of all State, county, and precinct officers to furnish upon written request of said labor commissioner all information in their power necessary to assist in carrying out the objects of this act.

Office to be open

SEC. 7. The office of the bureau shall be open for business from 9 a. m. until 5 o'clock p. m. every day, except Sunday and the holidays observed by other State officers; and the officers shall give to all persons requesting it all needed information which they may possess: *Provided*, That no information that is of such a nature that it would be against public policy and against the best interest of the bureau will be given to any one.

Powers.

SEC. 8. Said labor commissioner shall have the power to examine witnesses, administer oaths, and take testimony in all matters relating to the duties and requirements of this act, and such testimony shall be taken in some suitable place in the vicinity to which the testimony is applicable. Said labor commissioner may compel the attendance of witnesses, and may issue subpoenas: *Provided, however*, That no witness fees shall be paid to any witness unless he be required to testify at a place more than five miles from his place of residence, in which event the witness shall be paid the same fees as a witness before a district court, such payment to be made from the fund appropriated for such purposes in the county in which the testimony is taken and witness examined in the same manner as provided for the payment of witness fees in the district court of such county. Any person duly subpoenaed under the provisions of this section, who shall willfully refuse or neglect to testify at the time and place named in the subpoena, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Entering places of employment.

SEC. 9. Said labor commissioner shall have the power to enter any store, foundry, mill, office, workshop, mine, or public or private works at any reasonable time for the purpose of gathering facts and statistics contemplated by this act, and to examine safeguards and methods of protection from danger to employees; the sanitary conditions of the buildings and surroundings, and make a record thereof; and any owner, corporation, occupant, or officer who shall refuse such entry to said labor commissioner, his officers or agents, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by

imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment.

SEC. 10. The labor commissioner is hereby authorized, with the approval of the board of examiners, to compile and issue such bulletins pertaining to labor and industries of the State as he may deem necessary, and such bulletins, when approved for printing and distribution, shall be printed at the State printing office.

Bulletins.

SEC. 11. Said labor commissioner shall prepare forms and blanks for the purpose of gathering the information and statistics required by this act, and may require any person, firm, or corporation to give the information and statistical detail designated in such forms, and any person, firm, or corporation who shall refuse to furnish such detail and statistics in the form required shall be guilty of a misdemeanor, and upon conviction thereof may be fined not less than one hundred dollars nor more than five hundred dollars.

Forms, etc.

SEC. 12. All forms, blanks, envelopes, letterheads, and reports required to be printed by said labor commissioner may, with the approval of the State board of examiners, be printed at the State printing office.

Printing.

SEC. 13. It shall be the duty of the district attorneys of the several counties, upon the complaint of the labor commissioner, to prosecute all violations of law which may be reported to said district attorney by the labor commissioner.

District attorneys.

SEC. 14. For the purpose of carrying out the provisions of this act there is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, the sum of five thousand (\$5,000) dollars. All salaries and expenses enumerated in this act shall be paid from the appropriation named in this section and shall in no manner be taken from the general fund of the State.

Appropriation.

SEC. 15. The labor commissioner shall be provided with properly furnished offices at the capitol in Carson City, Nevada.

Office.

Approved March 24, 1915.

CHAPTER 285.—*Voting by railroad, etc., employees.*

SECTION 22. * * * Any registered elector employed in moving trains, stages, mails, or otherwise upon any of the transportation routes in this State may apply to the registry agent before whom he has been already registered for that electoral year, at any time prior to the delivery of the certified copy of the register to the inspectors of election, and have his name taken off the official register and receive from the registry agent a certificate as above provided [i. e., showing the fact of registration and request for certificate]. Upon presenting, at any time not later than one hour prior to the closing of the polls, to the inspectors of election, in any precinct on the railroad, stage line, or transportation route on which he is employed, including the precinct in which he originally registered, the certificate mentioned above, and his written affidavit, which may be subscribed and sworn to before any of the inspectors of election, or any officer authorized to administer oaths, stating that he was so suddenly called away or detained by the transportation business in which he is employed that he did not have time to vote in the precinct in which he was originally registered, or to reregister under his transfer in that or any other precinct before the delivery of the certified copy of the register to the inspectors of election, the inspectors of election shall accept and file the certificate and affidavit and shall cause the name of the elector to be entered upon the certified copy of the register and the check list under the designation "Electors allowed to vote upon presentation of certificate and affidavit on election day," and shall thereupon allow the elector to vote, the same as if his name had originally appeared upon the register, or certified copy thereof, and check list.

Who may vote.

Method.

Approved March 29, 1915.

NEW HAMPSHIRE.

ACTS OF 1915.

CHAPTER 45.—*Public works—Preference to resident bidders.*

SECTION 1. In the award of contracts for any construction, repairs, furnishing, or equipment to be paid for by money from the State treasury, preference shall be given to the New Hampshire persons, firms, and corporations submitting bids for the same: *Provided*, That the responsibility of the bidders and the quality of the work to be done or article to be furnished shall be equal to those proposed by bidders from without the State, and that the price demanded therefor is not greater than that proposed by said bidders from without the State.

What bidders preferred.

Proviso.

Approved March 10, 1915.

CHAPTER 61.—*Employment of children—General provisions.*

[This act amends chapter 162, Acts of 1911. Section 9 is amended by inserting after the clause, "or where there is no superintendent," the words "or in the absence of the superintendent."

Section 10 is amended by adding thereto the following:]

Provided, however, That a certificate which shall be valid only during a vacation period of the school year may be issued without requiring any certificate of school record; nor shall an ability to read understandingly and write legibly simple sentences in the English language be a prerequisite to the issuance of such certificate. Said certificate shall plainly state on the face thereof the beginning and ending of the period during which it shall be valid, such period in no case to exceed three months; but in all respects other than the above such certificates shall comply with the provisions of this chapter.

Vacation certificates.

Approved March 24, 1915.

CHAPTER 117.—*Inspection of steam vessels.*

SECTION 1. Section 1 of chapter 185, Laws of 1913, is hereby amended by adding at the end of said section the following:

The commission may also, subject to the approval of the governor and council, appoint such assistant inspectors of boats as may in their judgment be required, who shall perform such part of the duties of the inspector of boats as may be assigned to them by the commission. The inspector and assistant inspectors of boats, in addition to their duties heretofore in this section prescribed, shall, under the direction of the commission, assist in the enforcement of the laws and the rules and regulations prescribed by the commission governing the inspection and licensing of boats, and the operation and equipment thereof, and the classification, examination, and certification of captains, masters, engineers, and pilots of all such boats; and in the enforcement of such laws and of such rules and regulations each of them shall have all the powers of a deputy sheriff in any county of the State. Boats kept principally for the purpose of letting, either by themselves or in connection with camps, cottages, or other real estate, shall be deemed to be kept for hire.

Assistant inspectors.

Duties.

Approved April 14, 1915.

CHAPTER 123.—*Fire escapes on factories, etc.*

What buildings to have fire escapes.	SECTION 1. No building three or more stories in height used or occupied above the second story as a * * * factory, mill, or workshop [workshop], * * * shall be let, leased, or occupied for such purposes, * * * unless provided with a steel or wrought-iron balcony and stairway fire escape attached to the outer wall in such manner and place as to render egress from said building easy and safe, and shall be subject to the approval as to location of the selectmen of towns or of such city officials as may be designated by the city governments for that purpose.
Number.	If any such building be of a length greater than one hundred and fifty feet, it shall be provided with one additional such fire escape for each additional one hundred and fifty feet or fractional part thereof. Every building in which laborers are employed shall be provided with sufficient means of escape in case of fire by more than one exit, each of which shall be at all times free from obstruction and ready for immediate use. Every door leading into any such building shall be so constructed as to open outward when practicable, and shall not be so locked, bolted, or fastened during working hours as to prevent free egress. This act shall not apply to buildings which contain an approved sprinkler system and stairways enclosed with fireproof walls, or other means of exit duly approved in writing by the selectmen of towns or by such city officials as may be designated by city governments for that purpose. But it shall not be necessary to secure the approval of said officers for any such building as has been theretofore duly approved by officials authorized at the time of such approval to grant the same.
Doors.	
Exemptions.	
Height, etc.	SEC. 2. Such fire escapes shall reach within eight feet of the ground, and the locations of the exits thereto shall be designated by red lights during such hours of the night as the building is occupied for the purposes designated in section 1 of this act.
Violations.	SEC. 3. If any person shall violate any of the provisions of this act, he shall be fined not exceeding five hundred dollars or be imprisoned not exceeding six months, or both, and it shall be the duty of said officers to enforce the provisions of this act.
	Approved April 15, 1915.

CHAPTER 132.—*Mothers' pensions.*

Appropriation.	SECTION 1. It shall be the duty of the superintendent of public instruction to recommend a special appropriation at each session of the legislature of an amount sufficient to meet the purpose of this act for the partial support of mothers.
Amount to be allowed.	SEC. 2. The allowance to each of such mothers shall not exceed ten dollars a month when she has but one child under the age of sixteen years; and if she has more than one child under the age of sixteen years, it shall not exceed the sum of ten dollars a month for the first child and five dollars a month for each of the other children under the age of sixteen years.
Petition.	SEC. 3. A petition in writing, signed by the mother and verified by affidavit, asking for an allowance under the provisions of this act and setting forth in detail the facts of the case, shall be filed with the school board of the town wherein such mother is a resident, and it shall be the duty of the school board to make immediate investigation of the facts. The school board shall then make an official written recommendation of the amount of support that such mother should receive and shall file the same, together with a copy of such mother's petition, with the department of public instruction.
Investigation.	SEC. 4. It shall be the duty of the department of public instruction to make a further personal investigation of the case, when the facts set forth in the original petition of such mother and recommendation of the school board warrant any action being taken, and increase or decrease the amount of the allowance recommended in

the report of the school board on such case in their discretion, and such investigation shall be made by them within fourteen days of the date of the filing of the recommendation of the school board. The department of public instruction may increase or decrease the amount of such allowance at any time thereafter, to meet the varied needs of such mother, but no change in the amount of such allowance shall be made without an official recommendation in writing from the school board of the town wherein such mother is a resident, or a personal investigation by the department of public instruction at a period of not more than thirty days prior to such change in the amount of such allowance.

Sec. 5. No aid shall be rendered to dependent mothers under the preceding sections of this act except under the following conditions: (1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when, in the absence of such allowance, the mother would be required to work regularly away from home and children, and when by means of such allowance she will be able to remain at home with her children; (3) the mother must, in the judgment of the school board of the town or the department of public instruction, be a proper person, morally, physically, and mentally, for the bringing up of her children; (4) no person shall receive the benefit of this act who shall not have been a resident of the State for at least two years next before the making of such application for an allowance under this act.

Conditions.

Sec. 6. Whenever any child shall reach the age of sixteen years, an allowance made to the mother of such child for his benefit shall cease.

Age limit.

Sec. 7. The provisions of this law shall not apply to any woman who is not dependent on her own efforts for the support of herself and family and at the time of receiving such aid is not of good repute and making an earnest effort for self-support.

Who to be aided.

Sec. 8. All expenses incurred by school boards under the provisions of this act shall be paid out of the school money of the town or city where such case arises.

Expenses of the school boards.

Sec. 9. The sum of eight thousand dollars is hereby appropriated to cover the provisions of this act for the year ending August 31, 1916, and a like amount for the year ending August 31, 1917.

Appropriation.

Approved April 21, 1915.

CHAPTER 148.—*Actions for personal injuries—Contributory negligence.*

SECTION 1. Hereafter, in all actions of tort for personal injury, contributory negligence on the part of the plaintiff shall be a good defense to the action, and the burden of proving the same shall be upon the defendant.

Burden of proof.

Approved April 21, 1915.

CHAPTER 164.—*Employment of women and children—Hours of labor.*

[This act amends section 1 of chapter 156, Acts of 1913, by inserting after the word "minor" in the first line the words "under eighteen years of age"; also by striking out the words "one night" in the last sentence and inserting in lieu thereof the words "two nights"; also by adding the following proviso:]

And provided further, That in mercantile establishments one hour and one-quarter at least for dinner and, on days when she shall be employed after eight o'clock p. m., one hour and one-quarter at least for supper be so allowed each female.

Time for meals.

[Section 2 of this act reads as follows:]

Work at Christmas. Sec. 2. The provisions of section 1, chapter 156, Laws of 1913, as amended by this act, shall not apply to the mercantile establishments of the State for the period of seven days immediately preceding Christmas day in each year; but the total number of hours of labor for any regular female employee or minor under eighteen years of age shall not exceed fifty-five hours per week

Lost time. for the full year. In the case of time lost through accident in any manufacturing establishment, sufficient time outside the regular daily working hours may be worked by any female or minor under eighteen years of age to make up the time lost through such accident: *Provided*, The hours of actual labor shall not exceed ten and one-fourth hours in any one day.

Approved April 21, 1915.

NEW JERSEY.

ACTS OF 1913.

[The following chapter was so extensively amended by acts of the legislature of 1915 that it is here reproduced in full, as amended.]

CHAPTER 281.—*Mothers' pensions.*

SECTION 1 (as amended by chapter 118, Acts of 1915). Any widow who is the mother of a child or children under the age of sixteen, and who is unable to support them and to maintain her home, may present a petition for assistance to the court of common pleas of the county wherein she has a legal settlement: *Provided, however,* That in counties of the first class in this State the juvenile court shall have concurrent jurisdiction with the court of common pleas of such county to hear and determine all matters pursuant to the provisions of this act.

Petition.

SEC. 2. Such petition shall be verified and shall set forth the following:

Contents.

(a) Her name, the date of the death of her husband, the names of her children, and the dates and places of their birth and the time and place of her marriage.

(b) Her residence and the length of time that she has been a resident of the State, the length of time she has lived at said residence and the address or addresses of her place or places of abode for the previous five years, and the date, as near as possible, when she moved in and when she left said place or places of residence.

(c) A statement of all the property belonging to her and to each of her children, which statement shall include any future or contingent interests which she or any of them may have.

(d) A statement of the efforts made by her to support her children.

(e) The names, relationships and addresses of all her and her husband's relatives, that may be known.

SEC. 3 (as amended by chapter 238, Acts of 1915). A copy of the petition provided for in section two hereof, and a notice of the time and place when it will be presented to the court, must be served on or mailed to the overseer of the poor having jurisdiction over the district wherein the petitioner resides and the board of children's guardians at least forty days before such time.

Service on overseer of poor.

SEC. 4 (as amended by chapter 238, Acts of 1915). Upon the return of the petition and notice the court shall examine under oath all who desire to be heard: *Provided, however,* That the New Jersey State Board of Children's Guardians shall before said hearing examine into the truth of the facts set forth in the above-mentioned petition and shall file a report of its findings, with the court, setting forth in full the results of its investigation, and if such State board of children's guardians shall fail to make such report at or before said hearing then the court may, in its discretion, designate any proper society, or person or persons, to make such investigation or examination and report the findings thereof at such time as shall be fixed by the court, and upon such report being made the clerk of said court shall send a copy of the same to the State board of children's guardians. The court may, in its discretion, issue subpoenas for the attendance of witnesses and adjourn the hearing from day to day: *And provided,*

Hearing.

however, The court may refer said matter to a commissioner to be appointed by the court to hear such witnesses as shall be produced by the petitioner, or the State board of children's guardians or others. Said commissioner shall make a report to the court setting forth the facts as proven before him.

Order.

SEC. 5 (as amended by chapter 118, Acts of 1915). If upon the completion of the examination provided for under section four hereof, the court shall find that said petitioner has been a resident of such county for a period of at least five years next preceding the filing of such application and that unless relief is granted the mother will be unable properly to support and educate her children, and that they may become a public charge. It shall make an order committing said family to the care of the State board of children's guardians, and directing that there shall be paid to the mother, through the State board of children's guardians out of the county funds for the maintenance and support of the children under sixteen, the following amounts, to wit, not exceeding nine dollars per month for one such child, not exceeding fourteen dollars per month for two such children and not exceeding four dollars per month for each additional child under such age.

Supervision.

SEC. 6. It shall be the duty of the State board of children's guardians to see that any widow committed to its care, pursuant to the provisions of this act is properly caring for her children, that they are sufficiently clothed and fed, that they attend school regularly and receive proper religious instruction; and that said family shall be visited at least six times a year. The State board of children's guardians shall report immediately to the court that had the original jurisdiction in the case of any widow who does not properly care for and educate her child or children, or when they find that she is an improper guardian for said child or children, or when they find that she no longer needs such sup-

Cancellation.

port. The court shall thereupon revoke or cancel any order made pursuant to this act, at any time with or without notice, and in lieu thereof make any that in the judgment of the court may protect the welfare of the child or children, or may make an order committing said child or children to the care, custody and control of the New Jersey State Board of Children's Guardians, said child or children so committed to their care to be held by said New Jersey State Board of Children's Guardians pursuant to a statute entitled "An act for the creation of a State board of children's guardians," * * * [Secs. 62-74, pp. 2819-2820 of Compiled Statutes].

Fees.

SEC. 7 (as amended by chapter 118, Acts of 1915). No fees or costs shall be paid or allowed by the court for any proceedings held pursuant to this act, nor shall any counsel fee be ordered or collected from any party applying to the court pursuant to the provisions of this act and all proceedings pursuant to this act shall be in forma pauperis: *Provided, however*, That the court may in its discretion direct a medical examination of the petitioner and of any of the children, and designate a physician of the county to make such examination, the cost of which shall be paid out of the county funds appropriated under the provisions of this act, upon bills approved by the judge ordering such medical examination: *And provided, further*, That all birth, death and marriage certificates required under the provisions of this act shall be issued free of charge, upon the order of the county counsel, the probation officer or the State board of children's guardians.

ACTS OF 1915.

CHAPTER 43.—*Employment of unskilled laborers by cities, etc.—
Poor persons.*

Employment SECTION 1. Whenever in any city or other municipality of this
to be provided, State there is a relief committee for the relief of unemployed
when. persons in said city or other municipality, it may be lawful for

the common council, board or body having charge and control of the various departments employing unskilled labor in any such city or other municipality, to select from the needy poor of any such city or other municipality, persons who are residents of any such city or other municipality, to do such work as unskilled laborers as may be assigned to any such persons by the said common council, board or body, having charge and control of the various departments employing unskilled labor in any city or other municipality as aforesaid; but when such persons are employed as aforesaid, their roster of payment shall first be submitted to the civil service commission of this State for its approval, and said commission shall give its approval whenever it is satisfied that the provisions of this act have been complied with, and said civil service commission is hereby authorized to make such investigation as to the employment of such persons as in their judgment they may deem proper, or they may take the certification of the common council of any such city or other municipality as a sufficient warrant for the approval of said roster.

Approved March 10, 1915.

CHAPTER 47.—*Free public employment offices.*

SECTION 1. The department of labor is hereby authorized to establish such labor bureaus in the offices of the department of labor, or elsewhere in the State, as the commissioner of labor may deem advisable, for the following purposes: To bring together employers seeking employees and working people seeking employment; to supply information as to opportunities for securing employment in this State, and the character of the work to be performed; to supply such information as may enable persons to secure industrial and agricultural training and employment; to investigate the extent and causes of unemployment in the State of New Jersey, and as far as possible to suggest remedies therefor; to adopt the most efficient means within its power to avoid unemployment; to provide employment and to prevent distress from involuntary idleness; and to keep a record of all labor disturbances or strikes brought to its attention.

SEC. 2. The commissioner of labor is authorized to appoint advisory committees or agents, who shall serve without pay, to aid in carrying on this work in the various parts of the State.

SEC. 3. The commissioner of labor shall secure all data as to unemployment and also in regard to those who desire to secure employees, and shall take the most efficient method in disseminating such information throughout the State as may enable those unemployed to secure the positions.

SEC. 4. The commissioner of labor is authorized to cooperate with any other public employment bureaus, whether operated by voluntary, charitable or eleemosynary organizations or by municipalities in this or other States or by States or by the United States Government.

SEC. 5. No fees or other compensation shall be charged or received, directly or indirectly, for any service performed pursuant to the provisions of this act, from any person applying for employment or from any person desiring an employee.

SEC. 6. The agents in charge of the labor bureaus organized pursuant to this act or cooperating with the department of labor in carrying out the provisions of this act shall keep a record of all labor disturbances or strikes that occur in the territory covered by each office. All such agents shall give notice of the existence of any labor disturbance or strike to all applicants for a position who may be affected thereby.

SEC. 7. The commissioner of labor may, in his discretion, issue such bulletins, notices, circulars or other printed matter as may be necessary for carrying out the objects of this act.

General powers. **Sec. 8.** The commissioner of labor may, for the purposes of carrying out this act, use such offices, employees or funds at his command, or fees received by him, as may be available for that purpose.

Approved March 10, 1915.

CHAPTER 118.—*Mothers' pensions.*

[See pp. 239, 240.]

CHAPTER 238.—*Mothers' pensions.*

[See p. 239.]

CHAPTER 246.—*Employment of children—Violations of law—Abuse.*

Abuse of children. **SECTION 1.** Abuse of a child shall consist in any of the following acts: * * * (b) employing or permitting a child to be employed in any vocation or employment injurious to its health or dangerous to its life or limb, or contrary to the laws of this State; (c) employing or permitting a child to be employed in any occupation, employment or vocation dangerous to the morals of such child or children; * * *

Dangerous, etc., employments.

Penalty.

SEC. 2. Any parent, guardian or person having the care, custody or control of any child or children, who shall abuse, * * * said child or children, or any person who shall abuse, * * * any child or children, shall be deemed to be guilty of "cruelty and neglect of children" and, upon conviction thereof, be fined not to exceed one hundred dollars, or to imprisonment [sic] for a term not exceeding one year, in the workhouse or penitentiary, or both, at the discretion of the magistrate before whom such conviction may be had; * * *

Approved April 8, 1915.

CHAPTER 266.—*Exemption of wages from execution.*

When execution may issue.

SECTION 1. Hereafter when a judgment has been recovered and where an execution issued upon said judgment has been returned wholly or partly unsatisfied, and where any wages, debts, earnings, salary, income from trust funds, or profits are due and owing to the judgment debtor, or shall thereafter become due and owing to him, to the amount of eighteen dollars or more per week, the judgment creditor may apply to the court in which said judgment was recovered or the court having jurisdiction of the same without notice to the judgment debtor and upon satisfactory proofs of such facts by affidavits or otherwise, the court, if a court not of record, a judge or justice thereof, must issue, or if a court of record, a judge or justice must grant an order directing that an execution issue against the wages, debts, earnings, salary, income from trust funds or profits of said judgment debtor and on presentation of such execution by the officers to whom delivered for collection to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing, or thereafter become due and owing to the judgment debtor, said execution shall become a lien and a continuing levy upon the wages, debts, earnings, salary, income from trust funds or profits due or to become due to said judgment debtor to the amount specified therein, which shall not exceed ten per cent unless the income of said debtor shall exceed the sum of one thousand dollars per annum, in which case the judge may order a larger percentage, and said levy shall become a continuing levy until said execution and the expenses thereof are fully satisfied and paid or until modified as hereinafter provided, but only one execution against the wages, debts, earnings, salary, income from trust funds or profits of said judgment debtor shall be satisfied at

Effect of execution.

Amount.

one time, and where more than one execution has been issued or shall be issued pursuant to the provisions of this section against the same judgment debtor they shall be satisfied in the order of priority in which such executions are presented to the person or persons from whom such wages, debts, earnings, salary, income from trust funds or profits are due and owing.

SEC. 2. It shall be the duty of any person or corporation, municipal or otherwise, to whom said execution shall be presented, and who shall at such time be indebted to the judgment debtor named in such execution, or who shall become indebted to such judgment debtor in the future, and while said execution shall remain a lien upon said indebtedness, to pay over to the officer presenting the same, such amount of such indebtedness as such execution shall prescribe until said execution shall be wholly satisfied, and such payment shall be a bar to any action therefor by any such judgment debtor. If such person or corporation, municipal or otherwise, to whom said execution shall be presented shall fail, or refuse to pay over to said officer presenting said execution the percentage of said indebtedness, he shall be liable to an action therefor by the judgment creditor named in said execution, and the amount so recovered by such judgment creditor shall be applied towards the payment of said execution. Either party may apply at any time to the court from which such execution shall issue, or to the court of common pleas of the county, upon such notice to the other party as such court, judge or justice shall direct for a modification of said execution, and upon such hearing the said court, judge or justice may make such modification of said execution as shall be deemed just, and such execution as so modified shall continue in full force and effect until fully paid and satisfied, or until further modified as herein provided.

Duty of
debtor.

Approved April 12, 1915.

CHAPTER 324.—*Pension funds for employees of street and water departments—Cities of the first class.*

SECTION 1. In any city of the first class in this State which now has, or may hereafter have, a board of street and water commissioners, it shall be lawful for the employees of such board to associate themselves together as a corporation for the purpose of providing and obtaining a fund to pension such employees.

Who may as-
sociate.

SEC. 2. For the purpose of forming such a pension corporation or association, the chief engineer or other chief officer or person in charge of such employees shall notify each employee of such board holding any position of permanent employment or seasonal employment, not including laborers, unless such labor work is paid on a weekly, monthly or annual salary basis for a continuous employment of such labor and recognized as permanent appointees of the board, it being the intent to exclude transient labor employment from the operation of this act, to attend a meeting to be held not less than five days after the giving of such notice, to consider the formation of a corporation in accordance with this act. Said notice shall be in writing and shall specify the time and place of the meeting of such employees. If two-thirds of the employees present at such meeting shall vote in favor of forming such a corporation they shall adopt a resolution to that effect and shall choose a name for the corporation, and shall organize by electing three persons selected from the said employees of such board, who, together with the president of such board of street and water commissioners and the chief engineer, or person in charge of said employees (the latter two being ex officio members), shall constitute a board of trustees. The first trustees so created under this act shall prepare and sign a certificate reciting the adoption of the resolution by the employees as hereinbefore directed, the name adopted, the appointment of trustees, the organization and the names of officers and execution of the certificate, for the

Organiza-
tion.

Trustees.

purpose of forming a corporation under this act for the purposes herein set forth, which certificate shall be recorded in the office of the clerk of the county wherein such corporation shall be organized, and shall then be filed in the office of the commissioner of banking and insurance, at Trenton, in this State, and thereupon such trustees, their associates and successors, shall be and become a body politic and corporate in law with all the powers incident thereto.

- Control of fund.** Sec. 3. The pension fund to be formed as herein provided shall be under the control and management of said board of five trustees. * * *
- Bond.** Sec. 4. Such trustees and all other officers of the said corporation shall give bonds with some duly authorized security company as surety thereon, for the faithful performance of their duties, in such sum or sums as shall be fixed by the by-laws of the corporation.
- Officers.** Sec. 5. The said board of trustees shall at its first meeting, and at each annual meeting thereafter, elect a chairman, secretary and treasurer and such other officers as they may deem necessary; and the board may fix a compensation for such secretary and treasurer, but the chairman of said board of trustees shall serve without compensation.
- Payments.** Sec. 6. All moneys paid out of such pension fund shall be paid by the treasurer of such corporation upon warrants signed by the chairman of the board of trustees and countersigned by the secretary thereof, and no warrant shall be drawn except by the order of said board upon a ye and nay vote recorded in the minutes of said board. Such board of trustees may deposit such fund in any of the banks or trust companies of any such city, and may invest the same in bonds secured by first mortgages on improved property worth at least twice the amount loaned, or in bonds of the United States or of this State, or any city or county in this State. All income, interest or dividend which shall be paid or agreed to be paid on account of any loan or deposit shall belong to and constitute a part of said fund.
- Deposits, etc.**
- Reports.** Sec. 7. The board of trustees shall make to the pension association a semiannual report of the condition of such fund and the manner in which the same is invested, in the months of January and July in each year.
- Exemption.** Sec. 8. All pensions granted under this act shall be exempt from execution, attachment or any other legal process whatever. Such pension fund shall be provided and sustained as follows:
- Support.**
- I. By paying into such pension fund moneys which may have been received by any such board of street and water commissioners from fines and fees, and such other source of income which may, from time to time, be designated for such purpose by said board.
- II. By all rewards, fees, gifts or emoluments paid or given for extraordinary services rendered by any member of the pension association, except when the same is allowed by the board of street and water commissioners specifically to such member of the pension association, or when the same is especially given to endow a medal or some other competitive reward.
- III. By all appropriations, donations, devises and bequests that may be made or given to such pension fund by any such municipality or other corporation or person, and any such municipality is hereby authorized to make appropriations to any pension fund created under this act.
- IV. The board of trustees of any pension corporation or association created under this act may assess and collect from each and every member of the association, or employee of such board of street and water commissioners who shall take advantage of this act as herein provided, a sum not exceeding two per cent of his annual salary, which said sum shall be paid by each member monthly to the treasurer of such pension corporation or association, and such assessment and collection shall be made in manner and form as may be provided in the by-laws of the pen-

sion association, and whenever any such member of the pension association shall die, leave or be discharged from the employ of any such board of street and water commissioners, having served therein for a less term than twenty-five years, all payments made by such employee to such pension fund shall be forfeited by him and shall be added to and become a part of such pension fund. The board of trustees is hereby empowered, in its judgment, to make it a condition of membership in the pension association hereby authorized to be formed, that each member shall sign an order on the city treasurer directing the retention of the amount of the assessment levied upon members of the pension association, to be paid over directly to the association by retention from his salary, or in the case of men on the weekly pay roll an order on the disbursing officer to the same effect, and the city treasurer and any disbursing officer is hereby directed to make such retentions and payments as provided herein: *Provided*, That such retention from salary payments shall only become operative in the event of the same being incorporated as a part of the by-laws of any pension association formed under this act.

SEC. 9. Pensions shall be paid from such fund in the following manner:

I. In any city of the first class in this State in which this act shall become operative all members of such pension corporation or association formed from the employees of any board of street and water commissioners who shall have served in the employ of the city in the aggregate for twenty-five years shall, upon application to the board of street and water commissioners in any such city, be retired by such board, and shall thereafter receive from the pension fund created under this act an amount annually as follows:

Who are
beneficiaries.

If such employee and member of the pension association formed hereby shall have paid into said pension fund for five years, in the aggregate, all assessments required by the pension association, he shall receive as pension twenty per cent of the annual salary received by such employee at the time of his retirement, and as the number of years during which such employee has paid into the pension fund all the assessments levied by the trustees increases, the percentage of the amount of the salary received by such employee at the time of his retirement shall be increased at the rate of two per cent for each additional year over five years, until the total amount of such pension shall equal fifty per cent of the salary received by such employee at the time of his retirement, which payment of fifty per cent of the annual salary would then be due any employee so being retired after he has made payments into the pension fund in the aggregate for twenty years.

II. If any employee of the board of street and water commissioners, member of the pension association hereby authorized to be formed, shall hereafter become incapacitated, either mentally or physically, for the performance of his duties, whenever such incapacity is the result of injury received or illness incurred in the discharge of his duties as an employee of such board of street and water commissioners, he may be retired by such board, and thereupon be entitled to receive from such pension fund, during the term of such incapacity or injury, an amount based on the number of years during which he has paid assessments levied by the board of trustees as herein provided, equal to the proportion of the salary being received at the time of such incapacity as herein provided for permanent retirement after due term of service.

III. Any employee of the board of street and water commissioners, member of the pension association, who shall have served the city twenty-five years in the aggregate, and shall become incapacitated, either mentally or physically, from illness or injury incurred in the performance of his duty as such employee, or who by reason of advanced age is found unfit by the board of street and water commissioners for the performance of his duties,

shall be retired by said board, and shall be entitled to receive from the pension fund created in accordance with this act a proportional amount of the salary received by him at the time of his retirement as herein provided for optional retirement.

IV. No pension shall be paid out of the fund created under this act until five years after the creation of the pension corporation or association provided for under this act.

**New mem-
bers.**

SEC. 10. Persons employed by any such board of street and water commissioners at the time of the creation of the pension corporation or association in accordance with this act shall not be eligible to take advantage or become members of such pension association after the expiration of two years from the incorporation thereof, except by a two-thirds vote of the then members of any such pension association; and all persons coming into the employ of any such board subsequent to the formation of any such pension association shall not be entitled to take advantage of the provisions of such eligibility for membership in such pension association unless he shall, within two years after the date upon which he shall have been appointed, make application to the board of trustees for membership in such pension association, and such application [applicant], in either of these two classes, shall be required to pay into such pension fund at the time of making application a sum of money equal to two per cent of the salary of such employee from the date of his appointment to the date of such application; and no such application shall be antedated.

**False state-
ments.**

SEC. 11. Any person who shall willfully or knowingly swear falsely in any oath or affirmation for the purpose of obtaining or procuring any pension or the payment thereof, under the provisions of this act, shall be deemed guilty of perjury upon conviction thereof, and shall be punished by law for such crime.

**Misuse of
funds.**

SEC. 12. Any employee of the board of the street and water commissioners who shall be included in the provisions of this act who shall unlawfully retain any of the moneys, funds, properties or effects of any corporation organized under this act shall forever be debarred from receiving any benefit or relief from any such pension fund.

**Joining asso-
ciation.**

SEC. 13. Any employee of any such board of street and water commissioners hereinbefore mentioned who shall be eligible for membership in the pension association authorized by this act may avail himself of the benefits of such pension fund by making application in writing for membership therein and paying into said fund monthly the assessments levied by the board of trustees: *Provided, however,* That employees who desire to take advantage of this act after the formation of such corporation or the creation of such pension fund shall be required to conform to the provisions of section ten of this act.

**Change of
government.**

SEC. 14. In the event of a change in the method of government of any city of the first class in which the pension corporation or association in accordance with the provisions of this act has been incorporated, such association shall not thereby become inoperative, but shall extend to and continue in force and effect in so far as the provisions of this act may be consistent with such change and rearrangement of the duties and positions of the members of any pension corporation or association, and the provisions hereof shall apply to any new board or body which shall be charged with the supervision of the several departments under which the members of any such pension corporation or association are employed.

Approved April 14, 1915.

CHAPTER 351.—*Department of labor.*

**Consolida-
tion.**

SECTION 1. The bureau of industrial statistics of New Jersey is hereby merged into and consolidated with the department of labor.

**Offices abol-
ished.**

SEC. 2. The offices of the director and assistant director of the bureau of industrial statistics are hereby abolished.

SEC. 3. The department of labor shall exercise all the powers and perform all the duties now exercised and performed by or conferred and discharged [charged] upon the bureau of industrial statistics, its director and assistant director. Powers continued.

SEC. 4. The officers and employees now in the employ of the bureau of industrial statistics shall be retained in their present offices or positions and shall continue as employees of the department of labor, unless removed in accordance with the provision of an act entitled "An act regulating employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities thereof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight. The commissioner of labor, however, may, abolish any office or position, which in his judgment, it may be unnecessary to retain. Officers and employees.

SEC. 5. All acts and parts of acts inconsistent with the provision of this act are hereby repealed and this act shall take effect on the first day of July, one thousand nine hundred and fifteen. Repeal.

Passed April 20, 1915.

NEW MEXICO.

ACTS OF 1915.

CHAPTER 26.—*Exemption of wages from garnishment.*

SECTION 1. Section 26 of chapter 63 of the Laws of 1909 * * * is hereby amended to read as follows:

Section 26. No person shall be charged as garnishee on account of current wages due from him to a defendant in his employ for more than twenty per cent of any wages due such defendant for the last thirty days' service unless the wages due said defendant exceed fifty dollars per month. If such wages exceed fifty dollars per month, garnishment may be had for the full amount of the excess above fifty dollars: *Provided*, That no exemption whatever shall be claimed where the debt was incurred for the necessities of life, nor by any person who is not a resident of the State and the head of a family. Excepting in all cases where the plaintiff has a judgment against the defendant in some court of this State, no public officer shall be summoned as a garnishee in his official capacity. In all cases where the plaintiff has a judgment in some court of the State against the defendant any public officer may be summoned as garnishee, and the return of such public officer shall be by a statement over his official signature of the amount due the defendant, which said statement shall be filed by such public officer without costs in the action. School districts and officers thereof shall not be liable to garnishment.

What amount liable.

Public officers.

Approved March 6, 1915.

CHAPTER 37.—*Railroads—Headlights on locomotives.*

SECTION 1. It shall be the duty of every railroad corporation, receiver, or lessee thereof, operating any line of railroad in this State, on or before January 1, 1916, to equip all locomotive engines when in use in the transportation of trains over said railroad, with headlights which with the aid of a reflector will enable the engineer on such locomotive to see an object the size of a man at a distance of at least eight hundred (800) feet: *Provided*, This act shall not apply to locomotive engines which are regularly employed in yard service, known as switch engines, nor to any railroad less than sixteen miles in length: *And provided further*, That this act shall not apply to engines now used by any railroad company operating in New Mexico, which are used only in cases of emergency (emergency) or exceptionally heavy traffic on short lines or branch lines and upon which the expense of equipping (equipping) said engines with headlights as herein provided, would not be justified in the opinion of the State corporation commission on account of the small value of such engines.

Headlights required.

SEC. 2. Any railroad company or the receiver or lessee thereof, doing business in the State of New Mexico, which shall violate the provisions of this act, shall be liable to the State of New Mexico for a penalty of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each and every locomotive engine not so equipped (equipped) counting each train handled by such locomotive a separate (separate) and distinct offence (offense) and such penalties shall be recovered and suit brought in the name of the State of New Mexico in a court of

Violations.

proper jurisdiction, in any county in or through which such line of railroad may be operated.

Enforcement. SEC. 3. It shall be the duty of the State corporation commission to lodge with the proper district attorneys information of any such violations as may come to it's [its] knowledge.

Knowledge. SEC. 4. In all prosecutions under this act the railway company shall be deemed to have had knowledge of all acts of its officers or agents.

Duty of attorney general. SEC. 5. In case of the failure of any district attorney to bring such suit within a reasonable time after information shall have been lodged with him, by the State corporation commission or any other person, of any violation of this act, it shall be the duty of the attorney general upon being informed of such fact to cause such prosecution to be commenced.

Approved March 10, 1915.

CHAPTER 49.—*Mine regulations.*

[This act amends sections 6 and 7, chapter 80, Acts of 1912. The first amendment affects section 6, subsection 16, and substitutes one drag for two in the requirements for each rope trip. Subsection 17, relating to shot firers, and section 7, subsection 7, relating to undercutting before blasting, are amended by exempting from these requirements anthracite mines not producing inflammable gas.]

NEW YORK.

ACTS OF 1915.

CHAPTER 4.—*Fire escapes, etc.—State fire marshal.*

[This act repeals only article 10A, chapter 28, Con. Laws.]

CHAPTER 51.—*Employment on public works—Citizens to be preferred.*

SECTION 1. Section fourteen of * * * chapter thirty-one of the Consolidated Laws, is hereby amended to read as follows:

Section 14. In the construction of public works by the State or a municipality, or by persons contracting with the State or such municipality, preference shall be given to citizens over aliens. Aliens may be employed when citizens are not available.

Preference of citizens.

In each contract for the construction of public works a provision shall be inserted, to the effect that, if the provisions of this section are not complied with, the contract shall be void. All boards, officers, agents or employees of cities of the first class of the State, having the power to enter into contracts which provide for the expenditure of public money on public works, shall file in the office of the commissioner of labor the names and addresses of all contractors holding contracts with said cities of the State. Upon the letting of new contracts the names and addresses of such new contractors shall likewise be filed. Upon the demand of the commissioner of labor a contractor shall furnish a list of the names and addresses of all subcontractors in his employ. Each contractor performing work for any city of the first class shall keep a list of his employees, in which it shall be set forth whether they are naturalized or native-born citizens of the United States, together with, in case of naturalization, the date of naturalization and the name of the court where such naturalization was granted. Such lists and records shall be open to the inspection of the commissioner of labor. A violation of this section shall constitute a misdemeanor and shall be punishable by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment for not less than thirty nor more than ninety days, or by both such fine and imprisonment.

Aliens. Contracts.

Register.

SEC. 2. Any board, officer, or agent who has entered into any contract in behalf of the State or a municipality, which contract is affected by the provisions of said section fourteen, shall, if the parties thereto, including the sureties for such parties, other than the State or a municipality, consent, within thirty days after the passage of this act, modify such contract so as to conform to the provisions of section fourteen as hereby amended. Thereupon the said contract shall have the same force and effect as though originally lawfully made as amended: *Provided*, That nothing in this act, nor any waiver made or act done under the authority thereof, shall operate to affect any existing right arising under other provisions of said contract. This act applies to the successor in office or authority of any board, officer, or agent, making such a contract.

Existing contracts.

Became a law March 11, 1915.

CHAPTER 228.—*Mothers' pensions—Boards of child welfare.*

SECTION 1. Chapter * * * twenty-four of the Consolidated Laws, is hereby amended by inserting therein a new article, to be article seven—a thereof, to read as follows:

**Boards of
child welfare.**

Section 148. There shall be a local board of child welfare in each county of the State not wholly within a city, and in each city wholly including one or more counties, which, pursuant to this article, may grant allowances to widowed mothers with one or more children under the age of sixteen years, in order that such children may be suitably cared for in their homes by such mothers.

**Members in
counties;**

Sec. 149. The board of child welfare of a county shall consist of seven members of which the county superintendent of the poor shall be ex officio member. If any county have more than one superintendent of the poor, the county judge shall designate, by writing, filed with the county clerk, the superintendent who shall serve as a member of such board. The other six members of the board shall be appointed by the county judge for such terms that the term of one appointive member of the board shall expire each year thereafter. Upon the expiration of the term of office of a member of the board, his successor shall be appointed by the county judge for a full term of six years. If a vacancy occur, otherwise than by expiration of term, in the office of an appointive member of the board, it shall be filled for the unexpired term. At least two members of the board shall be women. Appointments shall be made in writing and filed with the county clerk.

In cities.

Sec. 150. The board of child welfare of a city wholly including one or more counties shall consist of nine members, of which the commissioner of public charities shall be ex officio member. The other eight members of the board shall be appointed by the mayor for such terms that the term of one appointive member of the board shall expire each year thereafter. Upon the expiration of the term of office of a member of the board, his successor shall be appointed by the mayor for a full term of eight years. If a vacancy occur, otherwise than by expiration of term in the office of an appointive member of the board, it shall be filled for the unexpired term. At least three members of the board shall be women.

No salary.

Sec. 151. The members of the board of child welfare, as herein provided, shall receive no compensation for their services as members of such board, but, after appropriations have been duly made as herein provided, they shall be entitled to the actual and necessary expenses incurred by them in properly discharging their official duties, whether while making investigations or otherwise.

**D u t y o f
boards.**

Sec. 152. A board of child welfare shall:

1. Meet and organize within ten days after appointment, and fix the dates for its meetings, which shall be held at least monthly.

2. Elect a chairman, and appoint a secretary of the board, who shall hold office subject to the pleasure of the board.

3. Establish an office and, when specific appropriations have been made for such purposes, employ such officers and employees as may be provided for by the board of supervisors of a county or by the board of estimate and apportionment and the board of aldermen of a city.

4. Establish rules and regulations for the conduct of its business, which shall provide for the careful investigation of all applicants for allowances and the adequate supervision of all persons receiving allowances; such investigations and supervisions, when consistently possible, to be made by the board or by the authorities now intrusted with similar work and without incurring any unnecessary expense. Reports must be filed at least quarterly by the agents, visitors or representatives of the board, with respect to the families receiving allowances granted by the board.

5. Report annually in detail, in counties, to the board of supervisors, and in cities, to the mayor, the result of the transactions of the board for the preceding fiscal year, with such conclusions

and recommendations as may be deemed proper; if required by the board of supervisors or mayor more frequent reports must be given covering fractional parts of a year.

6. Submit annually to the proper fiscal authorities of the county or city an estimate of the funds required to carry out the purposes of this article; in a county such estimate shall be furnished before the annual meeting of the board of supervisors for appropriating moneys and levying taxes; in a city, it shall be submitted at the time provided by law for the submission of other departmental estimates.

7. Be subject to the general supervision of the State board of charities, and make such reports as the State board of charities may require. Any person who has knowledge that relief is being granted in violation of the requirements of this act, may file a verified complaint, in writing, with the State board of charities, setting forth the particulars of such violation, and said State board of charities shall have power, after proper investigation, to revoke allowances or to make such order as it may deem just and equitable and such order shall be complied with by the local board of child welfare.

Sec. 153. The following provisions shall govern the granting of allowances pursuant to this article: Granting allowances.

1. A board of child welfare may, in its discretion, when funds have been appropriated therefor, grant an allowance to any dependent widow residing in the county or city wherein she applies for an allowance, and who is deemed by the local board of child welfare to be a proper person mentally, morally and physically to care for and bring up such child or children: *Provided*, Such widow has been a resident of the county or of the city wherein the application for an allowance is made for a period of two years immediately preceding the application, and whose deceased husband was a citizen of the United States and a resident of the State at the time of his death.

2. Such allowance shall be made by a majority vote of the board duly entered upon the minutes of any regular or special meeting, and may be increased, diminished or totally withdrawn in the discretion of the local board of child welfare.

3. Before granting an allowance the board shall not only determine that the mother is a suitable person to bring up her own children and that aid is necessary to enable her to do so, but further that if such aid is not granted the child or children must be cared for in an institutional home.

4. Such an allowance or allowances shall not exceed the amount or amounts which it would be necessary to pay to an institutional home for the care of such widow's child or children.

5. An allowance granted by the board shall be paid out of any moneys appropriated by the local authorities for such purposes, or otherwise available by the board for such purpose; such local authorities are authorized to appropriate and make available for the board of child welfare and to include in the tax levy for such county or city, such sum or sums, as in their judgment, may be necessary to carry out the provisions of this article; such moneys to be kept in a separate fund and to be disbursed by the proper county or city fiscal authorities on orders of the local board of child welfare and upon proper vouchers therefor.

6. An application for allowance may be made directly to the local board of child welfare or to any member of the board.

7. A full and complete record shall be kept in every case coming either directly or indirectly within the jurisdiction of the board; such record to be available to the proper authorities of county or city interested therein.

8. An allowance made by the board shall not be for a longer continuous period than six months without renewal, which allowance may be continued from time to time at same or different amounts, for similar periods or less, either successively or intermittently or may be revoked at the pleasure of the local board of child welfare.

Appropriations. Sec. 154. The board of supervisors of the county, and the board of estimate and apportionment and the board of aldermen of a city to which this article is applicable, are hereby authorized and empowered annually to appropriate such a sum, if any, as, in their discretion and judgment, may be needed to carry out the provisions of this article, including expenses for administration and relief: *It is further provided,* That no board of child welfare shall expend or contract to expend under the provisions of this act or otherwise, any public moneys not specifically appropriated as herein provided; the board of supervisors of any county may determine, as provided in section one hundred and thirty-eight of the State poor law, the same being chapter forty-two of the Consolidated Laws, whether or not the actual expense for the relief of widowed mothers and their children under this article shall be a charge upon the county or upon the respective towns thereof.

Misdemeanors. Sec. 155. 1. A person who shall procure or attempt to procure, directly or indirectly, any allowance for relief under this article, for or on account of a person not entitled thereto, or shall knowingly or willfully pay or permit to be paid any allowance to a person not entitled thereto, shall be guilty of a misdemeanor.

Became a law April 7, 1915.

CHAPTER 279.—*Suits for wages—Execution—City of New York.*

No property of debtor exempt, when. SECTION 139. In an action by a journeyman, laborer, or other employee whose employment answers to the general description of wage earner, for services rendered or wages earned, if the plaintiff recovers a judgment for a sum not exceeding one hundred dollars, exclusive of costs, and the action was brought within three months after the cause of action accrued, no property of the defendant is exempt from levy and sale on execution; and if the execution is returned wholly or partly unsatisfied, the clerk must, upon the application of the plaintiff, issue an execution against the person of the defendant for the sum remaining uncollected. A defendant arrested in such a case must be actually confined in the jail and is not entitled to the liberties thereof, but must be discharged after having been so confined for fifteen days. After his discharge another execution against his person shall not issue upon the judgment, but the judgment creditor may enforce the judgment against his property. This section shall apply whether the defendant be male or female.

Became a law April 14, 1915.

CHAPTER 321.—*Weekly day of rest.*¹

SECTION 1. Paragraph (e) of subdivision two of section eight-a of chapter * * * thirty-one of the Consolidated Laws, as amended * * * is hereby amended to read as follows:

To whom law does not apply. (e) Employees engaged in the work of any industrial or manufacturing process necessarily continuous, in which no employee is permitted to work more than eight hours in any calendar day, except during period of shift or tour rotation, which shall not, however, be made oftener than once in each calendar week.

Became a law April 17, 1915.

CHAPTER 343.—*Hours of labor in groceries, etc.—Sleeping places for employees.*

SECTION 1. Article eleven of chapter * * * forty-five of the Consolidated Laws, as amended, * * * is hereby amended by inserting after section two hundred and thirty-six, a new section, to be section 236-a, to read as follows:

Weekly hours of work. Section 236-a. No male apprentice or employee over the age of sixteen years in any grocery or provision store located or lying

¹ See also ch. 648.

within the boundaries of any city of the first class shall be permitted to work more than seventy hours a week or more than eleven hours in any one day, except that on the last day of the week such employees may be permitted to work fifteen hours for the purpose of eliminating work on the first day of the week. Nothing herein shall be so construed as to require male apprentices or employees over the age of sixteen years in grocery or provision stores to work on seven days in the week. The work hours shall be consecutive, allowing one hour for each meal. Nothing herein shall be so construed as to affect minors under the age of sixteen years or females of any age, or in any way to repeal or modify chapter three hundred and thirty-one of the laws of nineteen hundred and fourteen. No proprietor of any grocery or provision store located within the boundaries of any city of the first class shall permit any clerk to sleep in any room or apartment in or connected with such store which does not comply with the sanitary regulations of the local board of health: *Providing, however,* That this act shall not affect any proprietor or the family of such proprietor who reside in an apartment connected with such store, which apartment at the time of its building or erection was in conformity with the sanitary regulations of the local board of health. Failure to comply with any of the provisions of this section shall be deemed a misdemeanor.

Sleeping
rooms.

Became a law April 20, 1915.

CHAPTER 347.—*Factory regulations—Protection against fire.*

SECTION 1. Chapter * * * thirty-one of the Consolidated Laws, is hereby amended by inserting therein after section seventy-nine-f, * * * a new section, to be section seventy-nine-g, to read as follows:

Section 79-g. The commissioner of labor, except as otherwise provided in this chapter, shall have the power and is hereby charged with the duty of enforcing all of the provisions of this chapter relating to the prevention of and protection against fire, including specifically the provisions of sections seventy-nine-a, seventy-nine-b, seventy-nine-c, seventy-nine-e and seventy-nine-f, together with the rules and regulations of the industrial board adopted under the authority of any such sections.

Enforcement.

SEC. 2. Section eighty-three-a of such chapter * * * is hereby amended to read as follows:

Section 83-a. 1. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped with a fire alarm signal system with a sufficient number of signals clearly audible to all occupants thereof. The industrial board may make rules and regulations prescribing the number and location of such signals. Such system shall be installed by the owner or lessee of the building and shall permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order. No person shall tamper with, or render ineffective any portion of said system except to repair the same. It shall be the duty of whoever discovers a fire to cause an alarm to be sounded immediately.

Fire alarms.

2. In every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor, a fire drill which will conduct all the occupants of such building to a place of safety and in which all the occupants of such building shall participate simultaneously shall be conducted at least once a month.

Fire drills.

In the city of New York the fire commissioner of such city and elsewhere the industrial board shall make rules, regulations and special orders necessary or suitable to each situation and in the case of buildings containing more than one tenant, necessary or suitable to the adequate cooperation of all the tenants of such building in a fire drill of all the occupants thereof. Such

rules, regulations and orders may prescribe upon whom shall rest the duty of carrying out the same. Such special orders may require posting of the same or an abstract thereof.

3. In the city of New York the fire commissioner of such city, and elsewhere the commissioner of labor is charged with the duty of enforcing this section.

Automatic sprinklers. SEC. 3. Section eighty-three-b of such chapter * * * is hereby amended to read as follows:

Section 83-b. In every factory building over seven stories or over ninety feet in height in which wooden flooring or wooden trim is used and more than two hundred people are regularly employed above the seventh floor or more than ninety feet above the ground level of such building, the owner of the building shall install an automatic sprinkler system approved as to form and manner in the city of New York by the fire commissioner of such city, and elsewhere, by the commissioner of labor. The owner of such a factory building hereafter constructed or of which the construction shall be hereafter completed, shall install such automatic sprinkler system, approved as above provided, before opening a factory therein or within such time thereafter, not exceeding one year, as the fire commissioner of the city of New York, if the building be in such city, and elsewhere the commissioner of labor shall permit for good cause shown. Where any such installation shall not have been made pursuant to the provisions of this section before this amendment takes effect, within the times limited by such provisions, or shall not have been made in any such factory building or buildings now used for a factory constructed or opened since April fifteenth, nineteen hundred and fourteen, such installation shall be made within one year after this section as hereby amended takes effect. Nothing herein contained shall be deemed to remit any penalty heretofore accrued for failure to install any such system within the times heretofore limited.

A failure to comply with this section shall be a misdemeanor as provided by section twelve hundred and seventy-five of the penal law and the provisions hereof shall also be enforced in the city of New York by the fire commissioner of such city in the manner provided by title three of chapter fifteen of the Greater New York charter, and elsewhere by the commissioner of labor.

Waste materials. SEC. 4. Section eighty-three-c of such chapter * * * is hereby amended to read as follows:

Section 83-c. 1. Every factory shall be provided with properly covered fireproof receptacles, the number, style and location of which shall be approved in the city of New York by the fire commissioner, and elsewhere, by the commissioner of labor. There shall be deposited in such receptacles all inflammable waste materials, cuttings and rubbish. No waste materials, cuttings and rubbish shall be permitted to accumulate on the floors of any factory but shall be removed therefrom not less than twice each day. All such waste materials, cuttings and rubbish shall be entirely removed from a factory building at least once in each day, except that baled waste material may be stored in fireproof enclosures: *Provided*, That all such baled waste material shall be removed from such building at least once in each month.

Gas jets. 2. All gas jets or lights in factories shall be properly enclosed by globes, wire cages or otherwise properly protected in a manner approved in the city of New York by the fire commissioner of such city, and elsewhere, by the commissioner of labor.

Smoking. 3. No person shall smoke in any factory but the industrial board in its rules may permit smoking in protected portions of a factory or in special classes of occupancies where in its opinion the safety of the employees would not be endangered thereby. A notice of such prohibition stating the penalty for violation thereof shall be posted in every entrance hall and every elevator car, and in every stair hall and room on every floor of such factory in English and also in such other language or languages as the fire

commissioner of the city of New York in such city, and elsewhere, the commissioner of labor, shall direct. The fire commissioner of the city of New York in such city, and elsewhere, the commissioner of labor shall enforce the provisions of this subdivision.

SEC. 5. Such chapter is hereby amended by adding thereto, after section ninety, a new section to be section ninety-one, to read as follows:

Section 91. The commissioner of labor shall cause to be inspected ^{Boiler in-} all boilers used for generating steam or heat for factory purposes ^{spection.} which carry a steam pressure of ten pounds or more to the square inch, except where a certificate is filed with such commissioner, or shall have been heretofore filed with the State fire marshal under the provisions of former section three hundred and fifty-seven of the insurance law, by a duly authorized insurance company, in conformity with the rules or regulations of the officer with whom such certificate shall have been filed, and certifying that upon such inspection such boilers have been found to be in a safe condition. Every such insurance company shall report to the commissioner all boilers insured by them coming within the provisions of this section including those rejected, together with the reason therefor. A fee of five dollars shall be charged the owner or lessee of each boiler inspected by the inspector of the department of labor, but not more than the sum of ten dollars shall be collected for the inspection of any one boiler for any year. Such fee shall be payable within thirty days from the date of such inspection. If a certificate of inspection, heretofore filed in the office of the State fire marshal, or hereafter filed in the office of the commissioner of labor shows a boiler to be in need of repairs or in an unsafe or dangerous condition, the commissioner of labor shall order such repairs to be made to such boiler as in his judgment may be necessary and he shall order the use of such boiler discontinued until such repairs are made or such dangerous and unsafe conditions remedied. Such order shall be served upon the owner or lessee of the boiler, personally or by mail, and any owner or lessee failing to comply with such order within a time to be specified therein, which shall be not less than ten days from the service of the order if served personally and not less than fifteen days from the mailing thereof if served by mail, shall be liable to a penalty of fifty dollars for each day's neglect thereafter. Every owner or lessee of any such boiler who shall use or allow a boiler to be used by any one in his employ after receiving notice that such boiler is in an unsafe or dangerous condition shall be subject to a penalty of not to exceed five dollars for each day on which such boiler is used after the receipt of such notice. Owners and lessees of boilers shall attach to such boilers the numbers assigned by the commissioner of labor, under a penalty of five dollars for each day's failure so to do after such numbers have been assigned.

The provisions of this section shall not apply to cities in which boilers are regularly inspected by competent inspectors acting under the authority of local laws or ordinances.

SEC. 6. Rules, regulations and special orders heretofore made ^{Rules made} or adopted by the State fire marshal under the provisions of sec- ^{by fire} tion eighty-three-a of the labor law, as existing prior to the tak- ^{shal.} ing effect of this act, are continued as rules, regulations and special orders of the industrial board, in so far as they are not inconsistent with this act, until the adoption of new rules, regulations and special orders by such board. Nothing in this act or in the act of the legislature of the year nineteen hundred and fifteen abolishing the office of State fire marshal shall impair the effect of the approval of any automatic sprinkler system by the State fire marshal under the provisions of section eighty-three-b of the labor law, as existing before this act takes effect. Actions or proceedings at law heretofore instituted by the State fire marshal for the enforcement of the provisions of sections eighty-three-a, eighty-three-b and eighty-three-c of the labor law shall

not abate, by reason of this act or of said act of the legislature abolishing the office of State fire marshal, but the same shall be continued by the commissioner of labor. The director of the State library shall turn over to the commissioner of labor, on demand, all books, records, papers and documents and also boiler inspection apparatus of the State fire marshal transferred to such director by such act of the legislature abolishing the office of State fire marshal which pertain to the administration or enforcement by such fire marshal of the provisions of the labor law amended by this act or of section three hundred and fifty-seven of the insurance law, which was repealed by the act abolishing such office.

Became a law April 21, 1915.

CHAPTER 357.—*Weekly day of rest.*¹

SECTION 1. Subdivision f, as added by chapter three hundred and eighty-eight of the laws of nineteen hundred and fourteen, to subdivision two of section eight-a of chapter * * * thirty-one of the Consolidated Laws, * * * is hereby amended to read as follows:

To whom law does not apply. (f) Employees in dairies, creameries, milk condensaries, milk powder factories, milk sugar factories, milk shipping stations, butter and cheese factories, and milk bottling plants. Employees in ice cream manufacturing plants in which not more than seven persons are employed.

Became a law April 26, 1915.

CHAPTER 386.—*Hours of labor of children and women.*

[This act amends section 161 of chapter 31, Con. L., as amended by chapter 331, Acts of 1914. The amendment affects subsection 2 only, which now reads as follows:]

Hours per day and week. 2. No female employee over the age of sixteen years shall be required, permitted or suffered to work in or in connection with any mercantile establishment more than six days or fifty-four hours in any one week, or more than nine hours in any one day, except that one day in each week may be longer than nine hours for the purpose of making one or more shorter workdays in the week; or before seven o'clock in the morning or after ten o'clock in the evening of any day. This section does not apply to the employment of persons sixteen years of age or upward between the eighteenth day of December and the following twenty-fourth day of December, both inclusive, or to such employment for two additional days at any time during the year for the purpose of stock taking.

Night work.

Work at Christmas.

CHAPTER 648.—*Weekly day of rest.*²

SECTION 1. Section eight-a of chapter * * * thirty-one of the Consolidated Laws, as added by chapter seven hundred and forty of the laws of nineteen hundred and thirteen, * * * is hereby transferred to and made a part of article two of such chapter, and is hereby amended to read as follows:

Day of rest to be allowed. Section 8-a. 1. Every employer of labor engaged in carrying on any factory or mercantile establishment in this State shall allow every person, except those specified in subdivision two, and as otherwise herein provided, employed in such factory or mercantile establishment at least twenty-four consecutive hours of rest in every calendar week. No employer shall operate any factory or mercantile establishment on Sunday unless he shall have complied with subdivision three: *Provided, however,* That this section shall not authorize any work on Sunday not now or hereafter authorized by law.

¹ See also ch. 648. ² See also chs. 321 and 357.

2. This section shall not apply to
- (a) Janitors;
 - (b) Watchmen;
 - (c) Employees whose duties include not more than three hours' work on Sunday in (1) setting sponges in bakeries; (2) caring for live animals; (3) maintaining fires; (4) necessary repairs to boilers or machinery;
 - (d) Superintendents or foremen in charge.
 - (e) Employees, if the commissioner of labor in his discretion approves, engaged in the work of any industrial or manufacturing process necessarily continuous, in which no employee is permitted to work more than eight hours in any calendar day.
 - (f) Employees in dairies, creameries, milk condensaries, milk powder factories, milk sugar factories, milk shipping stations, butter and cheese factories, ice cream manufacturing plants and milk bottling plants, where not more than seven persons are employed.

Exemptions.

3. Before operating on Sunday, every employer shall post in a conspicuous place on the premises a schedule containing a list of his employees who are required or allowed to work on Sunday and designating the day of rest for each, and shall file a copy of such schedule with the commissioner of labor. The employer shall promptly file with the said commissioner a copy of every change in such schedule. No employee shall be required or allowed to work on the day of rest so designated for him.

List to be posted.

4. Every employer shall keep a time book showing the names and addresses of all employees and the hours worked by each of them in each day, and such time book shall be open to inspection by the commissioner of labor.

Register.

5. If there shall be practical difficulties or unnecessary hardship in carrying out the provisions of this act, or rules or regulations adopted by the industrial board thereunder, the industrial board shall have power to make a variation from the requirements of this act, or any rule or regulation adopted by the board thereunder, if the spirit of the act shall be observed and substantial justice done. If the board shall permit such variation it shall be in the form of a resolution and such variation shall apply to all similar conditions where the facts are substantially the same as those under which such variation was granted. A majority vote shall be necessary for the adoption of any such resolution. Such resolution shall contain a description of the conditions under which such variation shall be permitted and shall be published in the manner provided for rules and regulations of the board. A record of all such variations shall be kept in the office of the industrial board and shall be properly indexed and shall be open to public inspection during business hours.

Variations.

SEC. 2. Existing exemptions under this act shall continue in force for the periods specified unless modified or rescinded by the industrial board.

Existing exemptions.

Became a law May 18, 1915.

CHAPTER 650.—*Factory regulations.*

[This act amends that paragraph of section 2 of chapter 31, Con. L., which defines a factory, as amended by chapter 512, Acts of 1914. The present amendment consists in the addition of "dry dock plants engaged in making repairs to ships" to the list of places or establishments not included under the term "factory."]

CHAPTER 653.—*Factory regulations—Tenant factories.*

[This chapter amends section 94 of chapter 31, Con. L., the changes relating to the numbers of the sections the observance of whose provisions the owner is responsible for, enumerated in the second sentence of the section. They are now sections seventy-

nine, seventy-nine-a, seventy-nine-b, seventy-nine-c, eighty-three-a, eighty-three-b, eighty-eight (except subdivision three), eighty-eight-a (except subdivision six), ninety, and the provisions of section eighty-one, with respect to the lighting of halls and stairways; except that the lessees or tenants also shall be responsible for the observance and punishable for the nonobservance of the provisions of section seventy-nine, seventy-nine-a, seventy-nine-b, and seventy-nine-c, within their respective holdings.

Section 88-a is substituted for section 88 in the succeeding sentence of the section.]

CHAPTER 674.—*Industrial commission.*

SECTION 1. Article three and article three-a of chapter * * * thirty-one of the Consolidated Laws * * * are hereby amended to read as follows:

Commission
created.

Section 40. There shall be a department of labor, the head of which shall be the industrial commission. The commission shall consist of five commissioners appointed by the governor by and with the advice and consent of the senate, one of whom shall be designated by the governor as chairman. Upon the appointment of a successor to the chairman the governor shall designate such successor or any member of the commission as chairman thereof. The term of office of each commissioner shall be six years, except that the term of the commissioners first appointed shall expire, one on January first, nineteen hundred and seventeen, one on January first, nineteen hundred and eighteen, one on January first, nineteen hundred and nineteen, one on January first, nineteen hundred and twenty and one on January first, nineteen hundred and twenty-one. Their successors shall be appointed for full terms of six years from the expiration of the terms of their predecessors in office. If a vacancy occurs otherwise than by expiration of a term, it shall be filled by appointment for the unexpired term. Each commissioner shall receive an annual salary of eight thousand dollars, and shall devote his entire time to the duties of his office. Not more than three commissioners shall be members of the same political party.

The governor may remove a commissioner for inefficiency, neglect of duty or misconduct in office, giving him a copy of the charges and an opportunity of being publicly heard in person or by counsel on not less than ten days' notice. If the commissioner be removed, the governor shall file in the office of the secretary of state a complete record of his proceedings with regard to such removal and his findings thereon.

The commission may adopt a seal and require that it be used for the authentication of the commission's orders and proceedings and for such other purposes as the commission may prescribe. The court shall take judicial notice of such seal and of the signatures of the chairman and secretary of the commission.

Industrial
council.

Sec. 40-a. (1) To advise the commission there shall be an industrial council composed of ten members appointed by the governor. Five members of the council shall be persons known to represent the interests of employees and five shall be persons known to represent the interests of employers. The governor may remove any member of the council when such member ceases to represent the interests in whose behalf he was appointed.

(2) The council shall organize by electing as chairman any person not a member of the council. The chairman shall preside at meetings of the council and may take part in its deliberations, but shall have no vote. The secretary of the commission shall act as secretary to the council and the commission shall detail from time to time to the assistance of the council such employees as may be necessary.

(3) No compensation or expenses shall be paid from the treasury to the members of the council.

(4) The council shall: (a) consider all matters submitted to it by the industrial commission and advise the commission with

respect thereto; (b) cooperate with the civil service commission in conducting examinations and in preparing lists of eligibles for positions, the duties of which require special knowledge or training, and advise the industrial commission in the selection and appointment of employees to such positions. The council shall adopt rules and regulations to govern its own proceedings. The secretary shall keep a complete record of all its proceedings which shall show the names of the members present at each meeting, and every matter submitted to the council by the commission and the action of the council thereon. The record shall be filed in the commission's office. All records and other documents of the commission shall be subject to inspection by the members of the council.

Sec. 41. The commission shall appoint and may remove a first deputy commissioner who shall be in charge of the bureau of inspection; a second deputy commissioner who shall be in charge of the workmen's compensation bureau; a third deputy commissioner who shall be in charge of the bureau of mediation and arbitration. Deputy commissioners.

The annual salaries of the deputies shall be as follows: First deputy, six thousand dollars; second deputy, six thousand dollars; third deputy, five thousand dollars.

Sec. 42. The department of labor shall have the following bureaus: Inspection; statistics and information; mediation and arbitration; industries and immigration; employment; workmen's compensation; and such other bureaus as the commission may deem necessary. Each bureau and division of the department and the persons in charge thereof shall be subject to the supervision and direction of the commission and of any commissioner duly designated to supervise the work of such bureau, and in addition to their respective duties as prescribed by this chapter shall perform such other duties as may be assigned to them by the commission. Bureaus of department of labor.

Sec. 43. 1. The commissioners, deputy commissioners, secretary and other officers and assistants of the commission may administer oaths and take affidavits in matters relating to the powers and duties of the commission. Powers of commissioners, etc.

2. No person shall interfere with, obstruct or hinder by force or otherwise the commissioners, deputy commissioners, or any officer, agent or employee of the department of labor while in the performance of their duties, or refuse to properly answer questions asked by such officers or employees pertaining to the provisions of this chapter, or refuse them admittance to any place which is affected by the provisions of this chapter.

3. All notices, orders and directions of any officer, agent or employee of the department of labor other than the commission given in accordance with this chapter are subject to the approval of the commission and may be performed or given by and in the name of the commission and by any officer or employee of the department thereunto duly authorized by the commission in its name.

4. The commission may procure and cause to be used badges for the officers, agents and employees in the department of labor while in the performance of their duties.

Sec. 44. All necessary expenses incurred by the commission in the discharge of its duties shall be paid by the State treasurer upon the warrant of the comptroller issued upon proper vouchers therefor. The reasonable and necessary traveling and other expenses of the deputy commissioners, the secretary of the commission, inspectors, investigators and other officers, assistants, agents and employees of the commission while engaged in the performance of their duties shall be paid in like manner upon vouchers approved by the commission and audited by the comptroller. Expenses.

Sec. 45. At the first meeting of the commission after its appointment, and at least once in each year thereafter, the commission shall by resolution duly approved, apportion the administrative work involved in the performance of its duties and the exercise Organization.

of its powers under this chapter and under the workmen's compensation law, among the members of the commission and shall designate the portion of such work which each of its members, under the direction and control of the commission, shall supervise and be responsible for.

The commission shall submit all questions of general policy arising in the exercise of its powers or the performance of its duties under the provisions of this chapter or under the provisions of the workmen's compensation law to the industrial council or its members for their consideration and advice.

- Reports.** Sec. 46. The commission shall report annually to the legislature and shall include in his [its] annual report or make separately in each year a report of the operation of each bureau in the department.
- Old records.** Sec. 47. All statistics furnished to and all complaints, reports and other documentary matter received by the commission pursuant to this chapter or any act repealed or superseded thereby may be destroyed by such commission after the expiration of six years from the time of the receipt thereof.
- Counsel.** Sec. 48. The commission may appoint and at pleasure remove as counsel to the commission an attorney and counselor at law of the State of New York who shall represent the department of labor or the commission and take charge of and assist in the prosecution of actions and proceedings brought by or on behalf of the commission or the department and who shall generally act as legal adviser to the commission. Such counsel shall receive an annual salary of six thousand dollars. The commission may appoint and at pleasure remove not exceeding three attorneys and counselors at law to assist the counsel in the performance of his duties and may fix their compensation within the limits of the annual appropriation provided therefor.
- Secretary.** Sec. 49. The commission shall appoint and may remove a secretary, at an annual salary of six thousand dollars. The secretary shall perform such duties in connection with the meetings of the commission and its investigations, hearings and the preparation of rules and regulations under the provisions of this chapter as the commission may prescribe; and shall perform the duties of secretary of the workmen's compensation commission, as prescribed by the workmen's compensation law.
- Officers and employees.** Sec. 49-a. The commission may appoint such additional deputy commissioners, and such officers, statisticians, actuaries, accountants, physicians, experts and other assistants and employees as may be necessary for the exercise of its powers and the performance of its duties under the provisions of this chapter and of the workmen's compensation law, all of whom shall be in either the competitive or the noncompetitive class of the classified civil service; and the commission shall prescribe their duties and fix their salaries which shall not exceed in the aggregate the amount annually appropriated by the legislature for that purpose.
- Meetings.** Sec. 50. The commission shall hold stated meetings, at least once a month at the office of the department in Albany or in New York City, and shall hold other meetings when and where called by the chairman or two members of the commission. All meetings of the commission shall be open to the public. The commission shall keep records of its investigations and other official actions, and minutes of its proceedings showing the vote of each member upon every question.
- Investigations.** Sec. 51. The commission shall have power to make investigations concerning and report upon the conditions of labor generally and upon all matters relating to the enforcement and effect of the provisions of this chapter and of the rules and regulations of the commission. Each member of the commission and the secretary shall have power to administer oaths and take affidavits and to make personal inspections of all places to which this chapter applies. The commission shall have power to sub-

præna and require the attendance of witnesses and the production of books and papers pertinent to the investigations and inquiries hereby authorized, and to examine them in relation to any matter it has power to investigate, and to issue commissions for the examination of witnesses who are out of the State or unable to attend before the commission, or excused from attendance.

Sec. 51-a. (1) The commission shall have power to make, amend and repeal rules and regulations for carrying into effect the provisions of this chapter, applying such provisions to specific conditions and prescribing means, methods and practices to effectuate such provisions. Rules and regulations.

(2) The commission shall have power to make, amend and repeal rules and regulations for proper sanitation in all places to which this chapter applies, and for guarding against and minimizing fire hazards, personal injuries and diseases in all places to which this chapter applies, with respect to

a. The construction, alteration, equipment and maintenance of all such places, including the conversion of structures into factories, factory buildings and mercantile establishments;

b. The arrangement and guarding of machinery and the storing and keeping of property and articles;

c. The places where and the methods and operation by which trades and occupations may be conducted, and the conduct of employers, employees and other persons;

It being the policy and intent of this chapter that all places to which it applies shall be so constructed, equipped, arranged, operated and conducted in all respects as to provide reasonable and adequate protection to the lives, health and safety of all persons employed therein, and frequenting the same, and that the commission shall from time to time make such rules and regulations as will effectuate such policy and intent.

(3) Whenever the commission finds that any industry, trade, occupation or process involves such elements of danger to the lives, health or safety of persons employed therein as to require special regulation for the protection of such persons, the commission shall have power to make special rules and regulations to guard against such elements of danger by establishing requirements as to temperature, humidity, the removal of dusts, gases or fumes and requiring licenses to be applied for and issued by the commission as a condition of carrying on any such industry, trade, occupation or process and requiring medical inspection and supervision of persons employed and applying for employment, and by other appropriate means. Special conditions.

(4) The rules and regulations may be limited in their application to certain classes of establishments, places of employment, machines, apparatus, articles, processes, industries, trades or occupations or may apply only to those to be constructed, established, installed or provided in the future. Effect of rules, etc.

(5) The rules and regulations of the commission shall have the force and effect of law and shall be enforced in the same manner as the provisions of this chapter.

(6) No provision of this chapter specifically conferring power on the commission to make rules and regulations shall limit the power conferred by this section.

Sec. 52. The rules and regulations of the commission shall constitute the industrial code. At least three affirmative votes shall be necessary for the adoption, amendment or repeal of any rule or regulation. Before any rule or regulation is adopted, amended or repealed, there shall be a public hearing thereon, notice of which shall be published at least once, not less than ten days prior thereto, in such newspapers as the commission may prescribe, and in the City Record in the city of New York. The commission may appoint committees composed of employers, employees and experts to assist it in framing rules and regulations and shall submit all proposed rules and regulations to the industrial council or the members thereof for their consideration and advice. Every rule and regulation adopted, every amendment or repeal thereof and Industrial code.

every act of the commission shall be promptly published in the bulletins of the department and in the City Record in the city of New York. The rules and regulations and all amendments and repeals thereof shall, unless otherwise prescribed by the commission, take effect twenty days after the first publication thereof, and every rule and regulation and every amendment or repeal thereof, shall be certified by the secretary of the commission and filed with the secretary of state.

Review of
rules, etc.

Sec. 52-a. 1. Any person in interest may petition the commission for a review of the validity or reasonableness of any rule, regulation or order made by the commission or otherwise under the provisions of this chapter.

2. The petition shall be verified and filed with the commission and shall state in full detail: (a) The rule, regulation or order upon which the hearing is desired; [b] in what respects it is claimed to be invalid or unreasonable; (c) the issues to be considered by the commission on the hearing.

The commission may join in one proceeding all petitioners alleging invalidity or unreasonableness of the same or substantially similar rules, regulations or orders. The petitioner shall be deemed to have waived all objections to any irregularities or illegalities in the rule, regulation or order upon which a hearing is sought other than those set forth in the petition.

3. Upon receipt of the petition, the commission shall, if necessary to determine the issues raised, order a hearing, or if the issues have been adequately considered in a prior proceeding under this section or otherwise, the commission may, without hearing, confirm its previous determination. Notice of the time and place of hearing, which shall be open to the public, shall be given to the petitioner and to such other persons as the commission may find directly interested in the issues raised by the petitioner.

4. If, upon such hearing, the commission finds that the rule, regulation or order complained of is invalid or unreasonable it shall revoke it or substitute therefor a new or amended one. If the substituted rule, regulation or order involves a substantial amendment of the original one, the parties may, by new petition, bring before the commission all objections to its validity and reasonableness and no action under the provisions of section fifty-two-b shall meanwhile be entertained by the court.

5. The decision of the commission shall be final unless within thirty days after its issuance one of the parties to the proceeding before the commission appeals from its decision by bringing an action as provided in section fifty-two-b.

Appeal to
courts.

[Sec.] 52-b. 1. Any person in interest may bring an action in the supreme court against the commission as defendant, to determine the validity and reasonableness of any provision of this chapter or of the rules and regulations made in pursuance thereof or of any order directing compliance therewith: *Provided*, That no such action to determine the validity or reasonableness of any rule, regulation or order shall be brought, except as an appeal from the determination of the commission, as provided in section fifty-two-a.

2. If the action is an appeal from a determination of the commission the commission shall file with the clerk of the court a certified copy of the record of its hearing in the matter, and if the appeal is from a determination of the commission refusing a hearing on the ground that the issues have been determined in a prior proceeding, the commission shall also file with the clerk of the court a certified copy of the records of its hearings in the prior proceedings.

3. Such action shall have precedence over other actions in the same court in accordance with the provisions of subdivision one of section seven hundred and ninety-one of the Code of Civil Procedure.

4. The court shall thereafter try the issues and render its decision based upon the record of the commission's hearings as well as the evidence submitted in the action before it. The court may refer any issue arising in such action to the commission for further

consideration. At any time during such action the party appealing from the commission's decision shall have the right to apply, without notice, to the court for an order directing all questions of fact arising upon one or more specified issues to be tried and determined by a jury, and the court shall thereupon cause these questions to be distinctly and plainly stated for trial accordingly, and the findings of the jury upon such questions so stated shall be conclusive in the action. Appeals from the supreme court to the appellate division of the supreme court and to the court of appeals may be taken in such cases and subject to the same limitations as in other cases.

Sec. 52-c. 1. Every provision of this chapter and of the rules and regulations made in pursuance thereof, and every order directing compliance therewith shall be valid and in full force and effect unless declared invalid in a proceeding for review brought under the provisions of section fifty-two-a. Except as provided in section fifty-two-b no court shall have jurisdiction to review, reverse or annul any such provision or order or to enjoin, restrain or interfere with its enforcement. Rules in effect.

2. Every such provision or order shall in a prosecution or action to impose a penalty for its violation be deemed valid and in full force and effect, unless prior to the commencement of the prosecution or action such provision or order has been revoked, or modified by the commission, or annulled by a court having jurisdiction thereof, in proceedings brought under the provisions of sections fifty-two-a or fifty-two-b, or unless such proceedings are pending in which case the prosecution or action shall be stayed by the court and abide the final determination thereof. If any such prosecution or action is commenced against a defendant who has not previously been served with an order to comply with such provision, or who has been served with such an order but has not had a reasonable opportunity to comply therewith, and if within five days the defendant commences proceedings under the provisions of sections fifty-two-a or fifty-two-b, the prosecution or action shall be stayed as if such proceedings had been pending at the time it was commenced.

Sec. 52-d. If in the opinion of the commission there shall be practical difficulties in carrying out the strict letter of a provision of this chapter or of a rule or regulation adopted by the commission affecting the construction or alteration of buildings and structural changes therein, the installation of fixture and apparatus safeguarding the machinery and prevention of accidents, a variation from or modification of its requirements so that the spirit of the provision or rule or regulation shall be observed, public safety secured and substantial justice done, may be permitted by the commission as provided by this section. The person affected by such provision or rule or regulation or his agent may petition the commission for one or more such variations or modifications stating the grounds therefor. The commission shall fix a day within a reasonable time for a hearing on the petition and upon the hearing the petitioner may appear in person or by agent or attorney. The decision of the commission shall be rendered promptly and shall be final. A copy of the petition and the decision shall be filed by the secretary of the commission in his office and if the petition be allowed wholly or in part a certificate stating the reason for such allowance shall be filed in like manner. Variations.

Powers conferred upon the commission by this section shall be subject to the requirement of this chapter that all places to which it applies shall be so constructed, equipped, arranged, operated and conducted in all respects as to provide reasonable and adequate protection to the lives, health and safety of all persons employed therein.

SEC. 52-e. The commission shall render all aid and assistance necessary for the enforcement of any claim by an employee against his employer which the commission finds reasonable and just and for the protection of employees from frauds, extortions, exploitation, or other improper practices on the part of any person, public or Legal, etc., aid.

private; and shall investigate such cases for the purpose of presenting the facts to the proper authorities and of inducing action thereon by the various agencies of the State possessing the requisite jurisdiction.

Offices abolished.

Sec. 3. On and after the appointment and qualification of the members of the industrial commission, the office of commissioner of labor as created by section forty of the labor law, as amended by chapter seven hundred and twenty-nine of the laws of nineteen hundred and eleven, and chapter one hundred and forty-five of the laws of nineteen hundred and thirteen shall be abolished and the powers and duties of the commissioner of labor, then in office, shall cease. The offices of first and second deputy commissioners of labor are hereby abolished, and the powers and duties of the said deputy commissioners then in office shall cease upon the appointment by the industrial commission of the deputy industrial commissioners herein provided for.

Sec. 4. The State workmen's compensation commission created as provided in section sixty of the workmen's compensation law is hereby abolished * * *. All the powers, duties, obligations and liabilities conferred or imposed by law upon the workmen's compensation commission by the workmen's compensation law or any other statute are hereby conferred and imposed upon the State industrial commission * * *.

Rules, etc., continued.

Sec. 6. The rules, regulations and orders of the commissioner of labor, the industrial board, or the workmen's compensation commission in force when this act takes effect enacted or promulgated pursuant to law are continued in full force and shall be operative until modified, superseded or repealed by the industrial commission. This act shall not affect pending cases or proceedings, civil or criminal, brought by or against the commissioner of labor or the workmen's compensation commission. All proceedings, hearings, investigations and other matters pending before the commissioner of labor, the industrial board, or the workmen's compensation commission shall be continued and brought to a final determination before the industrial commission in the same manner as though the commissioner of labor, the industrial board and the workmen's compensation commission had been continued in office. Any award or determination made by the workmen's compensation commission prior to the taking effect of this act shall have the same force and effect as though the workmen's compensation commission had been continued in office.

Force of terms.

Sec. 7. Whenever the term "department of labor," "commissioner of labor," "industrial board," or "workmen's compensation commission" occurs in any law or in any rule or regulation made in pursuance of law, or whenever in any law reference is made to such department, commissioner, board, commission or officer, such term or reference shall be deemed to mean the industrial commission as established by this act.

Became a law May 22, 1915.

CHAPTER 719.—*Factory regulations—Variations.*

SECTION 1. Chapter * * * thirty-one of the Consolidated Laws, as amended, is hereby amended by adding after section fifty-two thereof a new section, to be section fifty-two-a,¹ to read as follows:

Variations.

Section 52-a. If there shall be practical difficulties or unnecessary hardship in carrying out any provision of this chapter, or rule or regulation adopted by the industrial board thereunder, affecting the construction or alteration of buildings, exits therefrom, the installation of fixtures and apparatus, or the safeguarding of machinery and prevention of accidents, the industrial board shall have power to make a variation from such requirements if the spirit of the provision or rule or regulation shall be observed and public safety secured. Any person affected by such

¹ This is a duplicate use of this number, but is as given in the act. See also section 52-d under chapter 674, above.

provision or rule or regulation, or his agent, may petition the board for such variation stating the grounds therefor. The board shall fix a day within a reasonable time for a hearing on such petition and give notice thereof to the petitioner who may appear in person or by agent or attorney. If the board shall permit such variation it shall be in the form of a resolution and such variation shall apply to all buildings, installations or conditions where the facts are substantially the same as those stated in the petition. At least three affirmative votes shall be necessary for the adoption of any such resolution. Such resolution shall contain a description of the conditions under which such variation shall be permitted and shall be published in the manner provided for rules and regulations of the board. A record of all such variations shall be kept in the office of the industrial board and shall be properly indexed under section numbers of the law or industrial code to which each variation applies, and shall be open to public inspection during business hours.

SEC. 2. Subdivision one of section seventy-nine-b of such chapter is hereby amended to read as follows:

1. Required exits. Every building over two stories in height shall be provided on each floor with at least two means of exit or escape from fire, remote from each other, one of which on every floor above the ground floor shall lead to or open on an interior stairway, which shall be inclosed as hereinafter provided, or to an exterior inclosed fireproof stairway. The other shall lead to such a stairway; or to a horizontal exit; or to an exterior screened stairway; or to fire escapes on the outside of the building in buildings of five stories or less in height except that such fire escapes shall not be accepted as required means of exit in such buildings or particular classes thereof where the industrial board finds that such fire escapes would not in its opinion furnish adequate and safe means of escape for the occupants in case of fire; or to outside fire escapes in buildings over five stories in height when, in the opinion of the industrial board the safety of the occupants of the building would not be endangered thereby. No point on any floor of such factory shall be more than one hundred feet or if there is maintained throughout the building an automatic sprinkler system conforming to the requirements of section eighty-three-b of this chapter, and to the rules and regulations of the industrial board more than one hundred and fifty feet distant from the entrance to one such means of exit. Whenever safe egress may be had from the roof to an adjoining or nearby structure, every stairway serving as a required means of exit shall be extended to the roof. All such stairways shall extend to the first story and lead to the street or to an unobstructed passageway leading to a street or road or to an open area affording safe passage to a street or road.

SEC. 3. Subdivision eight of section seventy-nine-e of such chapter is hereby amended to read as follows:

8. In any building the number of persons permitted to be employed on any one floor under the provisions of subdivisions one, two and three of this section may be increased one hundred per centum where there is constructed, installed and maintained throughout the building an automatic sprinkler system conforming to the requirements of section eighty-three-b of this chapter and to the rules and regulations of the industrial board.

SEC. 4. Subdivision nine of section seventy-nine-e of such chapter is hereby repealed.

SEC. 5. Subdivision ten of section seventy-nine-e of such chapter is hereby amended to read as follows:

9. Where one floor is occupied by more than one tenant, the commissioner of labor shall have power to prescribe how many of the persons allowed to occupy such floor under the provisions of this section, may occupy the space of each tenant.

SEC. 6. Subdivision eleven of section seventy-nine-e of such chapter is hereby renumbered subdivision ten.

Became a law May 24, 1915.

INDUSTRIAL BOARD.

RULES OF 1914.

Cannery labor camps.

- Roof and walls.** **RULE 200.** The roof and the walls of every dwelling, shack, tenement, barracks or living quarters of any kind or description must be so constructed as to be water-tight.
- Floors.** **RULE 201.** In new structures, the floor of every room used for sleeping purposes must be built of wood, asphalt or concrete with smooth finish of nonabsorbent cement; if built of wood it must be raised at least one foot from the ground and the boards used therefor must be planed, tongued and grooved and at least seven-eighths ($\frac{7}{8}$) inch in thickness; if built of asphalt or concrete, it must be laid on a solid foundation other than earth, and must be at least two (2) inches in thickness. All such work must be executed in a thorough workmanlike manner.
- Old floors.** **RULE 202.** In existing structures the floor, if built of wood, must be raised above the ground a sufficient distance to allow free circulation of air beneath it.
- Repair.** **RULE 203.** The floor of all such living quarters must be kept in good repair. If any floor is broken, or has such cracks or knot-holes that it cannot be kept in a dry and sanitary condition, it must be repaired or replaced by a new floor.
- Partitions.** **RULE 204.** In every existing structure the interior partitions must be at least ten (10) feet in height or must extend to the ceiling or roof. In every structure hereafter erected, every such interior partition must extend to the ceiling or roof. Every interior partition must be solid and without open cracks or knot holes.
- Sleeping rooms.** **RULE 205.** In every room used for sleeping purposes there must be provided not less than four hundred (400) cubic feet of air space for each person except that not less than two hundred (200) cubic feet may be provided for each child under fourteen (14) years of age.
- Windows.** **RULE 206.** All living quarters other than tents must be built with windows. Every room must have at least one window opening directly to the outer air. Every window must be set with glass and so constructed that it can be easily opened. Every window opening must have an area of at least four (4) square feet and must be at least one (1) foot high. Every window opening must be protected by mesh, wire netting or other screening to prevent the entrance of any person, but not to interfere with the free circulation of air.
- Transom.** **RULE 207.** In every existing room used for sleeping purposes having not more than one window a transom opening not less than two (2) feet by six (6) inches must be cut to the outer air. Such transom opening must be kept open to admit air but may be covered with wire netting or other screening.
- Two openings.** **RULE 208.** In every structure hereafter erected, unless ventilation through the roof is provided, there must be a window or door opening in at least two walls of every room, one of which may open upon a hall or passageway opening to the outer air.
- Kitchen and dining rooms.** **RULE 209.** There must be maintained in connection with all living quarters kitchen and dining room accommodation under shelter, which shall have seats for at least 50 per cent of all persons dwelling in such living quarters, who are not otherwise provided with such accommodations under shelter separate from their sleeping rooms.
- Beds.** **RULE 210.** Beds, cots or bunks must be provided in every room used for sleeping purposes, in sufficient numbers for the occupants of the room. Every such bed, cot or bunk must be raised at least twelve (12) inches from the floor. No bed or bunk may be placed one above the other.
- Same.** **RULE 211.** No bed, cot or bunk may be placed at any time nearer than two (2) feet from the side of any other bed, cot or bunk in the same room.

RULE 212. Separate privies or water-closets must be provided for each sex, and at the entrance clearly marked "Men" or "Women," in English and the principal native languages of the persons living in the camp. No person shall be allowed to use or frequent a privy or water-closet assigned to the opposite sex.

Toilets.

RULE 213. No privy may be located less than twenty-five (25) feet distant from any living quarters, and the entrance to every privy must be not less than twenty (20) feet distant from the entrance to a privy assigned to the opposite sex. One privy or water-closet which is readily accessible must be supplied for every twenty (20) persons of each sex occupying the living quarters. For more than one hundred (100) persons, one privy or water-closet may be supplied for every twenty-five (25) persons.

Location.

RULE 214. The entrance to every privy or water-closet compartment must be screened by a vestibule or by a stationary screen at least two (2) feet wider than the entrance door, extending to a height of at least six and one-half (6½) feet.

Entrances.

RULE 215. Every privy vault must be water-tight and fly proof and the walls of every privy vault hereafter built must extend not less than twelve (12) inches above the surface of the surrounding ground.

Vaults.

RULE 216. Every privy must be ventilated by an unobstructed opening to the outer air, other than the door, which has an area of at least one hundred and forty-four (144) square inches. Every privy must be provided with a door. Every window and ventilating opening of a privy must be protected by metal screens which will prevent the entrance of flies, and every door must be provided with a self-closing device to keep it closed.

Ventilation.

RULE 217. Water must be supplied for drinking and washing purposes in every camp. It must be obtained from a source and in quantities satisfactory to the commissioner of labor. Every employer must furnish such water at the living quarters provided for his employees.

Water supply.

RULE 218. Where there is no stream or lake accessible for bathing, and no baths are provided for the use of the camp, shacks or sheds, separate for each sex, removed from each other and at all times accessible must be provided for bathing purposes.

Bathing.

RULE 219. Tubs and water for laundry purposes must be provided in or adjacent to all living quarters.

Laundry.

RULE 220. The premises and surrounding ground of all living quarters and areas or passageways connected therewith must be kept thoroughly drained so that no stagnant water can collect or remain thereon.

Drainage.

RULE 221. Readily accessible slop sinks must be provided to carry off all liquid waste. The pouring of such waste upon the ground near the living quarters is prohibited. All waste must be disposed of in such a way as not to contaminate the water supply of the camp, and in accordance with any rules of the State department of health and regulations of the public health council relating thereto.

Sinks.

RULE 222. No room located more than one floor above the ground floor in any house of frame construction may be used for sleeping quarters without the written consent of the commissioner of labor.

Sleeping rooms.

RULE 223. At least two (2) rooms must be provided for every family composed of husband and wife and one or more children above the age of ten (10) years.

Family quarters.

RULE 224. Sleeping accommodations must be provided in rooms which shall be separate for each sex for all males and females other than those who are housed together with their own immediate families.

Men's and women's separate quarters.

RULE 225. At the beginning of every season all living quarters and all beds, cots or bunks, mattresses, pillows and covers must be entirely clean and free from all vermin. The commissioner of labor may at any time thereafter order the immediate cleansing and disinfection of such premises and articles, or destruction of such articles.

Bedding.

- Refuse.** RULE 226. Metal, sheet iron or sheet-iron lined receptacles, or other receptacles of solid construction, with covers so constructed and arranged as to prevent the entrance of flies and other insects, must be placed adjacent and convenient to all living quarters. All refuse and garbage must be placed therein, and at least every other day or whenever the receptacle is full, must be destroyed by fire or removed to a safe distance from any building or dwelling and so deposited as not to create a nuisance.
- Vaults to be emptied.** RULE 227. Every privy vault must be emptied at least once a month, and at more frequent intervals if necessary. In no case must it be allowed to overflow. Removable metal receptacles or cans may be used instead of privy vaults if they are water-tight and emptied whenever necessary to prevent overflowing. Dry sand, fine dry earth, lime or sawdust must at all times be provided in a receptacle in every privy and used at frequent intervals to deodorize the contents of the vault.
- Same.** RULE 228. Every privy must be cleaned by the thorough removal of all excreta to a safe distance from any building or dwelling, and such excreta must be so deposited and so disposed of on or beneath the surface of the ground as not to create a nuisance or permit the collection of flies or other insects.
- Sanitation.** RULE 229. Every dwelling, shack, tenement, barracks or living quarters of any kind or description and every part thereof and all the premises, sloop sinks and privies connected therewith must at all times be kept in a clean and sanitary condition and free from dirt, filth, garbage and rubbish.
- Caretaker.** RULE 230. In every camp composed of ten (10) or more persons there must be at least one (1) employee whose specific duty it shall be to enforce the rules as to cleanliness and the removal of dirt, filth, garbage, rubbish and excreta.
- Duties of employers;** RULE 231. Every employer operating a factory and furnishing to the employees thereof any living quarters, shall be responsible for the enforcement of every rule herein contained.
- Of employees.** RULE 232. Every person living in any living quarters to which these rules apply shall also be responsible for the carrying out of all provisions which immediately concern or affect his conduct.

Bakeries and confectioneries.

- Ventilation.** RULE 305. Wherever bakery or confectionery products are fried in fat or candy is boiled over an open stove, a ventilating hood and pipe shall be provided which shall effectively take off the smoke, gases and vapors; the pipe shall not be less than four (4) inches in diameter and shall be attached at the extreme top of hood; the hood shall be cone shaped, shall not be raised more than six and one-half (6½) feet from the floor and its width and breadth shall at least equal the width and breadth of the stove to be ventilated.
- Smoke dampers.** RULE 306. Smoke-dampers in ovens shall at all times be maintained in a serviceable condition.
- Ashpits.** RULE 307. Oven ashpits shall be provided either (a) with flue and damper, or (b) with ventilating hood and pipe not less than four (4) inches in diameter leading either to the outer air and extending to a point at least twenty (20) feet higher than the top of hood, or leading to the flue of the building.
- Oven doors.** RULE 308. Oven doors shall be provided with a ventilating hood of at least the same width as the doors and with pipe not less than four (4) inches in diameter, leading either to the flue of the building or to the outer air and extending to a point at least twenty (20) feet higher than the top of the hood, except (a) when indirect heating ovens are used; (b) when the steam flue of the oven is eight (8) inches or more in depth; or (c) when there are over the oven either louvered openings or pivot swings in skylights of four (4) square feet area per oven or satisfactory mechanical means of ventilation.
- Hoods.** RULE 309. Whenever a hood is used in complying with the requirements of paragraphs 3 and 4 of this rule, it shall be con-

structed of brick, cement or metal, shall extend not more than one (1) foot from the oven and shall be cone shaped, with pipe attached at extreme end of hood.

RULE 319. No sleeping room shall open into any workroom or any room where the raw material or finished product is stored or sold. Sleeping rooms.

RULE 320. Sleeping rooms shall be kept in a thoroughly sanitary condition at all times and be dry and well ventilated. Same.

RULE 322. A properly lighted and ventilated room shall be provided as a dressing room. If located in workroom, store or sales-room it shall be enclosed on all sides by a wall or partition extending from floor to ceiling. It need not be in the bakery or confectionery, provided it is located in the same building. It shall contain at least six (6) square feet of floor space for every person employed in any one shift exclusive of office force up to ten, and two and one-half (2½) square feet for every additional person. Dressing rooms.

RULE 323. Workmen shall not change their clothes in any other place than the foregoing while in the factory building. Same.

RULE 324. All lockers shall be constructed so as to permit thorough ventilation. None but metal lockers shall be installed after June 15, 1914. A hook shall be provided outside the locker for the work clothes of each person employed. Lockers.

RULE 325. For every ten (10) employees or fraction thereof employed in any one shift, at least one (1) sink or stationary wash basin of nonabsorbent material shall be provided, fitted with two spigots conveying hot and cold water. Troughs of non-absorbent material may take the place of sinks or wash basins, in which case there shall be at least two (2) feet of trough length and two (2) spigots for every ten (10) employees. These washing facilities need not be in a separate room, but shall be in the bakery or confectionery. Washing conveniences.

RULE 326. There shall be at all times provided by the employer a sufficient quantity of toilet soap (preferably liquid) near each sink used for washing purposes; there shall also be provided by the employer nail brushes for the workmen, and one clean towel daily for each employee. Paper towels may be used if supplied in unlimited quantity. Soap and towels.

RULE 327. In case overalls or aprons are worn, bibs shall be attached. In no case shall bakery or confectionery products come in contact with the shirts or other garments that lie next to the bare skin of the workman. Outer clothing.

RULE 328. Workmen shall wash their hands with soap and water on starting work, after meals, and each time they have used the water-closet or urinal; also advisable when changing from one kind of work to another. Washing hands.

RULE 329. In addition to other signs required to be posted by the Labor Law, there shall be posted in every bakery or confectionery signs in English and foreign languages, prepared and furnished by the department of labor. These shall state (a) the provision regarding washing, as per rule 328 of this code; (b) the prohibition of the use of tobacco in any form, as per the provision of section 113 of the Labor Law; (c) section 84 of the Labor Law regulating spitting; (d) the penalty for a violation of these rules. Signs to be posted.

RULE 346. For every person who works in any bakery, confectionery or mercantile establishment, in the manufacture, preparation, packing, storage, sale or delivery of bakery or confectionery products, the occupier shall have in his possession a medical certificate of not more than six months standing. The foregoing provision shall not apply to the sale or delivery of bakery or confectionery products if wrapped or in cartons. Such certificate shall be on a form prescribed by the public council of the State of New York and furnished by the commissioner of labor, and shall certify that the person employed is free from such contagious, infectious, communicable or skin diseases as the public health council may deem necessary for the safeguarding of the Medical certificates.

public health. Such certificate shall be exhibited to the commissioner of labor on demand. Nothing herein contained shall affect the right of the commissioner of labor to require medical examination in accordance with section 113-a of the Labor Law.

This rule shall go into effect when and if the public health council requires the issuance of such certificates by local health officers without charge.

Fire alarm signal systems.

[Rule 374 was adopted in accordance with the provisions of section 83a of the Labor Law. It directs that all devices and equipment shall conform to the requirements of the industrial board, and be approved before acceptance. All boxes and devices must be wired on closed circuits unless by special permission, and a trouble bell to ring continuously in case of weak batteries or an opening of the circuit must be provided. Systems must be tested every morning. The type and location of boxes is prescribed, as well as of the signaling devices, the relays, and the mode of wiring. Sources of electrical energy permitted are storage batteries in duplicate, electric light or power systems (public or isolated) supplemented by a storage battery, private (isolated) plant as preferred source, supplemented by energy from public service lines, or primary batteries in duplicate. Technical details for each class are also given.]

Existing fire escapes.

Need not be removed, when. RULE 380. When, in addition to the required exits of any factory or factory building, there exist one or more outside fire escapes which are not entirely in accordance with the provisions of the Labor Law relating to fire escapes, such fire escapes may be retained without being changed to conform to such provisions, if steps are taken, satisfactory to the commissioner of labor, to prevent their use as means of egress, and provided that such fire escapes are maintained in good repair.

Fireproof and fire resisting material.

[Rules 500 to 518 were adopted in accordance with the provisions of section 79a to section 79f, of the Labor Law, and describe types of construction and material classed as fireproofing, for floors and roofs, partitions, fire doors and fireproof windows, fire resisting material for stairway enclosures, and a system of standard tests for the various structures. On account of their extent and their technical nature they are not reproduced.]

RULES OF 1915.

Elevators.

Plans to be submitted. RULE 400. Before any elevator shall hereafter be installed or reconstructed, the owner of the building, or the person contracting to make such installation or reconstruction, shall file with the commissioner of labor plans showing the type and general arrangement of the machinery and equipment as will be installed. Lifting capacity and speed of elevator must be specified on plans.

Definitions. RULE 401. The term "passenger or employees' elevator," as used in these rules, shall be construed to mean an elevator either of the passenger or freight type on which passengers or employees are generally permitted to ride.

The term "freight elevator" shall be construed to mean an elevator on which no one except the operator and employees necessary for loading and unloading the elevator are permitted to ride.

The term "dumb waiter" shall include such special form of elevator the dimensions of which do not exceed sixteen (16) square feet in horizontal section and four (4) feet in height and

which is used exclusively for the conveyance of small packages and merchandise.

RULE 402. Existing hoistways, except where there are door openings into the car, shall be inclosed on all sides by walls, windows, screens, or partitions not less than six (6) feet high.

Enclosures.

RULE 403. Existing hoistway inclosures may remain in their present location when extending from the floor to the ceiling on open sides of the car and where the remainder of the hoistway enclosure is not less than six (6) feet high.

Same.

RULE 404. In existing buildings where a hoistway is reconstructed or a new hoistway is installed, except where there are door openings into the car or cars, such hoistway shall be enclosed on all sides by walls, windows, screens or partitions which shall extend from the floor to the ceiling. Such inclosure, however, shall in all respects conform to all requirements prescribed for the prevention of fire.

Reconstruction of hoistways.

RULE 405. For future installations, hoistway inclosures shall extend from floor to ceiling on all sides. Where there are door openings in the car the inclosures shall be set close to the hoistway line, allowing only necessary space for the doors and their fastenings between the inclosure and the edge of the floor sill.

Future installations.

RULE 406. All ledges or floors in front of car openings that project more than one (1) inch from the inside of the hoistway inclosure shall be fitted with smooth beveled guards set directly under the projections. The slope of the guard shall be at least eighty (80) degrees from the horizontal wherever local conditions will permit. No beveled guards shall be permitted with slope less than sixty degrees from horizontal.

Guards.

RULE 407. For elevators that carry passengers or employees, the sliding hoistway gates or doors shall be of suitable height and may be automatic or manually operated, and shall be fitted with a substantial lock or latch so that they can not be opened from the outside except with a key.

Gates.

RULE 408. Hinged or swinging hoistway gates or doors may be used for elevators that carry passengers or employees or for freight elevators. Such gates or doors shall be manually closing and shall be provided with electrical contacts or such other devices, approved by the commissioner of labor, as will insure the gates or doors being closed and locked before the car can start from the landing. A switch shall be installed in the car to short-circuit the contact wiring in case of emergency. Keys shall be available for opening such gates or doors from the outside in cases of emergency.

Swinging gates.

RULE 409. For freight elevators the hoistway gates or doors may be set to suit local conditions, provided that all fixed obstructions on the enclosure and floor projections are properly guarded as described in rule 406.

Freight elevators.

RULE 410. When vertical sliding gates are set less than twelve (12) inches from the hoistway line, they shall be not less than five feet six inches (5' 6'') high, and not more than ten (10) inches above the floor. Where it is impracticable to install gates five feet six inches (5' 6'') high, the commissioner of labor shall have authority to modify this rule to meet individual conditions. A latch or other locking device shall be attached to the gate or its counterweight, so arranged as to prevent the gate being unlocked except by the car or operator when the car is at or near the landing.

Sliding gates.

RULE 411. Vertical sliding gates set twelve (12) or more inches from the edge of the hoistway line may be three feet six inches (3' 6'') high and not more than ten (10) inches from the floor. Tell-tale chains not less than four (4) feet long shall be suspended two (2) inches from the edge of the car platform sills and spaced six (6) inches between centers across the width of the opening. A latch or other locking device shall be attached to the gate or its counterweight, so arranged as to prevent the gate being unlocked except by the car or operator when the car is at or near the landing.

Same.

- Cross bars.** RULE 412. The cross bars of vertically sliding enclosure gates or doors used for elevators on which freight is handled shall be sufficiently strong to resist one hundred and fifty (150) pounds pressure at the middle of the span without permanent deformation of the gate or door or their fastenings; all such gates shall close automatically as the car leaves the landing.
- Automatic gates.** RULE 413. Automatically closing gates that were installed previous to the adoption of these rules may be permitted to remain in place as installed, if equipped with a locking device as described in Rules 410 and 411, provided the gates are sufficiently high and strong for the particular requirements where they are used. When such gates are less than five feet six inches (5' 6") high and are set closer than twelve (12) inches from the hoistway line, tell-tale chains not less than four (4) feet long and six (6) inch centers shall be suspended from the landing edges of the car platform.
- Automatic trap doors.** RULE 414. Automatically operated trap doors so constructed as to form a substantial floor surface when closed, and so arranged as to open and close by the action of the car in its passage both ascending and descending, shall be permitted, provided that in addition to such trap doors the hatchway shall be adequately protected on all sides at all floors, including the basement, by a substantial railing or other vertical inclosure at least three feet six inches (3' 6") high; such railing or vertical inclosure shall be placed at least twelve (12) inches from the hoistway line on all sides of the hoistway.
- Grille work.** RULE 415. In all cases where the law or rules permit grille work inclosing the shaft or car, it shall be of substantial material and construction, properly braced and fastened, and there shall not be more than one and one-half (1½) inch space between any two (2) members of said grille work except that where plain straight bars are used, not filled in with scroll, there shall not be more than one (1) inch space between members, provided that in existing installations where the spaces exceed those specified in this rule it shall be deemed satisfactory if the grille work is made safe by suitable screen or wire mesh fastened to the hoistway or car inclosure.
- Passenger elevators.** RULE 416. Door openings on cars used for carrying passengers or employees shall have gates or doors that shall be kept closed while the car is in motion. Every elevator for the carriage of passengers or employees, unless equipped with self-closing or automatic doors or gates, shall have placed therein or attached thereto such automatic device, mechanical or otherwise, approved by the commissioner of labor, as will insure the hatchway doors or gates being closed before the car can start from the landing. No locks will be required on the gates adjacent to the operator. All other gates or doors in the car except emergency exits shall have latches or locks that will prevent their being opened except when the car is at a landing, or they shall have electrical contacts that will stop the car in case any such gate or door is opened. A switch shall be installed in the car to short-circuit the contact wiring in case of emergency.
- Cars.** RULE 417. The cars of all elevators used for carrying passengers or employees shall be substantially inclosed on all sides including the top, and shall have a trapdoor in the top of the car of such size as to afford easy egress for passengers or employees. Where two (2) or more cars are in the same shaft, emergency doors may be provided in the side of each car so that passengers or employees may pass from one car to another in case of emergency. The car roof shall be sufficiently strong to support the weight of a man.
- Lifting capacity.** RULE 418. The lifting capacity of elevators hereafter installed used for carrying passengers or employees shall be not less than seventy-five (75) pounds for each square foot of car floor area.
- Freight elevators.** RULE 419. All freight cars shall have substantial inclosures not less than five feet six inches (5' 6") high on all sides not used for loading and unloading. When the inclosure is made of slats

or bars the spacing shall be close enough to prevent a foot or hand being thrust through into the path of the counterweight or projections in the hoistway.

RULE 420. The entire top of freight elevators shall be provided with a substantially constructed cover or grating made of not less than No. 8 gauge wire and not less than one and one-half ($1\frac{1}{2}$) inch mesh, or its equivalent in strength. No part of such cover or grating or of its supports shall be placed across the top of a freight car within eight (8) inches of the hoistway on its open sides, unless the car opening is equipped with a gate or door. Sections of the cover may be arranged to swing upward for handling bulky material.

Covers.

RULE 421. Freight elevators hereafter installed in factory buildings where more than one hundred (100) people are employed on one floor, in order to be available in case of emergency shall be capable of safely lowering a live load of not less than fifty (50) pounds per square foot of its platform area.

Floor capacity.

RULE 422. For existing power elevators, the hoistway pit shall have sufficient depth so the car may stop level with the landing at the lowest terminal when descending empty, and shall not strike the bottom of the pit when descending with a full capacity load in the car.

Clearances.

RULE 423. In future installations there shall be not less than six (6) inch clearance between the under side of the car frame and the pit for cars of fifty (50) feet or less normal speed, and the clearance shall be increased six (6) inches for every fifty (50) feet additional normal car speed. Three (3) feet clearance between the under side of the car frame and the pit shall be the maximum space required. Buffers shall be installed in the pit to bring the car to rest without serious shock. The hoistway shall have sufficient head room to permit the car when empty to ascend and stop on the terminal automatic stops, and for cars of normal speed of one hundred (100) feet or less per minute the clearance between the car frame and the ceiling or overhead beams shall be not less than eighteen (18) inches; for each fifty (50) feet increase in normal car speed the clearance shall be not less than six (6) inches additional. Five (5) feet clearance between the top of the car frame and the overhead grating, ceiling or beams shall be the maximum space required when the car is at its top landing.

Clearance in new work.

RULE 424. All elevators that are used for carrying passengers or employees, and all freight elevators, unless otherwise specified in these rules, shall have safety jaws, of a type approved by the commissioner of labor, that will grip the guide rails and retard and hold the car with its full load, whenever the safeties are released or applied. In future installations, the safety jaws shall be located under the car platform.

Safety jaws.

RULE 425. All elevators installed after these rules take effect shall be equipped with a speed governor whose action will trip and release the safeties whenever the car attains a downward speed of not more than two hundred (200) feet per minute, for elevators whose normal speeds are not over one hundred and fifty (150) feet per minute, and for greater car speeds the governor shall release the safeties before the car has attained a downward speed not more than forty (40) per cent in excess of the normal car speed. No governor or governor rope fastening shall be set or fastened in the path of the elevator. The governor and safeties shall be of a type and capacity approved by the commissioner of labor.

Governors.

Car safeties will not be required on direct plunger elevators, nor for sidewalk type elevators which travel not more than thirty (30) feet between terminal landings.

RULE 426. The cars shall be properly lighted at all times when they are in service; artificial illuminants shall be used when necessary.

Light.

RULE 427. The car switch, lever or other controlling devices in elevators hereafter installed shall be located so the operator can readily handle the controller while facing the principal car open-

Switches, etc.

- ing. This rule shall also apply to existing installations when deemed necessary by the commissioner of labor.
- Same.** **RULE 428.** The car switch, lever or hand rope used for controlling the car shall be placed near one of the main loading sides of the platform. Where a hand rope or other controlling device is located outside of the car platform a slot or section may be cut out of the car inclosure to enable the operator to reach and operate the controller.
- Grating over-head.** **RULE 429.** A substantial grating to carry a load of not less than five hundred (500) pounds shall be installed under the overhead sheaves and in any open spaces over an elevator hoistway that is not otherwise protected.
- Locking device.** **RULE 430.** Whenever a freight elevator is used without a regular operator it must be provided with a locking device that will hold the controller in "stop position" while the car is being loaded or unloaded.
- Factors of safety.** **RULE 431.** All power driven elevators hereafter installed shall have no less than two (2) hoist ropes and two (2) ropes attached to each counterweight. All passenger or employees' elevators shall have hoist and counterweight ropes and their fastenings with factor of safety when new of not less than eight (8) and on freight elevators the factor of safety shall not be less than six (6), based on the total weight supported by the ropes when the elevator is loaded to its full rated capacity. Hoist ropes or cables shall be replaced when they become unsafe from wear, bruise or fracture. The ends of all hoist ropes shall be securely fastened and there shall be not less than one full turn thereof on machine drums.
- Same.** **RULE 432.** All hoisting machinery used in connection with an elevator shall have sufficient strength and power for the service for which it is used and shall be so equipped as to insure safe operation. All elevators shall have limit stopping devices in the hoistway and on the machine and they shall be kept adjusted so as to automatically bring the car to rest at both limits of travel.
- Counter-weights.** **RULE 433.** Gate or door counterweights shall be guarded on all exposed sides.
- Same.** **RULE 434.** In future installations, all counterweights shall have their sections strongly secured together with tie rods passing through all the weights.
- Clearance.** **RULE 435.** In future installations the clearance space between the top of the counterweight and the overhead beams when the car strikes the pit buffers, shall be not less than eighteen (18) inches for cars of one hundred (100) feet normal speed, and the clearance space shall be six (6) inches additional for every fifty (50) feet increase in normal car speeds. Three (3) feet shall be the maximum clearance required, except for installations where the descending car has its speed diminished when entering the pit by long stroke buffers or other devices in addition to the usual machine slow down. In such cases allowance may be made for the car retardation and the clearance correspondingly decreased.
- Shields.** **RULE 436.** Where there is danger of physical injury to persons by contact with counterweights at the bottom of the counterweight runway, the weights shall be guarded with a substantial metal shield made of not less than No. 16 gauge iron or steel plates, or other material of equal strength. The height from the floor to the top of the shield shall not be less than six feet six inches (6' 6") and the shield shall extend to within eighteen inches of the floor.
- In existing installations where the present clearance space is insufficient to properly install the inclosures, a guard of the same height shall be placed on one side of the counterweight guide rails and four (4) telltale chains not less than four (4) feet long shall be suspended from the bottom of the counterweight.
- Guards.** **RULE 437.** At the upper terminal of the counterweight runway the counterweights used for elevators with drum type machines shall be guarded for a distance of eight (8) feet from the overhead beams.

RULE 438. Counterweight guards at the upper terminal will not be required for elevators operated by plunger or piston type of hydraulic machines with fixed stroke, nor for elevators with traction rope drive where the counterweight can not be drawn into the overhead beams.

Exemption.

RULE 439. Counterweights that pass through the floors outside of the hoistway shall be guarded throughout their entire travel.

Guards.

RULE 440. Power-driven carriage type hoists, installed prior to January 1, 1915, where the platform has hoist ropes fastened to its four corners, and without overhead car beam and car safeties, may be used for travel not exceeding fifty (50) feet between terminal landings. Hoistways for such carriage hoists shall be guarded in the same manner as hoistways used for freight elevators. (See rule 402.) No person shall be permitted to ride on such hoists, and signs to that effect shall be posted on the inclosure.

Carriage hoists.

RULE 441. Hand-power operated elevators may be used for travel not to exceed seventy-five (75) feet between terminal landings. The car shall be provided with safeties that will immediately stop and hold the car with its full load if one (1) or more hoist ropes should break. An inclosure not less than five feet six inches (5' 6") high shall be placed on all sides of the platform not used for loading or unloading, unless the vertical hoistway inclosure is run continuous from floor to ceiling on all sides of the hoistway. Telltale chains four (4) feet long and six (6) inch centers shall be suspended from the landing edges of the platform if the hoistway gates are less than five feet six inches (5' 6") high.

Hand-power elevators.

RULE 442. Slots not more than ten (10) inches wide and not less than two (2) feet from the floor may be cut out of the hoistway inclosure in order to facilitate the operation of the pull rope from the landing floor. When the pull rope is located in front of the elevator entrance the inclosure gate may be two feet six inches (2' 6") high from the floor, provided that telltale chains not less than four (4) feet long and six (6) inch centers are suspended from the bottom of the car platform across the full width of the opening.

Slots.

RULE 443. In future installations, no elevator or hoistway shall be permitted to descend into a passageway. After January 1, 1916, in existing installations, where it may be necessary to maintain a passageway under an elevator or hoistway, there shall be provided a substantial floor or bulkhead with not less than seven (7) feet head room from the floor of the passage. The lowest terminal of such elevator shall be above the bulkhead.

Exits

RULE 444. In all factory buildings there shall be a passageway or unobstructed means of exit leading from the elevator to the outside of the building when the elevator is at the lowest point of its travel.

Same.

RULE 445. All elevator cars shall have a conspicuous sign which shall show the load that can be safely carried on the elevator.

Signs.

RULE 446. All parts of the elevator machinery and the hoistway and car safeties shall be kept in good condition and shall be regularly inspected by some person competent to perform such service. Weekly inspection reports showing the condition of the elevator and hoistway shall be prepared and signed by the person making such inspection; the reports shall be made on a form prescribed by the commissioner of labor and shall be kept on file for his examination.

Maintenance.

RULE 447. Every elevator used for carrying passengers or employees must be in charge of a competent operator of reliable and industrious habits, not less than eighteen years of age, with at least one month's experience in running an elevator under the instruction of a competent person. This rule shall not apply to push-button or automatically operated type elevators.

Operators.

Sanitation of factories and mercantile establishments.

Scope of rules. **RULE 100.** The rules on sanitation shall apply to all factories and mercantile establishments except as otherwise provided in rules for special industries.

Definitions. The term "approved" material shall mean material approved by the industrial board. (A list of such approved materials will be on file in the department of labor.)

The term "water-closet compartment" shall mean an inclosure surrounding an individual water-closet.

The term "toilet room" shall mean any room containing more than one water-closet or urinal or containing one or more water-closet compartments.

Provisions for each sex. The term "hereafter installed" shall mean installed after April 15, 1915.

The term "existing" shall mean installed before April 15, 1915.

RULE 101. Separate water-closet compartments or toilet rooms shall be provided for each sex in every factory where both males and females are employed. Such water-closets shall be designated for the use of males or females and clearly marked "Men" or "Women" at the entrance of the toilet room or of the water-closet compartment if not located in a toilet room.

Number.

RULE 102. Water-closets shall be provided for each sex according to the following table. The number of water-closets to be provided for each sex shall in every case be based upon the maximum number of persons of that sex employed at any one time on the given floor, or floors, or in the given building for which such closets are provided.

Number of persons.	Closets.	Ratio.
1-15-----	1	(1 for 15)
16-35-----	2	(1 for 17½)
36-55-----	3	(1 for 18½)
56-80-----	4	(1 for 20)
81-110-----	5	(1 for 22)
111-150-----	6	(1 for 25)
151-190-----	7	(1 for 27½)

and thereafter at the rate of 1 closet for every 30 persons.

Whenever a urinal is supplied, one closet less than the required number may be provided for males, when more than twenty (20) are employed; except that the number of closets in such cases may not be reduced to less than two-thirds ($\frac{2}{3}$) the required number.

Location.

RULE 103. Water-closets shall be readily accessible to the persons using them. No water-closet shall be located more than one floor above or below the regular place of work of the persons using same, except in refrigerating plants, flour or cereal mills or elevators or such other classes of buildings as may be specified by the industrial board. When passenger elevators are provided in sufficient numbers and their use permitted for taking employees to toilet room floors, this rule as to location shall not apply.

Tenant factories.

RULE 104. Where fifteen (15) or more persons of the same sex are employed on one floor of a tenant factory having no elevator service for the use of such employees, the water-closets for their use, if located off public hallways or other parts of the building used in common, shall be provided on such floor; except that this rule shall not apply where any employer maintains his factory on two or more successive floors of a tenant factory, and except that the commissioner may issue a permit allowing the use of toilets for males and females on alternate floors.

Entrances.

RULE 105. The entrance to every existing water-closet compartment which opens directly into a workroom shall be screened from view by a vestibule or a stationary screen, extending to a height of not less than six (6) feet, and not less than two (2) feet wider than the entrance door wherever space permits.

RULE 106. Where existing water-closets for males and females are in adjoining compartments or toilet rooms and the entrance doors are within ten (10) feet or less of each other, a stationary screen not less than six (6) feet high and either T or L shape shall be built across the doors. Screens at doors.

RULE 107. Every water-closet compartment hereafter installed shall be located in a toilet room, or shall be built with a vestibule and door to screen the interior from view, and the entrance shall be remote from the entrance to a toilet for the opposite sex. New construction.

RULE 108. Where persons of both sexes are employed, the water-closets for each sex shall be so placed or so screened that they shall not be visible, even when the door of the toilet room or water-closet compartment is open, from any place where persons of the other sex have to work or pass. Entrances.

RULE 109. The door of every toilet room and of every water-closet compartment, which is not located in a toilet room, shall be fitted with an effective self-closing device to keep it closed. Doors self-closing, when.

RULE 110. No water-closet or urinal compartment may be maintained in connection with rooms in which food products are manufactured or in which unwrapped food products are packed or sold, unless such compartment is separated from such rooms by a vestibule with door. The doors of both compartment and vestibule shall be provided with self-closing devices. Communication with certain rooms.

RULE 111. No water-closet or urinal compartment may be maintained in connection with rooms in which food products are manufactured or in which unwrapped food products are packed or sold, unless such compartment is separated from such rooms by a vestibule with door. The doors of both compartment and vestibule shall be provided with self-closing devices. During the period between May 1st and November 1st, all windows in toilet rooms, water-closet and urinal compartments provided for such workrooms, shall have wire screens, not coarser than fourteen (14) mesh wire, and such screens shall be kept in good repair. Windows to be screened, when.

RULE 111. Every partition separating a water-closet compartment provided for males from a compartment provided for females shall extend from the floor to the ceiling and there shall be no direct connection between the compartments either by door or other opening. In existing installations, metal or tile covered wooden partitions may be used, the covering of which shall extend to a height of at least seven (7) feet. Such partitions hereafter installed shall measure not less than two and a half (2½) inches between the finished surfaces of the same. Partitions.

RULE 112. The outside partitions of every toilet room and of every water-closet compartment not located in a toilet room shall be solid construction and shall extend to the ceiling or the area shall be independently celled over. Above the level of six (6) feet the outside walls of a toilet room may be provided with glass that is translucent but not transparent. In foundries, rolling mills, blast furnaces, smelting and metal refining works, and such other classes of factories as are specified by the industrial board, the partitions inclosing toilet facilities shall not be required to be carried to the ceiling, provided they are carried to a height of not less than seven (7) feet, and provided such facilities are located in rooms which females are not allowed to enter. Outside partitions.

RULE 114. Every water-closet compartment used by females shall have a door fastened with a latch or lock. Dwarf doors may be used for water-closet compartments located in a toilet room; if used by females they shall not be less than forty-eight (48) inches in height and the top of same shall not be less than sixty (60) inches from the floor. The commissioner may require water-closet compartments used by males to be provided with doors. What doors to have locks.

RULE 117. Every water-closet compartment hereafter installed, if provided with a door, shall be not less than four (4) feet deep and for each water-closet there shall be provided not less than ninety (90) cubic feet of air space in the toilet room or water-closet compartment. Area.

RULE 124. Except in existing installations where water-closets are provided according to rule 102, without diminution for urinals, urinals shall be provided in the following proportion, where more than ten (10) males are employed at any one time: When ten (10) Urinals.

to forty (40) men are employed, one (1) urinal, and thereafter one (1) additional urinal for every sixty (60) men employed. Two (2) linear feet of slab urinal shall be considered equivalent to one individual urinal.

Same. **RULE 129.** In foundries, rolling mills, blast furnaces, smelting and metal refining works and such other classes of factories as are specified by the industrial board, urinals need not be inclosed with partitions provided that they are properly screened, and provided they are located in rooms which females are not allowed to enter. For every urinal fixture or its equivalent, not less than ninety (90) cubic feet of air space shall be provided whenever a urinal is located in a compartment or toilet room.

Heating. **RULE 130.** Every toilet room and water-closet compartment shall be kept heated during working hours to not less than fifty (50) degrees Fahrenheit from November first to April first. Heating facilities hereafter installed shall be so arranged as to permit thorough cleaning of floor and walls.

Ventilation. **RULE 131.** Every toilet room or every water-closet or urinal compartment shall have a window opening directly to the outdoor air. No such window shall be less than one (1) foot wide nor have an area of less than six (6) square feet, measured between stop beads, for one (1) water-closet or urinal. For every additional such fixture, the area of such window shall be increased at least one (1) square foot. A skylight shall be deemed the equivalent of a window provided that it has fixed or movable louvres with openings of the net openable area prescribed for such window.

Every such window shall open upon a street or upon a yard or open space, uncovered at the top, which in its least horizontal dimension shall be at least one-tenth ($\frac{1}{10}$) the height of the highest abutting wall but in no case less than six (6) feet.

Same. **RULE 132.** In addition to the requirements of rule 131 for window or skylight where under special conditions the ventilation is inadequate, the commissioner may require such other ventilation as may be necessary.

Mechanical ventilation. **RULE 133.** The installation of water-closets or urinals with less window area than specified in rule 131, or without direct connection with the outdoor air, will be permitted if a mechanical system of ventilation is provided, maintained and regularly operated, as follows: Such system shall consist of metal or smooth masonry ducts from the toilet rooms or compartments arranged with fan or fans of sufficient capacity to exhaust a volume of not less than thirty-five (35) cubic feet of air per minute for every water-closet or urinal. If the air is exhausted within two (2) feet of each fixture, this amount may be reduced to twenty-five (25) cubic feet of air per minute per fixture.

Existing buildings. **RULE 134.** In existing buildings every toilet room or every water-closet or urinal compartment shall be ventilated to the outdoor air by window, skylight or ventilating duct.

Forced ventilation required, when. **RULE 135.** Whenever any such toilet room having more than two fixtures, either water-closets or urinals, is ventilated solely by ducts or whenever the window or skylight area is less than that required for new buildings by one-third ($\frac{1}{3}$) or more, positive ventilation complying with the requirements of rule 133, shall be maintained. The commissioner may modify this requirement for four (4) or less fixtures, or may require ventilation for two (2) or less fixtures, when necessary.

Windows, etc., to be opened. **RULE 136.** Every window or skylight shall be so constructed and maintained as to be easily opened at least one-half ($\frac{1}{2}$) of its required area.

Drafts. **RULE 137.** No ventilation shall be secured by means of openings to the outdoor air which will permit drafts endangering the health or comfort of employees.

Discharge of fans. **RULE 138.** All exhaust fans shall discharge to the outdoor air at such point as not to cause offense to the occupants of the building or create any nuisance in the neighborhood. Whenever any air shaft used for ventilating toilet rooms is covered by a

skylight, the net area of openings in the skylight shall be equal to at least the required area of the air shaft.

RULE 139. Every toilet room or water-closet compartment shall be so illuminated that all parts of the room and compartment are easily visible at all times during working hours. If daylight is not sufficient for this purpose, artificial illumination shall be maintained. The approaches to all water-closets and privies shall be kept well lighted and free from incumbrances.

Lighting.

[Rules 140 to 147 relate to privies and other closets without flush, which are permitted only where their use is absolutely necessary, but in no case where there is a permanent force of 25 or more employees.]

RULE 143. At least one (1) washbasin with water-supplied faucet shall be provided for every twenty (20) employees employed at any one time: *Provided, however,* That when such facilities are provided for more than one hundred (100) employees, not less than one (1) additional basin may be provided for every additional twenty-five (25) such employees. Twenty (20) inches of sink with faucet shall be considered equivalent to one (1) basin. The industrial board may approve modifications of this rule for special industries or occupations.

Washbasins.

RULE 149. In all factories where lead, arsenic or other poisonous substances or injurious or noxious fumes, dust or gases are present, resulting from trades or processes which have been declared dangerous by the industrial board, the washing facilities shall include separate wash rooms for males and females and not less than one (1) wash basin or its equivalent for every ten (10) employees, with running hot water, soap and individual towels. Either paper towels or an adequate daily supply of clean towels shall be supplied.

Poisonous
dusts, etc.

RULE 150. The requirements specified in rule 149 shall apply also to all establishments where food products are manufactured or unwrapped food products are packed or sold, except that the washing facilities may be supplied in the workroom. A notice shall be conspicuously posted adjacent to the washing facilities directing all employees to cleanse their hands before beginning work and after using the toilets.

Food prod-
ucts.

RULE 151. If separate wash rooms are provided, the inclosing walls shall be of solid construction. In wash rooms used by females, such walls shall be not less than seven (7) feet high, except that when wash rooms used by males and females adjoin, the wall separating such rooms shall be carried to the ceiling. Where males only are employed, clear glass may be used in the walls of such rooms, but in rooms used by females, the glass, if used, shall be of approved translucency.

Walls of
washrooms.

RULE 152. Every washbasin hereafter installed shall be made of vitrified glazed earthenware, enameled iron or other glazed material impervious to water. Galvanized cast iron will be permitted for sinks.

Basins.

RULE 153. Unless the general washing facilities are on the same floor and in close proximity to the toilet room, at least one (1) washbasin shall be provided in such room or adjacent thereto.

Washbasin at
toilet room.

RULE 154. All basins and sinks shall be so illuminated that all parts are easily visible at all times during working hours. If daylight is not sufficient for this purpose, artificial illumination shall be maintained.

Lighting.

RULE 155. The use of any towel or towels in common is prohibited.

Towels.

RULE 156. If paper towels are supplied, metal receptacles for used towels shall be provided.

Receptacles
for towels.

RULE 157. All floors under basins and sinks shall be kept sanitary and in good repair.

Floors.

RULE 158. In every factory or mercantile establishment where females are employed, not less than one (1) dressing room for their exclusive use shall be provided. Where more than five (5) and not more than ten (10) females are employed, the floor space of such room or rooms shall be not less than sixty (60) square

Dressing
rooms.

feet, and for each additional person not less than two (2) square feet shall be added thereto.

When a separate hospital or emergency room for the exclusive use of female employees who are sick or injured, is provided and maintained at all times in addition to such dressing room, or in case the floor area provided in toilet and wash rooms is more than the required amount, a proportionate reduction in floor area of dressing rooms may be made by the commissioner.

- Walls.** **RULE 159.** The walls or partitions of every dressing room shall be of solid construction, and shall be at least seven (7) feet high. Glass of approved translucency may be inserted in such walls or partitions. Every dressing room shall be so constructed and maintained that privacy shall be secured at all times, and shall be provided with locker or a separate clothes hook for every female employee, unless such facilities are elsewhere provided.
- Windows, etc.** **RULE 160.** Every dressing room shall have at least one (1) window or skylight opening directly to the outdoor air or air shaft, which shall be so constructed and maintained as to be easily opened at least one-half ($\frac{1}{2}$) of its required area, except that in case a separate hospital or emergency room is provided and maintained at all times for the exclusive use of females, and such room has a window or skylight opening to the outdoor air, the dressing room shall not be required to have such window or skylight.
- Ventilation.** **RULE 161.** Every dressing room, wash room or locker room inclosed by walls which extend to the ceiling, unless provided with windows which have an area opening directly to outdoor air, not less than one-tenth ($\frac{1}{10}$) of the floor area, shall have exhaust ventilation equal to not less than six (6) changes of air per hour at all times when such rooms are in use. A skylight shall be deemed the equivalent of a window provided that it has fixed or movable louvres with openings of the net openable area prescribed for such window. In any such room, inclosed by walls which do not extend to the ceiling, the commissioner may require such ventilation as may be necessary.
- Heating.** **RULE 162.** Every dressing room shall be heated to a temperature of not less than fifty-eight (58) degrees Fahrenheit, and shall be so lighted that all parts of the room are easily visible.
- Lighting.** If daylight is not sufficient for this purpose, artificial illumination shall be maintained at all times when the room is in use.
- Couch or bed.** **RULE 163.** At least one (1) couch or bed shall be provided in every factory or mercantile establishment for the use of females; where more than forty (40) and less than one hundred (100) females are employed, two (2) shall be provided; where more than one hundred (100) and less than two hundred and fifty (250) females are employed, three (3) shall be provided, and thereafter at least one (1) for every two hundred and fifty (250) employees. Unless a separate hospital or emergency room is provided for the use of female employees, a part of the dressing room shall be screened off and the couch or couches placed therein.
- Drinking water.** **RULE 164.** Drinking water shall be supplied at all times, in places accessible to employees, and shall be cold.
- Drinking cups.** **RULE 165.** The use of a common glass or a cup is prohibited. When sanitary drinking fountains are supplied, they shall be so constructed that a person shall drink from a stream or jet of water. An inverted faucet will be accepted as complying with this rule.
- Cleanliness.** **RULE 166.** All water-closet compartments and all toilet rooms and all wash and dressing rooms and all privies and the floors, walls, ceilings and surface thereof, and all fixtures therein, and all water-closets and urinals, basins, and sinks shall at all times be kept and maintained in good order and repair and in clean, odorless and sanitary condition.
- Toilet paper.** **RULE 167.** In each toilet room an adequate supply of toilet paper in proper holder shall be provided and it shall be of material which will not obstruct fixtures or plumbing.

RULE 168. The inclosure of all toilet rooms, dressing rooms or water-closet compartments and all fixtures shall be kept free from all indecent writing or marking and such defacement when found, shall be at once removed by the employer.

Indecent
marks, etc.

RULE 169. All parts enumerated in sections 84 and 168 shall be kept in good repair.

Repair.

RULE 170. If a building is constructed of smooth finish concrete or other finished surface, or if the roof is built with open frame construction, the commissioner may dispense with the requirement to limewash or paint such walls and ceilings.

Lime wash-
ing.

RULE 171. Every floor shall be kept free from protruding nails, splinters, holes or loose boards. If any floor is so defective or in such ill repair that it can not be kept in a clean and sanitary condition, it shall be replaced by a new floor.

Floors.

RULE 172. The floor of every workroom shall be maintained so far as possible in a dry condition. Where wet processes are used, the floors shall be drained free from liquids, or whenever it is impracticable to keep it entirely free from liquids, platforms, mats or other dry standing place shall be provided for women.

Floors to be
dry.

RULE 173. Every flight of stairs having more than three (3) risers shall have treads in good condition with no protruding bolts, screws or nails, and every flight of stairs having more than four (4) risers shall be equipped with permanent and substantial handrails, approximately thirty-six (36) inches in height. Such handrail shall be placed (1) on all open sides, (2) on one side of inclosed stairway four (4) feet or less in width, (3) on both sides of inclosed stairway over four (4) feet in width, (4) on both sides and in center of stairways over eight (8) feet in width. This rule shall not apply where railings are specified in rules for dangerous machinery.

Stairs.

RULE 174. Every handrail shall be smooth and free from splinters.

Handrails.

RULE 175. No person shall spit or expectorate upon the walls, floor or stairs of any building. One (1) or more cuspidors shall be provided in every toilet room used by males. In workrooms, cuspidors shall also be provided whenever required by the commissioner. Every cuspidor shall be made of impervious material with smooth surface, which can be easily cleaned. Where work is continuous during the twenty-four hours, all cuspidors, if used, shall be cleaned both night and morning.

Spitting.

RULE 176. Whenever a receptacle is used for waste or refuse which is liquid, or consists of material liable to decay or have an offensive odor, it shall be made of metal or earthenware or be metal lined and shall not leak. It shall be kept covered, and shall be washed out as often as is necessary to keep it in sanitary condition.

Receptacles
for refuse.

RULE 177. All sweepings, waste and refuse shall be removed in such manner as to avoid raising of dust or odors as often as is necessary to maintain the factory or mercantile establishment in a clean and sanitary condition.

Sweepings,
etc.

RULE 178. In every factory employing more than ten (10) persons, in which power driven machinery is used for manufacturing, there shall be provided a first-aid kit at all times free of expense to employees. The commissioner may require such equipment to be furnished in mercantile establishments. A suitable and easily accessible space shall be set aside to administer first aid, which will insure a reasonable amount of privacy both to the injured and the person rendering first aid. There shall be provided therein two chairs, a small table, and washing facilities consisting of water, basin, towel and soap. If the establishment occupies more than one floor, a stretcher shall be provided. The first-aid case shall be made of either metal or glass, shall be so constructed as to exclude dust, and shall be kept clean. In all establishments where work is carried on in more than one building or on several floors, duplicate kits shall be supplied as directed by the commissioner.

Provisions
for accidents.

Where a separate hospital room is maintained for the use of employees who are injured or sick, the first-aid kit may be dispensed with, except that in hazardous occupations a simpler kit should also be kept for immediate use in parts of the building located at a distance from the hospital.

Nurse, etc.

RULE 179. In every establishment where a first-aid kit is to be maintained, at least one (1) person shall be instructed by a physician or trained nurse how to apply first aid to injured persons and shall have charge of the first-aid kit and its maintenance. Such kit shall be for first-aid use only.

It is recommended that when an employee is so seriously injured that he must stop work for the day, the service of a physician should be secured as promptly as possible.

Supplies.

RULE 180. The contents of the first-aid case shall be as follows:

INSTRUMENTS.

1 pair scissors. Tourniquet.
Thumb forceps. Graduated medicine glass.

DRUGS.

2 oz. aromatic spirits of ammonia.
2 oz. 4% boric acid.
2 oz. alcoholic iodine solution, half strength (for external use).
2 3/4 oz. collapsible tubes of bicarbonate of soda mixed with vaseline [3%] (for burns).
2 oz. castor oil (for eye injuries).

DRESSINGS.

1 doz. assorted sizes sterile gauze bandages.
1 spool Z. O. adhesive plaster, 1 inch by 5 yards.
3 1/2 oz. packages of absorbent cotton.
3 1-yard packages of sterile gauze.
Splints of assorted sizes for fractures.
Wooden applicators wound with cotton.
Wooden tongue depressors.

All bottles or other containers containing drugs or other substances shall be clearly labeled and the specific purpose for which the contents are to be used shall be marked thereon. Directions for the use of the first-aid kit may be secured from the commissioner.

The industrial board may approve special types of first-aid kit and also may designate more elaborate first-aid kits for special industries.

[Rules 181 to 196 relate to technical details as to the installation of plumbing.]

Duty of employees.

RULE 197. Every employee shall be responsible for carrying out all rules which immediately concern or affect his conduct.

Sanitation of foundries—Women in core rooms.

Definition.

RULE 550. An iron or steel foundry shall mean a place where iron or steel or both metals are melted and poured into sand molds in the making of castings, together with all cleaning, core making, drying, wash rooms and toilet rooms, used in connection therewith.

Same.

RULE 551. The term "entrance," as used in these rules, shall mean main doorways opening directly to the outer air.

The term "gangway," as used in these rules, shall mean well-defined passageways dividing the working floor of foundries but not the spaces between molds. Spaces between molds shall be divided into three classes, which shall be known as "bull-ladle aisles," "hand-ladle aisles" and "buggy-ladle aisles."

Rules' exclusive.

RULE 552. Unless otherwise specified these rules shall, as to the subjects covered therein, exempt foundries from the provisions of rules relating to such subjects.

RULE 553. Entrances to foundries shall be protected from November first to April first of each year by a covered vestibule, either stationary or movable, which shall be so constructed as to eliminate drafts and of such dimensions as to answer ordinary purposes, such as the passage of wheelbarrows, trucks and small industrial cars. This rule shall not apply to entrances used for railroad or industrial cars handled by locomotives or motors, or for traveling cranes, horse-drawn vehicles or automobiles; these entrances may remain open only for such time as is necessary for the ingress and egress of such cars, trucks and cranes, horse-drawn vehicles or automobiles.

Entrances.

No locomotive shall be permitted to remain inside the foundry during the loading or unloading of the cars.

RULE 554. Main gangways where iron is carried by hand, bull or truck ladles shall not be less than five feet wide. Truck-ladle gangways which are not main gangways shall be not less than four feet wide. Bull-ladle aisles between floors shall be not less than three feet wide. Single hand-ladle or buggy-ladle aisles between floors shall be not less than eighteen inches wide. Where trolleys are used over molding floors for pouring metal, the aisles shall be of sufficient width to permit the safe ingress and egress of employees and the safe use of the ladles. Where it is necessary to occupy the central portion of the floor space in the production of moldings, continuous gangway space shall be provided.

Gangways.

RULE 555. During the progress of casting every gangway or aisle shall be kept entirely free from pools of water or obstructions of any nature. Every gangway where industrial tracks are used shall be constructed of a hard material of substantial character and the top of the rail shall be flush with the floor.

Obstacles.

RULE 556. Where smoke, steam, gases or dust arising from any of the operations of the foundry are dangerous to health and where a natural circulation of air does not carry off such smoke, steam, gases or dust, there shall be installed and operated hoods, ventilators, fans or other mechanical means of ventilation approved by the commissioner of labor.

Ventilation.

RULE 557. Where fumes, gases and smoke are emitted from drying ovens in such quantities as to be detrimental to the health or comfort of employees, hoods and pipes or exhaust fans or other mechanical means shall be provided over the doors of such ovens; hoods and pipes will not be required where they would interfere with the operation of traveling cranes, but other effective means shall be provided for the removal of such smoke, gases and fumes.

Same.

RULE 558. The cleaning and chipping of castings shall be done in cleaning rooms except that where traveling cranes or where, in existing installations cars are used for conveying castings into such rooms, a separating partition shall be erected which shall be not less than twelve (12) feet in height. In existing installations, where the crane cage or crane girders will not permit the erection of a twelve-foot partition, the height of the partition may be reduced sufficiently to permit of the clearance of same. Large castings may be chipped or cleaned by hand in the molding and casting room provided sufficient protection is furnished by the use of a curtain or screen or some other means equally good to protect employees who are otherwise employed therein.

Cleaning castings.

This rule shall not apply if mechanical contrivances are used for cleaning castings and the dust and particles arising therefrom are effectively removed at the point of origin by means of an exhaust system.

RULE 559. Where tumbler mills are used, exhaust systems shall be installed to effectively carry off the dust arising from the cleaning of castings, except where the mill is operated outside the foundry. This rule shall not prohibit the use of a water barrel to clean castings. Sand-blast operations shall be carried on in the open air or in a separate room used solely for such purpose. The milling of cupola cinders, when done inside the foundry, shall

Same.

- be carried on by an exhaust mill or water mill, each of a type approved by the commissioner of labor.
- Drainage.** RULE 560. The floor beneath and immediately surrounding the cupola shall slope and drain away from the base of same.
- Blowing out cores.** RULE 561. No cores shall be blown out of castings by compressed air unless such work is done outside the foundry or in a special room or dust-proof inclosure approved by the commissioner of labor. Men employed in cleaning castings by compressed air or sand-blast shall wear eye guards and helmets.
- Lighting.** RULE 562. Where natural light is insufficient properly to light the foundry, artificial light of sufficient power shall be provided, in the discretion of the commissioner of labor.
- Whitening walls.** RULE 563. Interior walls of foundries shall be whitened, in the discretion of the commissioner of labor.
- Heating.** RULE 564. Proper and sufficient heat shall be provided and maintained in every foundry. Open fires may be used for the drying of molds or cores if coke containing less than one per cent of sulphur is used; also charcoal, gas or oils may be so used; where practicable, such drying of molds or cores shall be done at night.
- Ladles.** RULE 565. All hand and bull ladles shall be dried in ovens or outside of the foundry. A sufficient number of sheet iron shields shall be available in iron foundries for use in covering hand and bull ladles.
- Drying clothing.** RULE 566. Suitable facilities shall be provided for the thorough drying of employees' clothing. Such facilities may be located in the wash room, the locker room, or in a room used exclusively for such purpose.
- Water-closets.** RULE 567. Water-closets shall be provided in every foundry and for each sex, according to the following table:

Number of persons.	Number of closets.	Ratio.
1 to 10-----	1	(1 for 10)
11 to 25-----	2	(1 for 12½)
26 to 50-----	3	(1 for 16⅔)
51 to 80-----	4	(1 for 20)
81 to 125-----	5	(1 for 25)

For every unit of forty-five or fractional part thereof in excess of one hundred twenty-five (125) persons employed, one additional water-closet shall be provided.

- Urinals.** RULE 568. Where more than ten (10) and less than thirty (30) males are employed at one time there shall be provided one individual urinal; where more than thirty (30) and less than eighty (80) males are employed, two urinals shall be provided, and thereafter one individual urinal shall be provided for every eighty (80) men employed or fractional part thereof. At least two (2) linear feet of trough or slab urinal shall be considered the equivalent of one individual urinal.
- Washbasins.** RULE 569. Washbasins with faucets for hot and cold water shall be supplied according to the following table:

Number of persons.	Number of washbasins.	Ratio.
1 to 8-----	1	(1 for 8)
9 to 16-----	2	(1 for 8)
17 to 30-----	3	(1 for 10)
31 to 45-----	4	(1 for 11¼)
46 to 65-----	5	(1 for 13)

For each additional twenty-five (25) employees at least one additional washbasin shall be supplied. Twenty (20) inches of sink shall be considered the equivalent of one washbasin.

- Shower baths.** RULE 570. Washrooms hereafter installed where twenty (20) or more men are employed shall be provided with at least one shower bath with an ample supply of hot and cold water, and for every

additional one hundred (100) men one additional shower bath shall be provided.

RULE 571. Individual lockers, arranged for locking, shall be provided for employees and shall be placed in a room used exclusively for such purpose, in the wash room, the drying room, or at convenient places in the molding room. In cases of dispute the necessity for and the number of such lockers shall be determined by the commissioner of labor.

Lockers.

RULE 572. The general provisions of the Industrial Code shall apply in all matters not specifically covered in rules 563 and 567 to 570 inclusive.

General rules.

RULE 573. Ladles, shanks, tongs, slings and yokes used in the pouring of molten metals shall, prior to their use, be inspected daily as to their safety, by the men preparing and using same, and in addition a regular inspection as to their safety shall be made once a month by a man designated for that purpose. A monthly inspection shall also be made of the chains and cables on counterweights used in connection with drying ovens. Reports of such inspections shall be made on forms prescribed by the commissioner of labor, and shall be kept on file for his examination.

Inspections.

RULE 574. All fire ways connected with drying ovens, when built in the floor, shall at all times be protected by either a substantial protecting cover or a standard rail as defined in rules relating to dangerous machinery.

Fire ways.

RULE 575. All trapdoors shall be guarded when open, either by standard rails as described in rule 574 or watchmen, and all pits shall be properly covered or railed when not in use, and sufficiently guarded at other times.

Trapdoors.

RULE 576. All passageways and stairways shall be properly lighted, and inclined runways and stairways, charging decks and platforms shall be safeguarded with standard rails as described in rule 574.

Ways.

RULE 577. All pouring ladles of 2,000 pounds' capacity or more shall be equipped with a geared device for tilting same. All pouring ladles shall be so constructed that the center of gravity shall be below the bail, and shall be equipped with a clip to prevent overturning.

Ladies.

RULE 578. Trunnions on flasks shall be capable of sustaining the loads they are required to handle. Trunnions hereafter constructed shall be carefully designed to carry the load they are to handle and constructed with a factor of safety of at least ten (10), including bolts where they are used. The diameter of the button shall be equal to the diameter of the groove plus one and one-half times the diameter of the sling used to handle the flask. Inside corners shall be well filleted and in order to prevent the sling slipping off or riding the button, the radius of the corner between groove and button shall be approximately equal to the radius of the sling used, the remainder of the inside edge of the button to be straight. All trunnions constructed after April 15, 1915, shall bear the date of their construction.

Trunnions.

RULE 579. The use of high explosives on the foundry premises for the breaking of castings is prohibited unless effective protection is provided.

Explosives.

RULE 580. The breaking of castings by the use of a drop inside the foundry during working hours is prohibited. Where a drop is used for the breaking of castings outside of the foundry a permanent shield of heavy planking or other effective protection shall be provided.

Drop breakers.

RULE 581. Every employee shall use safety devices furnished for his protection by the employer, where there is a hazard connected with his employment.

Duty of employees.

RULE 582. Where rooms in which coke ovens are located adjoin rooms where cores are made by females and where the making of cores and the baking of cores are simultaneous operations, the partition between such rooms shall be constructed of concrete, hollow tile, brick, metal, or wood covered with metal, or other material approved by the commissioner of labor, and there shall

Partitions for core rooms.

- be in such partition only such openings as are required by the nature of the business.
- Openings.** **RULE 583.** All openings in partitions between the core oven room and the room in which females are employed shall be vestibuled with a revolving device or double doors which shall be self-closing, or any other self-closing device equally effective, which shall be approved by the commissioner of labor. Such device shall be kept in such condition that gases, fumes and smoke shall be effectually trapped.
- Temperature of cores.** **RULE 584.** No female shall be allowed to handle cores which have a temperature of more than one hundred and ten (110) degrees Fahrenheit.
- Weight.** **RULE 585.** No female shall be permitted to make or handle cores when the combined weight of core, core box and plate at which she is working exceeds twenty-five (25) pounds.
- Brass foundry.** **RULE 586.** A brass foundry shall mean a place where brass, aluminum, copper, tin, zinc, gold, silver, or composition metals containing any of the foregoing metals are melted or poured into sand molds in the making of castings, except that foundries where aluminum only is melted shall be covered by rules governing iron and steel foundries.
- The term cellar when used in these rules shall mean a room or part of a building which is one-half or more of its height below the level of the curb on the ground adjoining the building (excluding area ways).
- The term basement when used in these rules shall mean a room or part of a building which is one-half or more of its height above the level of the curb.
- What rules apply.** **RULE 587.** The rules relative to dust, smoke, gases or fumes, ventilation, sanitation, heat, light, gangways and aisles, safety appliances, wash rooms, cleaning rooms, drying and locker accommodations, as specified for iron and steel foundries, shall apply to brass foundries, except that main gangways shall be not less than four (4) feet wide and gangways between molds on spill troughs shall be not less than three (3) feet wide.
- Crown plates.** **RULE 588.** When the crown plate of an upright melting furnace is elevated above the surrounding floor in excess of twelve (12) inches, the furnace shall be equipped with a platform with a standard rail; such platform shall be constructed of metal or other fireproof material, and shall extend along the front and sides of the furnace, flush with the crown plate and shall be at least four (4) feet in width and shall be clear of all obstructions during pouring time. If the platform is elevated above the floor in excess of twelve (12) inches the lowering from same of crucibles containing molten metal shall be by mechanical means.
- Weight of crucible, etc.** **RULE 589.** When the combined weight of a crucible, tongs and molten metal exceeds one hundred (100) pounds, it shall be removed from the furnace and deposited on the floor by mechanical means.
- Smoke boxes.** **RULE 590.** When smoke finish is desired on molds made on benches or tubs, smoke boxes which shall effectually trap the smoke shall be used; such boxes to be connected with flues to the outer air.
- Work space.** **RULE 591.** When molders work side by side at least five (5) feet of space sideways shall be allowed for each man, and a clear space of three (3) feet shall be provided back of each man.
- Hoods.** **RULE 592.** Hoods shall be provided directly above all brass melting furnaces using gas or oil as fuel, which will effectually trap all gases and fumes generated in the melting of the metal; such hoods shall be provided with outlet pipes to lead the gases or fumes to outer air.
- Ventilators shall be provided over all other furnaces used for melting brass or composition metal, to effectually remove the gases above the furnaces.
- Lighting.** **RULE 593.** Brass foundries shall be provided with natural light from at least two sides or from at least one side, and skylights in roof.

- RULE 594.** All persons removing pots containing molten metal from furnaces or handling such pots shall be provided with protection for legs and feet. Leg guards.
- RULE 595.** Gangway dirt and floor scrapings shall not be riddled in the room where workmen are employed, unless it is so dampened as to prevent dust arising therefrom. Riddling scrapings.
- RULE 596.** Stoves used for drying molds, when located in the rooms used by workmen, shall be surrounded by a casing of fire-proof material, to the full height of the stove. Stoves.
- RULE 597.** No brass foundry shall hereafter be constructed with a clearance less than fourteen (14) feet between the lowest point of the ceiling and the floor, except that where a peak, saw tooth, monitor or arch roof is constructed the side walls may be of a minimum height of twelve (12) feet. Clearance.
- RULE 598.** No foundry shall hereafter be located in a cellar or basement unless the ceiling shall be at least fourteen (14) feet in height, measured from the finished floor to the under side of the ceiling; and, if the foundry is located or intended to be located entirely in the front part of the building, unless the ceiling shall be in every part at least six (6) feet six (6) inches above the curb level of the street in front of the building; or, if the foundry is located or intended to be located entirely in the rear part of the building, or to extend from the front to the rear, unless the ceiling shall be not less than three (3) feet above the curb level of the street in front of the building, and the foundry shall open upon a yard or court which shall extend at least six (6) inches below its floor level; nor unless proper and adequate provision shall be made for lighting and ventilation. Cellars and basements.
- RULE 599.** In case any foundry that was legally operated in a cellar or basement on January 1, 1915, shall be discontinued or unused for a period of more than four (4) consecutive months, it can thereafter be reopened as a foundry only by complying with the provisions of the rules relating to future foundries. The occasional operation of a foundry for the purposes of evading this rule shall not be deemed a continuance of use thereof. Reopening foundry.

Milling industry and malt house elevators.

[Rules 650 to 664 were adopted under the general authority of section 20-b of the Labor Law. They apply to flour, feed, and cereal mills, and to malt house elevators where specifically referred to. They relate chiefly to forms of construction to prevent the accumulation of dust, to ventilation and exhaust systems for the removal of dust, the isolation of boiler and engine rooms, electric generator sets, and other possible sources of ignition, and forbid smoking or the carrying of matches or cigar lighters into mills and elevators. A supply of chemical fire extinguishers is prescribed.]

Dust, gases, and fumes.

RULE 700. Every grinding, polishing and buffing wheel, except such wheels as are used in the manufacture of articles of gold and platinum, shall be provided with a hood connected by means of a pipe to an exhaust fan or other suction device, in such manner as to carry away the dust and refuse thrown off by such wheel to some receptacle so placed as to receive and confine the dust. Every such hood shall be made of metal or other suitable material and be of such form and so located in relation to the grinding surface of the wheel that the dust and refuse therefrom will fall into or be drawn into the hood and be carried off by the pipe attached to it. An emery wheel which is used occasionally by workmen for grinding tools used in the shop shall not be required to be so equipped, provided it has a hood, casing or other device to prevent particles from being thrown upon the operator. Every grinding wheel upon which water is used at the point of grinding contact shall be similarly guarded, but connection with an exhaust shall not be required unless dust is thrown off from such wheel. Exhaust system.

Every hood shall be so constructed as to expose the smallest portion of the wheel consistent with efficient operation, and its free edges shall be turned back or faced to prevent injury to the hands of workmen. Where there is likelihood that the hood may scratch the work, the edges of the hood should be covered with leather or other suitable covering.

The commissioner may modify the requirements of this rule for machines of special types for which it proves impracticable to provide hoods.

Pipes.

RULE 701. The minimum sizes of branch pipes for different sized emery or other grinding wheels shall be as follows throughout their entire length:

Diameter of wheels.	Maximum grinding surface, square inches.	Minimum diameter of branch pipe in inches.
6" or less, not over 1" thick.....	19	3
7" to 9" inclusive, not over 1½" thick.	43	3½
10" to 16" inclusive, not over 2" thick.	101	4
17" to 19" inclusive, not over 3" thick.	180	4½
20" to 24" inclusive, not over 4" thick.	302	5
25" to 30" inclusive, not over 5" thick.	472	6

If a wheel is thicker than given in the above table, or if a disc is used, it shall have a branch pipe not smaller than is called for by its grinding surface as above specified.

Branch pipes.

RULE 702. The minimum sizes of branch pipes for different sized buffing or polishing wheels shall be as follows throughout their entire length:

Diameter of wheels.	Maximum grinding surface, square inches.	Minimum diameter of branch pipe in inches.
6" or less, not over 1" thick.....	19	3½
7" to 12" inclusive, not over 2" thick.	75	4
13" to 16" inclusive, not over 3" thick.	151	4½
17" to 20" inclusive, not over 4" thick.	251	5
21" to 24" inclusive, not over 5" thick.	377	5½
25" to 30" inclusive, not over 6" thick.	565	6½

If a wheel is thicker than given in the above table, it shall have a branch pipe not smaller than is called for by its polishing surface as above specified.

In old installations, however, the commissioner may approve modifications of rules 701 and 702: *Provided*, That the static suction as required in rule 704 is maintained and the dust and particles are effectively removed.

Buffing wheels six (6) inches or less in diameter used for jewelry work may have a three (3) inch branch pipe.

Main pipes.

RULE 703. The area of the main suction pipe at any point shall be not less than the combined areas of the branch pipes entering it between such point and the tail end of the system, and the increase shall be carried proportionately throughout the entire length of the main pipe, except that in systems installed previous to the adoption of these rules, the commissioner may approve a main suction pipe smaller than the combined areas of such branch pipes and without proportionate increase: *Provided*, That static suction as required in rule 704 is maintained, and that dust does not settle in the main. The inlet and outlet of the fan or casing and the discharge pipe throughout its en-

tire length shall be at least equal to the main pipe at the fan inlet.

The main suction pipe should preferably receive only one (1) branch in a section of uniform area, whenever space permits, and in no case should it receive more than two (2) branches in such a section.

It is recommended that the main suction pipe should be twenty per cent (20) greater than the combined areas of the branch pipes.

RULE 704. Sufficient static suction shall be maintained in every branch pipe within one (1) foot of the hood to produce a difference of level of at least two (2) inches of water between the two (2) sides of a U-shaped tube. Test shall be made by placing one end of a rubber tube over a small hole made in pipe, the other end of tube being connected to one side of U-shaped water gauge. Such test shall be made with all branch pipes open and unobstructed.

Suction.

RULE 705. Every branch pipe shall enter the main pipe at top or side and at an angle not exceeding forty-five (45) degrees; it shall incline in the direction of the air flow at junction with the main. Branch pipes shall not project into the main.

Joints.

Every branch pipe shall lead out of the hood as nearly as possible at the point where the dust will naturally be thrown into it by the wheel. In the case of undershot wheels (i. e., when the top of the wheel runs toward the operator), the main suction pipe should be back of and below the wheels, and as close to them as practicable.

The main suction and discharge pipes shall be made in the direction of the air flow and every enlargement in the size of pipe shall be made on a taper and not by an abrupt change.

Laps.

RULE 706. Every lap in piping shall be made in the direction of the air flow and every enlargement in the size of pipe shall be made on a taper and not by an abrupt change.

Bends.

Every bend, turn or elbow shall be made with a radius in the throat at least equal to one and one-half (1½) times the diameter of the pipe on which it is connected.

It is recommended, however, that every such bend, turn or elbow should be made with a radius in the throat of twice the diameter of the pipe on which it is connected, wherever space permits.

In future installations the main suction pipe shall be blanked off with removable cap.

RULE 707. In future installations all pipes shall be constructed of not less than the following gauge metal:

Gauge.

Size of pipe.	Gauge of metal.
8'' or less in greatest dimension.....	24
9''-20'' in greatest dimension.....	22
21''-30'' in greatest dimension.....	20
30'' and upwards.....	18

All elbows should be made of metal two (2) gauges heavier than the pipe on which they are connected.

Flanges and hoods for the protection of grinding wheels shall be constructed according to the rules for dangerous machinery.

RULE 708. In a tenant factory the owner shall install or permit the tenant to install the main and branch pipes as required by these rules between the floor occupied by the tenant and the roof and ground floor of such building.

Duty to install.

RULE 709. Every main pipe, both suction and discharge, shall be provided with clean-out doors so spaced as to allow the pipe to be thoroughly cleaned.

Clean-out doors.

RULE 710. Branch pipes may be equipped with shut-off dampers which may be closed when the wheel is not in use. Every such damper shall be of the sliding type and shall be kept open whenever the wheel is in operation. The stovepipe or butterfly type of damper will not be permitted for branch pipes.

Dampers.

- Screens and traps.** RULE 711. Every pipe shall be kept open and unobstructed throughout its length, and no fixed screen may be placed in it. The use of a trap at the junction of the hood and branch pipe is recommended, provided it is not allowed to fill up with dust.
- Fire doors.** RULE 712. Pipes shall be provided with fire doors as required by the rules on fire protection.
- Repair.** RULE 713. Every exhaust system shall at all times be kept in good repair and clean condition, and operated in conformity with these rules while the machinery for which it is provided is in use.
- Outlets.** RULE 714. No air outlet from a dust collector shall discharge into any workroom, except when an approved separator is used which effectually removes all dust from the air. No permanent inlets for air shall be allowed in any workroom which will subject the employees to any draft or local current of air more than ten (10) degrees below the general temperature of the room.
- Belts.** RULE 715. Every belt or strap used for grinding, polishing or buffing shall be equipped, as far as practicable, with an exhaust system so designed and attached that it will carry off the dust at its point of origin.
- Plans.** RULE 716. Duplicate plans or drawings made in ink to scale, or prints of such scale drawings, and specifications, showing location and size of all hoods, main and branch pipes, fans and dust separators, and wheels, and the kind of work for which they are to be used, may be filed by the owner or contractor with the commissioner for examination and approval, as to design, whenever an exhaust system is to be installed, extended or altered. The employer or contractor, upon completion of any installation, shall notify the commissioner and the test specified in rule 704 shall be obtained by him before the system is approved.
- Where hoods required.** RULE 717. Every machine used for cutting, drilling, dressing and polishing stone, glass or mother-of-pearl, or for picking, carding or garnetting fibrous substances or shoddies, shall be provided with a hood connected by means of a pipe to an exhaust fan or other suction device. Every pot used for melting lead or metal compounds in any process of manufacture shall be provided with a hood connected by means of a pipe to an exhaust fan or other suction device or such hood shall be connected to a flue having efficient natural draft. Every such hood shall be so located in relation to the machine that the dust, refuse or fumes therefrom will fall into or be drawn into the hood and be carried off by the pipe attached to it. This rule shall not apply to portable machines.
- Suction devices required, where.** RULE 718. All fumes, vapors and gases emitted or created in or in connection with any process of manufacture composed of
- | | |
|-------------------------------|------------------------------|
| acrolein | ammonia |
| amyl acetate | amylic alcohol |
| arseniiuretted hydrogen | carbon bisulphide |
| carbon tetrachloride | chlorine |
| chromium and chromium salts | hydrochloric acid |
| formaldehyde | hydrofluoric acid |
| hydrocyanic acid | mercury or salts of mercury |
| salts of lead | phosgene |
| nitric acid | phosphorus and its compounds |
| methyl alcohol | zinc and its compounds |
| sulphuric and sulphurous acid | |
- shall be removed by means of suction devices as far as practicable at their point of origin.
- Carbon monoxide.** RULE 719. Every workroom in which carbon monoxide is emitted or created in or in connection with any process of manufacture shall be provided with such ventilation that the carbon monoxide shall not exceed one-half part in ten thousand volumes of air in any occupied part of such workroom.
- Gas pipes.** RULE 720. All gas piping and connections used in the process of manufacture shall be kept tight and free from leaks.

RULE 721. Every work or process in the manufacture or use of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate or fluosilicate, or in the manufacture of pottery, tiles or porcelain enameled sanitary ware, including the corroding or oxidizing of lead, and the crushing, mixing, sifting, grinding and packing of all lead salts or other compounds shall be so conducted, and such adequate devices provided and maintained by the employer as to protect the employee, as far as possible, from contact with lead dust or lead fumes. Every kettle, vessel, receptacle or furnace in which lead in any form above enumerated is being melted or treated, and any place where the contents of such kettles, receptacles or furnaces are discharged, shall be provided with a hood so constructed and located that the dust or fumes will be drawn into it, and connected with an efficient air exhaust; all vessels or containers in which dry lead in any chemical form or combination above enumerated is being conveyed from one place to another within the factory shall be equipped, at the places where the same are filled or discharged, with hoods having connection with an efficient air exhaust; and all hoppers, chutes, conveyors, elevators, separators, vents from separators, dumps, pulverizers, chasers, dry pans, other apparatus for drying pulp lead, dry-pans dump, and all barrel packers and cars or other receptacles into which corrosions are at the same time being emptied, shall be connected with an efficient dust-collecting system. Such system shall be regulated by the discharge of air from a fan, or other apparatus, either through a cloth dust collector having an area of not less than one-half ($\frac{1}{2}$) square foot of cloth to every cubic foot of air passing through it per minute, the dust collector to be placed in a separate room which no employee shall be required or allowed to enter, except for essential repairs, while the works are in operation; or such other apparatus as will efficiently remove the lead dusts from the air before it is discharged into the outdoor air.

Lead compounds.

RULE 722. The employer shall provide, and renew when necessary, at least two (2) respirators of approved type for each employee who is engaged in any work or process which produces lead dusts.

Respirators.

RULE 723. Duplicate plans or drawings made in ink to scale, or prints of such scale drawings, and specifications, showing location and size of all hoods, main and branch pipes and fans and the kind of work for which they are to be used, may be filed by the owner or contractor with the commissioner for examination, whenever an exhaust system is to be installed, extended or altered, under the rules of Subdivisions B, C and D. The employer or contractor, upon completion of any installation, shall notify the commissioner, and a test to determine its efficiency shall be made by him before the system is approved.

Plans.

These rules shall take effect May 15, 1915.

NORTH CAROLINA.

ACTS OF 1907.

[The following chapter was so extensively amended by chapter 148 of the legislature of 1915 that it is here reproduced in full in its present form.]

CHAPTER 463.—*Hours of labor in factories—Employment of children.*

SECTION 1. No child under twelve years of age shall be employed or worked in any factory or manufacturing establishment within this State: *Provided further*, That after one thousand nine hundred and seven no child between the ages of twelve and thirteen years of age shall be employed or work in a factory except in apprenticeship capacity, and only then after having attended school four months in the preceding twelve months.

Age limit.

SEC. 2 (as amended by chapter 148, Acts of 1915). Sixty hours shall constitute a week's work in all factories and manufacturing establishments of the State, and no minor nor woman shall be worked in such factory or establishment a longer period than sixty hours in one week and no adult male shall be worked in such factory or establishment for a longer period than sixty hours in one week unless there shall be a written contract entered into between said adult male and his employer to that effect in which the employer shall agree to pay said adult male extra compensation for extra hours he may work. No employee in any factory or manufacturer's establishment in this State shall be worked exceeding eleven hours in any one day: *Provided*, This section shall not apply to engineers, firemen, superintendents, overseers, section and yard hands, office men, watchmen or repairers of breakdown.

Hours of labor.

SEC. 3 (as amended by chapter 148, Acts of 1915). All parents or persons standing in the relation of parent upon hiring their children to any factory or manufacturing establishment, shall furnish such establishment a written statement of the age of such child or children being so hired, and certificates as to school attendance; and any parent or person standing in the relation of parent to such child or children, who shall in such written statement, misstate the age of such child or children, being so employed, or their school attendance, shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court. Any mill owner, superintendent, boss or manufacturing establishment, who shall knowingly or willfully violate the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished in the discretion of the court: *Provided*, That for a second conviction under this act within twelve months the fine shall not be less than five hundred dollars, or the imprisonment not less than ninety days.

Certificates.

SEC. 4. After one thousand nine hundred and seven no boy or girl under fourteen years old shall work in a factory between the hours of eight p. m. and five a. m.

Night work.

ACTS OF 1915.

CHAPTER 92.—*Payment of wages—Semimonthly pay day on railroads.*

SECTION 1. All persons, firms, companies, corporations or associations owning, leasing or operating any railroad, or railroads,

Scope of law.

wholly or partially within this State, shall pay and settle with their employees engaged or employed in shops, roundhouses, or repair shops within this State at least twice in each month, which said settlements shall not be less than two weeks nor more than three weeks apart, and shall, in such settlements, pay said employees the full amounts due them for their work and services up to the date of the preceding settlement, and such payment shall be made in lawful money of the United States, or by check or cash order redeemable by the maker thereof for its face value in lawful money of the United States upon demand of or presentation by the lawful holder thereof: *Provided*, This act shall not apply to repair shops where less than ten employees are engaged.

Ratified the 5th day of March, 1915.

CHAPTER 99.—*Amendment to constitution—Special acts regulating labor, etc.*

Special acts forbidden. SECTION 1. The constitution of the State of North Carolina is hereby amended in manner and form as follows:

I. By adding at the end of Article II a new section, to wit:

"Section 29. The general assembly shall not pass any local, private or special act or resolution: * * *

"Regulating labor, trade, mining or manufacturing; * * *

Ratified the 9th day of March, 1915.

[To be voted on at next general election.]

CHAPTER 148.—*Hours of labor in factories—Employment of children.*

[See page 295.]

CHAPTER 157.—*Department of labor and printing—Assistant commissioner.*

Salary. SECTION 1. The salary of the assistant commissioner of labor and printing is hereby increased from sixteen hundred dollars per annum to the sum of two thousand dollars per annum.

Ratified the 8th day of March, 1915.

CHAPTER 177.—*Department of labor and printing—Commissioner.*

Salary. SECTION 1. The commissioner of labor and printing shall receive a salary of three thousand dollars per annum and no more.

Ratified the 9th day of March, 1915.

CHAPTER 256.—*Liability of employers for injuries—Construction of statutes.*

Act construed. SECTION 1. Chapter six of the Public Laws of one thousand nine hundred and thirteen, relating to the liability of common carriers, shall not be construed to repeal any of the provisions of section two thousand six hundred and forty-six of the revision of one thousand nine hundred and five.

Ratified the 9th day of March, 1915.

NORTH DAKOTA.

ACTS OF 1915.

CHAPTER 78.—Native coal to be used in public buildings.

SECTION 1. Section 1828 of the Compiled Laws of 1913 is hereby amended to read as follows:

Section 1828. The various State institutions, county buildings and public school houses in this State shall use for fuel, native or lignite coal, or lignite coal products, and it shall be unlawful for any officer to purchase for use in such institutions, county buildings and public schools any coal other than that taken from the mines within the boundaries of this State. This section shall not be construed, however, as prohibiting the use of other coal or wood at such institutions, county buildings and public schools, when the cost thereof does not exceed that of native coal, or the use of coal other than native lignite coal or lignite coal products at such public schools as are located six miles or more from any mine or railroad station within the boundaries of this State. *Provided*, That the comparative cost of such fuel is not greater than that of lignite coal, or lignite coal products.

Native coal required.

SEC. 2. * * * *Provided, however*, That this act shall not apply to country schools or public buildings where no janitor is employed.

Exemption.

Approved, March 9, 1915.

CHAPTER 155.—Suits for wages—Exemptions.

SECTION 1. Section 7739 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:

Section 7739. No personal property, except absolute exemptions shall be exempt from execution or attachment in an action for laborers' or mechanics' wages, or for a debt incurred for property obtained under false pretenses; * * *

Property not exempt, when.

Approved, March 9, 1915.

CHAPTER 185.—Mothers' pensions.

SECTION 1. In every county in the State of North Dakota any woman, who has one or more children under fourteen years of age who are dependent upon her for support, shall receive an allowance of not more than fifteen dollars a month for each such child, such sum to be paid out of the county treasury as herein-after provided.

Who may receive aid.

SEC. 2. Such allowance shall be made by the county court and only upon the following conditions:

Conditions.

1. The child or children for whose benefit the allowance is made must be living with the mother.

2. The allowance shall be made only when in its absence the mother would be unable to maintain a suitable home for her children.

3. The mother must, in the judgment of the county court, be a proper person morally, physically and mentally for the bringing up of her children.

4. When the allowance shall be necessary, in the judgment of the county court, to save the child or children from neglect.

5. No person shall receive benefit under this act who shall not have been a resident of the county in which the application is

made for at least one year previous to the making of such application.

6. If the county court finds that the funds allowed under this act are not used judiciously, he may order the allowance made in supplies and provisions, in which case it shall be administered by the overseer of the poor in the township, village, or city in which the applicant lives, or by some proper person appointed by the county judge.

Age limit. SEC. 3. When any child shall reach the age of fourteen years any allowance made to such mother for the benefit of such child shall cease.

Discontinuance. SEC. 4. It being the purpose of this act to provide conditions under which dependent children may grow into useful citizens, when in the judgment of the county court allowance made under it is failing of this purpose the court may modify or discontinue such allowance to the mother of such child or children.

Records. SEC. 5. In each case where an allowance is made under the provisions of this act an entry to that effect shall be made upon the records of the county court making such allowance, and the county judge shall notify the county commissioners, the county auditor and county treasurer that such allowance shall be made and it shall be the duty of such officers to make provision for and pay such allowance monthly until notified by the county court that it shall be discontinued.

Applications. SEC. 6. Application may be made in writing to the county court by a person desiring aid, or by some citizen in her behalf, stating residence, number of dependent children and ages, and a statement of her income and probable needs in order to maintain her home. The court shall set a day for a hearing, giving notice in writing to the overseers of the poor, where applicant resides; to the county commissioners and the applicant and other parties known by the judge to be interested; which hearing shall be not less than fifteen days from date of such notice. The county commissioners, overseers of the poor or any tax-paying citizen may file a statement with the county judge, or may appear in person on the day set for hearing, in support of, or protesting against application being granted, and may appeal to the district court for reversal or modification of the county court's action on such application.

Act construed. SEC. 7. This act is intended to supplement existing laws for aid of the poor, and is for the specific purpose of furnishing permanent aid to mothers who come under its provisions. In cases of temporary aid, it shall be granted under such laws as exist for such purpose; nothing in this act shall be so construed as to change the proportionate payment by county, city, incorporated village, or township.

Approved, March 11, 1915.

CHAPTER 207.—*Liability of employers for injuries—Railroad companies.*

Liability declared. SECTION 1. Every common carrier by steam railroad, while engaged in commerce to which the regulative powers of the State extend under the Constitution of the United States, and of the State of North Dakota, shall be liable in damages to any person suffering injury while he is employed by such carrier in such commerce, or in case of the death of such employee, to his or her personal representative for the benefit of the surviving widow, or husband, or children of such employee, and if none, then to the next of kin dependent upon such employee, if such injury or death resulting in the whole or in part from the negligence of any officers, agents, or employees of such carrier, or by reason of any defect or insufficiency due to its negligence in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

SEC. 2. In all actions hereafter brought against any such common carrier by a steam railroad under or by virtue of any of the provisions of this act to recover damages for personal injuries to any employee, or where such injuries have resulted in his death, the fact that the employee had been guilty of contributory negligence, shall not bar a recovery; but the damages shall be diminished by the jury in proportion to the amount of negligence attributed to such employee: *Provided*, That no such employee who may be injured or killed, shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any State or Federal statute enacted for the safety of employees, contributed to the injury or death of such employee.

Contributory negligence to be measured.

SEC. 3. In any action brought against any common carrier under or by virtue of any of the provisions of this act to recover damages for injuries to, or death of any of its employees, such employee shall not be held to have assumed the risk of his employment, in any case where the violation by such common carrier of any State or Federal statute enacted for the safety of employees, contributed to the injury or death of such employees.

Assumption of risks.

SEC. 4. Any contract, rule, regulation, or device [device] whatsoever the purpose or intent of which shall be to enable any common carrier to exempt itself from any liability created by this act, shall, to that extent, be void: *Provided*, That in any action brought against such common carrier, under or by virtue of any of the provisions of this act, such common carrier may set off therein, any sum it has contributed or paid to any insurance relief benefit or indemnity that may have been paid to the injured employee or to the person entitled thereto on account of the injury or death, for which said action was brought.

Contracting out.

SEC. 5. No action shall be maintained under this act, unless commenced within two years from the date the cause of action accrued.

Limitation.

SEC. 6. The term common carrier as used in this act, shall include the receiver or receivers or other persons or corporations charged with the duty of the management and operation of the business of a common carrier.

Receivers.

SEC. 7. Any right of action given by this act to a person suffering injury shall survive to his or her person represented [personal representative] for the benefit of the surviving widow or husband and children of such employee, and if none, then to such employee's parents, and if none, then to the next of kin dependent upon such employee; but in such case, there shall be only one recovery for the same injury.

Survival of action.

Approved, March 11, 1915.

OHIO.

ACTS OF 1915.

Industrial commission—Salaries.

(Page 26.)

[This act amends section 871-4, General Code, by reducing the salaries of the members of the commission from \$5,000 to \$4,000.]

Protection of employees on street railways.

(Page 128.)

[This act amends section 12788 of the General Code by making the law continuously operative after November 15, 1915, instead of during the winter months only; also by inserting the word "dust" before the word "wind."]

Assignments of wages—Wage brokers.

(Page 281.)

SECTION 1. Sections 6346-1, 6346-2, 6346-3, 6346-4, 6346-5, 6346-6 and 6346-7 of the General Code [shall] be amended, and supplemental sections 6346-8, 6346-9 and 6346-10 be added, to read as follows:

Section 6346-1. It shall be unlawful for any person, firm, partnership, association or corporation, to engage, or continue, in the business of making loans, on plain, indorsed, or guaranteed notes, or due bills, or otherwise, or upon the mortgage or pledge of chattels or personal property of any kind, or of purchasing or making loans on salaries or wage earnings, or of furnishing guaranty or security in connection with any loan or purchase, as aforesaid, at a charge or rate of interest in excess of eight per cent per annum, including all charges, without first having obtained a license so to do from the superintendent of banks and otherwise complying with the provisions of this act.

Interest rate.

Sec. 6346-2. Any person, firm, partnership, corporation or association desiring to obtain a license, shall apply therefor, under oath, on forms prescribed by the superintendent of banks; and by paying annually to the superintendent of banks, a license fee in the sum of one hundred dollars, shall be entitled to obtain a license, which license fee shall include the entire cost of inspection, or inspections, for a period of one year. The said license shall be issued by the superintendent of banks, and shall expire the first day of March next following the date of its issuance, except that the fee of one hundred dollars herein provided shall be apportioned for that part of the year 1915 remaining after the date when this act shall become law, but thereafter no abatement of said charge shall be made if licenses are issued for less than one year, and no other or further license fee shall be required from any such licensee, by the State or any municipality nor shall any fees or charges be collected under section 736 of the General Code. Every such license and bond hereinafter provided for shall be renewed annually on the first day of March in each year. No license shall be granted to any person, firm, partnership, corporation or association unless, and until, such applicant shall, in writing, and in due form, to be first approved

License.

Renewal.

- by and filed with the superintendent of banks, appoint an agent, a resident of the State of Ohio, and county where his office is to be located, upon whom all judicial and other process, or legal notice, directed to such applicant may be served; and in case of the death, removal from the State, or any legal disability or disqualification of any such agent, service of such process or notice may be made upon the superintendent of banks. The said superintendent of banks may revoke any license, if the licensee, his officers, agents, or employees shall violate any of the provisions of this act. Whenever, for any cause, such license is revoked, said superintendent of banks shall not issue another to said licensee until the expiration of at least one year from the date of revocation of such license. Every such applicant shall execute and file a bond to the State of Ohio in the penal sum of two thousand dollars with the superintendent of banks, to be approved by him, for the faithful observance of all provisions of this act. Any person claiming to be injured by a violation of this act by a licensee may maintain an action on said bond.
- Revocation.**
- Statements.** Sec. 6346-3. Application for a license shall state fully the name or names, and address, of the person or corporation, and of every member of the firm, partnership, or association authorized to do business thereunder, and the location of the office or place of business in which the business is conducted; and in the case of a corporation, shall also state the date and place of its incorporation, the name and address of its manager for the period for which the license is issued, and the names and addresses of its directors for the period for which the license is issued, and the name and address of the agent as provided in section 6346-2 of this act.
- Posting.** Such license shall be kept posted in a conspicuous place in the office where the business is transacted. No person, firm, partnership, corporation or association so licensed, shall transact or solicit business under any other name. Not more than one office or place of business shall be maintained under the same license. But in case of removal, the superintendent of banks, may, on application, indorse thereon a transfer to the new place of business, with the date of transfer, and from the time of such indorsement, the new place so designated shall be deemed the place designated in the license.
- One office.**
- Inspection.** Sec. 6346-4. The superintendent of banks shall, either personally, or by such person or persons as he may appoint for the purpose, at least once a year, and oftener, if he deems it advisable, investigate the business and affairs of every such licensee, and for that purpose shall have free access to the vaults, books and papers thereof, and other sources of information with regard to the business of such licensee and whether it has been transacted in accordance with this act. Said superintendent of banks, and every examiner appointed by him, shall have authority to examine, under oath or affirmation, any person whose testimony may relate to the business of any such licensee or alleged violator herein.
- Charges.** Sec. 6346-5. No such licensee or licensees shall make a loan or purchase or furnish guaranty, or security, as hereinbefore provided at a greater total charge, including interest, than three per cent per month; except that on loans that do not exceed fifty dollars in amount, in whatever manner made payable, an inspection fee of not to exceed one dollar may be collected at the time the loan is made, when such loan is made for a period of not less than four months; and such inspection fee shall not be imposed upon the same borrower for any new or additional loan made within four months after such charge has been imposed. Said three per cent per month shall not be paid in advance and shall be computed on unpaid monthly balances, without compounding interest or charges. No bonus, fees, expenses, or demands of any nature whatsoever, other than said inspection fee and said total charge of three per cent per month (which shall include interest) as hereinbefore provided, shall be made, paid, or received, directly or indirectly, for such loans, purchases or furnishing guaranty or security, wage assignments or advancements except

court costs upon the actual foreclosure of the security or upon the entry of judgment. Nothing in this act shall apply to pawnbrokers who obtain a municipal license as provided in sections 6337 to 6346, inclusive, of the General Code or to national banks or to State banks or any person, partnership, association or corporation whose business now comes under the supervision of the superintendent of banks. No charge or fee shall be made unless the loan is actually made. A copy of this section shall be furnished each borrower at the time the loan is made.

Sec. 6346-6. Every person, firm, partnership, corporation or association licensed as herein provided, shall give to the assignor, borrower, or pledger, a statement upon which shall be written in ink, typewritten or printed, the name of the licensee making such loan or purchase, name of the assignor, borrower or pledger, the amount of the loan, the rate or amount of interest charged, the date when the loan is made, and the date when payable; and shall also give the assignor, borrower, or pledger, a receipt for each payment of principal or interest. Statements
of borrowers.

Sec. 6346-7. No assignment of any salary, wages or earnings, or any part thereof given to secure a loan shall be valid unless the same shall be in writing, signed in person by the person making the same; and if such person is married and living with husband or wife, signed also by the husband or wife of such person, as the case may be. Nor shall any such assignment be valid unless the same shall be in writing and made to secure a debt contracted simultaneously with the execution of such assignment, with all blank spaces therein filled in with ink or typewriting, together with the date, names of the assignor and assignee, the amount for which such assignment is made, together with the rate of interest charged. Assignments
of wages.

The term assignment as used in this section shall include every instrument purporting to transfer an interest in or any authority to collect the wages, salary or earnings of such person. Any assignment of wages, salary or earnings, made in accordance with the provisions of this section shall bind the wages, salary or earnings earned or to be earned by the assignor until the loan secured by such assignment and interest thereon is fully paid, but no assignment or conveyance of wages, salary or earnings to be earned in the future given to secure a loan shall be binding for a sum in excess of fifty per cent of the amount due or to become due the person making such assignment.

In order to obtain a priority of any such assignment over any other assignment, the holder thereof, shall deposit a true copy with the recorder of the county where the person making such assignment, if a resident of the State, resides, or if not a resident of the State, then with the recorder of the county where such assignment is made, together with a sworn statement by the holder, his agent, or attorney, of the amount due, and the rate of interest charged. All such assignments shall be filed and preserved by the recorder as provided in section 8562 of the General Code. When so deposited, any such assignment shall have priority over any other assignment subsequently deposited as herein provided. Filing.

Every such assignment so filed shall be void as against other assignments to creditors of the person making it after the expiration of one year from the filing thereof, unless within thirty days next preceding the expiration of said period of one year a true copy thereof, together with a sworn statement by the holder thereof, his agent or attorney, of the amount then due and rate of interest charged is refiled with the county recorder as herein provided.

A sworn copy of such assignment so filed together with a statement of the amount due filed with any employer of the assignor shall bind not exceeding fifty per cent of any salary, wages or earnings due or to become due such assignor from the time the same is filed with such employer until any such loan and interest is fully paid and discharged.

- Violations.** Sec. 6346-8. Any person, firm, partnership, corporation or association, and any agent, officer or employee thereof, violating any provision of this act, shall for the first offense be fined not less than fifty dollars nor more than two hundred dollars and for a second offense not less than two hundred nor more than five hundred dollars, and imprisoned for not more than six months. The superintendent of banks upon such second conviction shall revoke any license theretofore issued to such person, firm, partnership, corporation or association. Any instruments taken in connection with the transaction upon which the conviction is made, shall be illegal, void and of no effect, and it shall then be the duty of the superintendent of banks to so notify the borrower in writing. Any charge of interest paid in excess of that provided herein may be recovered by the payor in an action at law.
- Enforcement.** Sec. 6349-9 [6346-9]. The superintendent of banks shall enforce the provisions of this act, make all reasonable effort to discover alleged violators, notify the proper prosecuting officer whenever he has reasonable grounds to believe that a violation has occurred, act as complainant in the prosecution thereof, aid such officers to the best of his ability in such prosecution, and make a separate report to the governor at the end of each fiscal year. The superintendent of banks shall employ the assistant or assistants necessary, in his judgment, to make the investigation and inspection provided for in this act.
- Existing licenses.** Sec. 6346-10. Any licensee, or licensees, who holds a license under the provisions of sections 6346-1, 6346-2, 6346-3, 6346-4, 6346-5, 6346-6 and 6346-7, of the General Code, inclusive, which has not yet expired, and who shall present his license for cancellation to the superintendent of banks herein, shall receive therefor a credit in the amount of ten dollars, and the superintendent of banks shall credit the same upon the license herein.
- Provisions severable.** SEC. 2. Should any section or provision of this act be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the act as a whole or any part thereof, other than the part so decided to be unconstitutional.

Approved May 11, 1915.

Weighing coal at mines.

(Page 350.)

- SECTION 1. Amend sections 978-1, 978-2, 978-3 and 978-6 of the General Code * * * to read as follows:
- Payment for full weight.** Section 978-1. Every miner and every loader of coal in any mine in this State who under the terms of his employment is to be paid for mining or loading such coal on the basis of the ton or other weight shall be paid for such mining or loading according to the total weight of all such coal contained within the car (hereinafter referred to as mine car) in which the same shall have been removed out of the mine unless otherwise agreed between employer and miner or loader.
- Deductions.** Sec. 978-2. Said industrial commission shall ascertain and determine the percentage of slate, sulphur, rock, dirt, or other impurity unavoidable in the proper mining or loading of the contents of mine cars or coal in the several operating mines within this State, subject, however, to the right of the employer and miner or loader in any of such mines to make an agreement with reference thereto.
- Agreements.** Sec. 978-3. When there is no agreement between the miner or loader of coal in any mine in this State and the operator thereof whereby the miner or loader is to be paid for mining or loading coal other than on the basis of the ton or other weight according to the total weight of all such coal contained within the car it shall be the duty of such miner or loader of coal and his employer to agree upon and fix, for stipulated periods, the percentage of fine coal commonly known as nut, pea, dust and slack allowable in the output of the mine wherein such miner or

loader is employed. At any time when there shall not be in effect such agreed and fixed percentage of fine coal allowable in the output of any mine, said industrial commission shall forthwith upon request of such miner or loader or his employer, fix such allowable percentage of fine coal, which percentage so fixed by said industrial commission shall continue in force until otherwise agreed and fixed by such miner or loader and his employer. Whenever said industrial commission shall find that the total output of such fine coal at any mine for a period of one month during which such mine shall have been operating while the percentage of fine coal so fixed by said industrial commission has been in force, exceeds the percentage so fixed by it, said industrial commission shall at once make, enter and cause to be enforced such order or orders relative to the production of coal at such mine, as will result in reducing the percentage of such fine coal, to the amount so fixed by said industrial commission.

[Section 6 is also amended by inserting after the word "diminished" the words, "unless otherwise agreed between employer and miner or loader."]

Approved May 26, 1915.

Suits for wages—Judgments not to be stayed.

(Page 365.)

[This act enacts a new section of the Code, which reads in part as follows:]

SECTION 1558-77a. Stay of execution on the following judgments shall not be allowed: Stay not allowed, when.

4. Judgments for an amount not exceeding one hundred dollars rendered in favor of any person for wages due for manual labor by him performed.

Approved May 25, 1915.

Railroads—Caboose cars.

(Page 429.)

[This act amends section 8956-3, General Code, by adding thereto the following:]

Provided, however, That the provisions of this section shall not apply to common carriers which operate less than ten miles of interstate railroad in Ohio. Exemptions.

Approved May 27, 1915.

Mothers' pensions.

(Page 436.)

[This act amends sections 1683-2 and 1683-3 so as to allow county sheriffs to investigate and supervise applicants for or recipients of allowances in counties where none of the other agencies named exist.]

Industrial commission—Powers and duties.

(Page 508.)

[This act amends section 871-22, General Code, by striking out in subdivision 10 thereof the word "publish" in the first line, and the concluding words, "and to make public reports in its judgment necessary."]

[Section 1465-35 is amended to read as follows:]

SECTION 1465-35. In its annual report the commission shall include a full report of the operation and execution of all laws which it is required to administer. Annual reports.

14015°—Bull. 186—16—20

OKLAHOMA.

ACTS OF 1915.

CHAPTER 30.—*Railroads—Hospitals for employees.*

SECTION 1. All railroad companies operating a line or lines, of railroad in the State of Oklahoma, or any association or corporation which have [has] heretofore collected, are [is] now collecting, or which may hereafter collect fees or sums of money from the employees of such railroad, association or corporation, or for the purpose of providing or maintaining hospital service for such employees when sick or injured, shall upon the order of the Corporation Commission of the State of Oklahoma, provide adequate hospital facilities within the State of Oklahoma for its employees who may be injured or become sick. ^{Hospitals to be provided, when.}

SEC. 2. Jurisdiction and authority is hereby conferred on the corporation commission to make investigation, require reports, as to the adequacy of such hospital facilities and condition of funds and by order, require all railroad companies, associations or corporations operating in the State of Oklahoma to establish such facilities as in the discretion of the commission may be necessary for the prompt and proper relief and medical attention of such sick and injured employees: *Provided*, No employee shall be taken out of the State of Oklahoma for treatment, without the written consent of such employee, or in case such employee shall be incapable to give or refuse such consent then the company surgeon, if present, or if not present, the coemployees of the sick or injured party, shall be authorized to give such consent, and further, that all corporations, companies, associations or firms operating railroads within the State and who shall maintain hospitals without the State, shall be permitted to take all sick and injured employees to the hospital either within or without the State where the first medical or surgical service and attention can be secured. ^{Power of commission.} ^{Taking employees outside State.}

SEC. 3. The corporation commission shall make investigations authorized in section 2 of this act, upon its own motion or complaint of an employee of the railroad company, but shall in no case, disclose the name of the employee making the complaint unless authorized to do so by such employee. ^{Investigations.}

Approved February 15, 1915.

CHAPTER 148.—*Employment of women—Hours of labor.*

SECTION 1. No female shall be employed or permitted to work in any manufacturing, mechanical or mercantile establishment, laundry, bakery, hotel, or restaurant, office building or warehouse, or telephone establishment or office or printing establishment, or bookbindery, or any theater, show house or place of amusement, more than nine hours in any one day. ^{Nine-hour day.}

SEC. 2. The hours of work may be so arranged to permit the employment of females at any time so that they shall not work more than nine hour[s] within twenty-four hours of any one day: *Provided, however*, That in time of great disaster, calamity, or epidemic, telephone establishments may work their operators, with their consent, for a greater number of hours in any one day than above stated; said operators to be paid not less than double their regular compensation for such extra time: *Provided*, This act shall not apply to females who are registered pharmacists, or em- ^{Emergency.}

employed as stenographers, or nurses: *And provided further, however,* That in case of emergency in hotels, and restaurants, females may work to a maximum of ten hours during the twenty-four hours with their consent; such females to be paid not less than double their regular compensation for such extra time: *And provided, further,* That this act shall apply only to towns and cities containing a population of 5,000 or more as shown by the last Federal census, or any Federal census hereafter taken.

Law applies, where.

Seats.

SEC. 3. Every employer in any manufacturing, mechanical or mercantile establishment, or workshop, laundry, printing office, dressmaking or millinery establishment, hotel, restaurant, or theater, or telegraph or telephone establishment and office or any other establishment employing any female, shall provide suitable seats for all female employees and permit them to use such seats when not engaged in the active performance of the duties of their employment.

Violations.

SEC. 4. Any employer, overseer, superintendent, foreman, or other agent of any such employer, who shall require any female to work in any of the places mentioned in section 1 and 2 more than the number of hours provided for in this act, during any day of twenty-four hours, or who shall fail, neglect or refuse to so arrange the work of females employed in said places mentioned in section 1 and 2, so that they shall work more than the number of hours provided for in this act during any day of twenty-four (24) hours or the number of hours prescribed in this act, in any one week, or who shall fail, neglect or refuse to provide suitable seats as provided in section 3, of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars, or imprisonment in the county jail not less than five (5) nor more than thirty (30) days, or by both such fine and imprisonment.

Approved March 13, 1915.

CHAPTER 183.—*Mothers' pensions.*

Aid to be given.

SECTION 1. It shall be the duty of the board of county commissioners in making the estimated needs of such county for the fiscal year, to provide an amount not to exceed eight thousand (\$8,000) dollars; and it shall be the duty of the county excise board in such county to make a levy for such sum as may be needed, not to exceed the estimate made by the county commissioners for the partial support of indigent women whose husbands are dead or insane, or prisoners in any State institution, when such women are mothers of children under the age of fourteen years, and such mother and children reside in such county.

Amount.

SEC. 2. The allowance to each of such women shall not exceed ten dollars (\$10) a month when she has but one child under the age of fourteen years, and if she has more than one child under the age of fourteen years, it shall not exceed the sum of ten dollars (\$10) a month for the first child and five dollars (\$5) a month for each of the other children under the age of fourteen years.

Conditions.

SEC. 3. Such allowance shall be made by the county court and only upon the following conditions: (1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) The allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children; (3) The mother must, in the judgment of the county court, be a proper person, morally, physically and mentally, for the bringing up of her children; (4) Such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect; (5) No person shall receive the benefit of this act who shall not have been a resident of the county in

which such application is made for at least two years next before the making of such application for such allowance.

SEC. 4. Whenever any child shall reach the age of fourteen years any allowance made to the mother of such child for the benefit of such child shall cease. The county court may, at its discretion, at any time before such child reaches the age of fourteen years, discontinue or modify the allowance to any mother and for any child. Age limit.

SEC. 5. Should the fund herein authorized be sufficient to permit an allowance to only a part of the persons coming within the provisions of this law, the county court shall select those cases in most urgent need of such allowance. Shortage of funds.

SEC. 6. The provisions of this law shall not apply to any woman whose husband is not dead or who is not confined in the Oklahoma State penitentiary or other prison in this State, or is in a State institution for the insane in this State, and in the two latter cases it shall not apply unless such prisoner is the lawful husband of the woman seeking such allowance. Who may receive aid.

SEC. 7. Any person procuring or attempting to procure any allowance for a person not entitled thereto shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars (\$500) or by imprisonment in the county jail for a period of not more than one year, or by both such fine and imprisonment. False statements.

SEC. 8. In each case where an allowance is made to any woman under the provisions of this act, a judgment entry to that effect shall be entered upon the records of the county court making such allowance, and it shall be the right of any taxpaying citizen at any time to file a motion to set aside such judgment; and on such motion the county court, or the court to whom such motion may be taken on a change of venue, shall hear evidence, either with or without a jury, as either side may demand, and may make a new order granting or refusing such allowance, and from such order so made an appeal shall lie as in ordinary civil cases. If the judgment making such allowance is not appealed from, or is affirmed on appeal, the person filing such motion shall pay all the costs of such motion and the proceedings subsequent thereto. Such motion may be renewed from time to time, but not oftener than once in any calendar year. Orders.

Approved April 1, 1915.

CHAPTER 188.—*Exemption of wages from execution.*

SECTION 1. The sixteenth clause of section 3342 of chapter 34, defining the exemptions of householders, of Revised Laws of Oklahoma, 1910, annotated, [shall] be amended to read: "Seventy-five per cent of all current wages or earnings for personal or professional services earned during the last ninety days" and the fifth clause of section 3345 of chapter 34 of Revised Laws of Oklahoma, 1910, annotated, defining the exemptions of persons not heads of families, [shall] be amended to read: "Seventy-five per cent of all current wages or earnings for personal or professional services: *Provided, however,* That no process issued in any court to subject such wages or earnings for personal services to satisfy any judgment or obligation, shall ever include more than twenty-five per cent of such wages, or personal earnings, and any person, firm, association or corporation either personally or by agent or attorney violating any provision of this act shall forfeit the entire debt, judgment or obligation sought to be satisfied, and no court in the State of Oklahoma shall ever have jurisdiction to enforce collection of any such claim, judgment or obligation in any case in which the provisions of this act have been violated." Amount exempt.

Approved April 2, 1915.

Same.

Contests.

CHAPTER 222.—*Free public employment office at Tulsa.*

Branch of SECTION 1. The commissioner of labor is hereby authorized to
office. establish at Tulsa, Oklahoma, a branch of the Oklahoma free
employment bureau, and to appoint an attendant for said agency
whose salary shall not exceed the sum of \$900 per annum, and
all necessary expenses incurred in the conducting of said agency:
Provided, Said expenses shall not exceed \$300 per year.

Approved April 3, 1915.

OREGON.

ACTS OF 1915.

CHAPTER 13.—*Suits for wages—No property exempt.*

SECTION 1. Section 227 of Lord's Oregon Laws shall be and hereby is amended to read as follows:

Section 227. All property, including franchises, or rights or interest therein, of the judgment debtor, shall be liable to an execution, except as in this section provided. * * *

Liability.

9. In all cases, however, where advances of goods, wares, merchandise or money are made to, or labor performed for, and [any] person engaged in any undertaking, trade, business, avocation, occupation, or pursuit, to enable or assist such person to carry on such undertaking, trade, business, avocation, occupation or pursuit, or which shall be used or employed for any such purpose, then no article of personal property, tool, implement, or apparatus used or employed by such person in such undertaking, trade, business, avocation, occupation or pursuit, or money due such person growing out of, or incident thereto, shall be exempt from execution on a judgment recovered for such advances or for such labor performed.

No exemption, when.

Filed in the office of the secretary of state February 1, 1915.

CHAPTER 19.—*Wages as preferred claims—In assignments.*

[This act amends section 7435, Lord's Oregon Laws, by adding cooperative associations to the list of companies, etc., within the scope of the act; also by requiring exceptions to be filed within 10 days from the filing of the report of the receiver or assignee, and to prosecute said claim within 30 days after its filing.]

CHAPTER 35.—*Employment of women and children—Minimum wages.*

[This act amends section 9 of chapter 62, Acts of 1913, by adding thereto the following:]

Provided, however, That in case of emergencies which may arise in the conduct of any industry or occupation overtime may be permitted under conditions and rules which the commission, after investigation, shall determine and prescribe by order and which shall apply equally to all employers in such industry or occupation.

Overtime.

CHAPTER 76.—*Accidents to be reported.*

SECTION 1. Every railroad (as defined in section 6886 of Lord's Oregon Laws) and every public utility (as defined in section 1 of chapter 279 of the General Laws of Oregon for the year 1911) and every other person, firm, association or corporation including receivers appointed by any court who employs more than three persons at the same time, or is subject to the provisions of chapter 112 of the General Laws of Oregon for the year 1913, shall report to the State industrial accident commission any and all accidents happening to any person upon the premises of such railroad, public utility, or employer, or to any workman or em-

Who to report.

- ployee. Such report shall be made within five days from the occurrence of such accident and shall state:
- Data.** 1. The time, place, cause and nature of the accident and injuries, the name, sex, age, and particular relationship between the person injured and the person so reporting, and the probable duration of the injury resulting therefrom.
2. Whether the accident arose out of or in the course of the injured person's employment, or out of any relationship as passenger or patron of the railroad or public utility.
3. Any other matters which by its rules and regulations the State industrial accident commission may prescribe.
- Records.** SEC. 2. The State industrial accident commission shall preserve such reports as a public record available for the use of any other department or agency of the State government, and shall publish a summary thereof in its reports to the governor.
- Immediate notice, when.** SEC. 3. Every railroad and public utility shall, in addition to the reports required by section 1 hereof, give immediate notice by telegraph, telephone, or personally, to the Railroad Commission of Oregon whenever any accident occurs within this State upon its premises, line of railroad, depot grounds or yards, or directly or indirectly arises from or connected with its maintenance or operation, which accident is attended by loss of human life or limb, or serious injury to property. The Railroad Commission of Oregon may, if it deem the public interest requires it, investigate such accident forthwith, after seasonably notifying the railroad or public utility of the time and place of the investigation.
- Use as evidence.** SEC. 4. No report or any part thereof required by this act shall be used as evidence or used for any purpose against the railroad, public utility or other employer in any suit or action for damages growing out of any matter mentioned in said report.
- Violations.** SEC. 5. Any person, firm, association or corporation, subject to the provisions of this act, which shall fail, neglect, omit, or refuse to make any report herein required, shall be guilty of a misdemeanor, and upon conviction thereof shall be liable to a fine of not less than \$5 nor more than \$100, or to imprisonment in the county jail for not more than 30 days, or both, in the discretion of the court.

Filed in the office of the secretary of state February 15, 1915.

CHAPTER 90.—*Mothers' pensions.*

[This act amends chapter 42, Acts of 1913. Section 1 is amended by adding the requirement that beneficiaries must have resided 3 years in the State and one year in the county.

[Section 2 is amended by fixing a maximum total monthly payment of \$40 to one family.

[Sections 5 and 10 are amended to read as follows:]

- Conditions.** Section 5. Such relief shall be granted by the court only upon the following conditions: (1) The child or children for whose benefit the relief is granted must be living with the mother of such child or children; (2) the court must find that it is for the welfare of such child, or children, to remain at home with the mother; (3) the relief shall be granted only when in the absence of such relief the mother will be required to work regularly away from her home and children, and when by means of such relief she will be able to remain at home with her children, except that she may be absent for work a definite number of days each week, to be specified in the court's order, when such work can be done by her without the sacrifice of health or the neglect of home and children; (4) such mother must, in the judgment of the court, be a proper person, physically, mentally and morally fit, to bring up her children; (5) and if, in the judgment of the court any mother of such child, or children, is improvident, careless or negligent in the expenditure of the money received pursuant to this act, the court may direct that such money shall be paid to some person, whom it shall designate, to be used for the support of such mother and child, or children; (6) the relief granted shall,

in the judgment of the court, be necessary to save the child, or children, from neglect; (7) a mother shall not receive such relief who has not resided in the county one (1) year, and three (3) years in the State before making such application.

Sec. 10. Whenever relief is granted, or is about to be granted, to a mother whose husband is permanently incapacitated for work by reason of physical or mental infirmity, and the presence of such husband in the family is a menace to the physical or moral welfare of the mother and children, then the court may require that such husband be removed from the home and provision for his care made elsewhere, or failing to remove such husband, or upon his refusal to be separated from his family, the court may, in its discretion, vacate the order granting relief, or refuse the relief asked for.

[Two new sections are added, as follows:]

Sec. 11. Any person fraudulently attempting to obtain, or fraudulently obtaining any allowance for relief under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars, nor more than two hundred dollars, or by imprisonment in the county jail for a period of not to exceed six months, or by both such fine and imprisonment.

Sec. 12. All moneys granted any person under the provisions of this act shall be exempt from attachment and execution.

Filed in the office of the secretary of state February 15, 1915.

CHAPTER 128.—*Private employment offices.*

SECTION 1. Every person who procures employment or help for another or furnishes intelligence or information for persons securing employment or help for compensation, shall be deemed and considered an employment agent. If furnishing intelligence or information concerning both male and female persons seeking employment, such employment agent shall be designated as a "General Employment Agent." If furnishing intelligence or information concerning female help only, such employment agent shall be designated as a "Female Employment Agent."

Sec. 2. Application for an employment agent's license shall be filed in writing with the commissioner of labor statistics and inspector of factories and workshops of the State of Oregon at least thirty (30) days in advance of the date on which the said license is to be issued. Said application shall set forth that the applicant is a citizen of the United States, and shall be accompanied by the affidavits of at least ten (10) freeholders of the State of Oregon, to the effect that the said persons believe the said applicant to be a person of good moral character and capable of exercising an employment agent's license according to the terms of this act. Before any such license is issued to the employment agent, the applicant shall first file a bond with the State of Oregon, and in the office of the said commissioner of labor statistics and inspector of factories and workshops, in the sum provided for in section 4 of this act with at least one good and sufficient surety to be approved by the commissioner of labor statistics and inspector of factories and workshops, conditioned that the applicant shall fully comply with the provisions and requirements imposed by this act, and shall pay all judgments recovered against him for any violation of the said provisions or requirements, together with such judgments and costs as may be recovered against him by any laborer, worker or applicant for position on account of any willful misrepresentations, or for willfully deceiving any laborer, worker, or applicant for position transacting business with him as such employment agent, and pay all damages by reason of any violation of this act.

Sec. 3. No person acting as an employment agent or conducting the business of an employment agency, shall charge or collect

Husband a
menace.

Fraud.

Exemption.

Definition.

Application
for license.

Bond.

Limit of fees.

as a fee or compensation for such service in excess of the following:

First, for positions for females where the salary or wages of the position secured is not to exceed \$50 per month, the fee or compensation of the employment agent shall not exceed five per cent of one month's earnings in said position, and where the salary or wages of the position secured is more than \$50 and not to exceed \$100 per month, the fee or compensation shall not exceed \$5, and where the salary is more than \$100 per month the fee shall not exceed \$7.50.

Second, for positions for males where the salary or wages of the position secured is not to exceed \$60 per month the fee or compensation of the employment agent shall not exceed five per cent of one month's earnings in said position.

Third, for positions for males where the salary or wages of the position secured is more than \$60 and not to exceed \$100 per month, the fee or compensation of the employment agent shall not exceed \$5.

Fourth, for positions for males where the salary or wages of the position secured is more than \$100 per month, the fee or compensation shall not exceed \$7.50. In no case shall board be included as part of the salary or wages.

License fees.

Sec. 4. The commissioner of labor statistics and inspector of factories and workshops may, upon the payment of an annual license fee and filing of a bond in the amounts hereinafter provided, when such bond has been approved by him, issue to the employment agent a license for the period of one (1) year; the amount of the license fee to be paid and the bond to be furnished by the said employment agent shall be in proportion to the population of the city or town in which the employment agent has its principal place of business according to the last census of the United States, and as indicated by the following schedule:

Population.	License.	Bond.
Cities of 150,000 and over.....	\$50.00	\$1,000.00
Cities of 100,000 to 150,000.....	40.00	850.00
Cities of 50,000 to 100,000.....	25.00	750.00
Cities of 20,000 to 50,000.....	10.00	500.00
Cities of 10,000 to 20,000.....	7.50	250.00
Cities of 2,500 to 10,000.....	5.00	150.00
Cities of less than 2,500.....	2.50	100.00

If the employment agency for which the application is made is not to be operated in any incorporated city or town, then the applicant shall file the minimum bond and pay the minimum license above specified.

Receipts.

Sec. 5. Every employment agent shall, upon receiving any compensation for services, give to the person for [from] whom the same is received, a receipt therefor in writing, which shall be in the following form, and which must contain at least all of the facts set forth in said form, to wit:

_____, _____, _____, _____, 19—

Received from _____, the sum of _____ dollars, for which we agree to furnish correct information by which the above named employee or applicant shall be entitled to secure a situation as _____ with _____ at _____ wages and _____ amount charged board per day or month. Failing to do which we promise to refund the above amount paid and also the fare for transportation (unless such fare is furnished or offered to the said applicant) to and from the place where said applicant is sent by said agent, on the return of this receipt together with the written statement from the employer or other evidence that the applicant has applied in person at the place to which he is directed herein, and to the person to whom he is directed herein, or his agent, and could not get the situation. If the employee is discharged within two (2) days, we promise to refund the amount paid as fee, and if the employee is discharged after two (2) days and within six (6) days,

we promise to refund one-half of said fee, unless he be discharged by reason of intoxication or other good and sufficient cause.

Employment Agent.

Every employment agent shall keep a true and correct record of the names of all applicants and the nature of work and the date of furnishing said work, and the amount of money received from each, if any, and place of employment, which said record shall at all times be open to the inspection of the commissioner of labor statistics and inspector of factories and workshops of the State of Oregon, or any of his duly authorized deputies.

Records.

SEC. 6. Any employment agent who sends an applicant for employment to any place within the limits of the State of Oregon on information that is incorrect or not as stated in the receipt for fee paid by the applicant for employment or if the position which the said applicant is to take has already been taken and is not procurable for such applicant, said employment agent shall be liable for the fee paid by the said applicant and the return of the same, and for the return of the fare or transportation to and from the place where the said applicant is sent: *Provided, however,* That if transportation is furnished or offered the applicant by either employer or the employment agent, the said applicant shall recover only his fee: *And provided further,* That any applicant who obtains employment and is discharged within two days shall be entitled to the return of his entire fee from the employment agent, and if the applicant is discharged after two days and within six days, he shall be entitled to one-half of the fee, except in case where it is specifically stated on the face of the employment ticket that the employment is for six days or less: *And provided further,* That the applicant shall have no right to recover, against either the employer or the employment agent, either the transportation, fees or other costs, in the event that the said applicant voluntarily refuses to go to work in the position stated in the receipt, or is discharged by reason of intoxication or other good and sufficient cause.

Fee, etc., to be repaid, when.

SEC. 7. Any employer who shall request an employment agent to supply labor, who shall refuse to accept such labor so supplied, or who shall discharge such labor without cause, shall be liable to the said employment agent and to the applicant for damages thereby sustained: *And provided further,* That the applicant may proceed against either the employer or the employment agent.

Employer liable, when.

SEC. 8. Each receipt for fees given by the employment agent to the applicant shall have printed on the back, the following indorsement to be filled out by the employer in the event that the applicant is not given employment, or is discharged within six days:

Employer's statement.

TO THE EMPLOYER.

(Kindly fill out the blank below and return this receipt to the applicant in case you do not employ him, or if he is discharged for any reason within six days after being employed.)

State clearly whether applicant was discharged or quit position of his own accord, how long applicant worked, and if applicant was discharged or quit; state fully and clearly facts and reasons therefor.

By _____ *Employer.*

**Acts unlaw-
ful.** SEC. 9. It shall be unlawful for any employment agent to share the fee received from any applicant with any employer or the agent of any employer, or to enter into contract, either verbal or written, with an employer or agent of any employer, whereby the employment agent is to pay or remunerate the employer, or any agent of any employer, for the furnishing of employment.

It shall be unlawful for any employment agent to send any applicant for employment on information known to be incorrect or not as stated in the receipt for the fee paid by such applicant for employment.

It shall be unlawful for any employment agent to conduct his business of supplying labor in any saloon or other place where intoxicating liquors or beverages are sold, or in any room or building connected by a door or passageway with a saloon or place in which intoxicating liquors or beverages are sold.

It shall be unlawful for any person or persons to operate an employment agency for hire or compensation or otherwise than as is specified in this act, without first securing a license as herein provided.

It shall be unlawful for any employer, or his agent, to receive any remuneration or division of fees from any employment agent supplying labor or to agree, either orally or in writing, to receive any remuneration or division of fees for the supplying of labor within the meaning of this act.

It shall be unlawful for any employer or agent of any employer to order men from any employment agency and to refuse to accept such men so supplied or to discharge such men in less than six days without good and sufficient cause, unless such men shall be specifically ordered for a shorter length of time, as provided in this act.

It shall be unlawful for any employer or the agent of any employer to order men from any employment agency upon information known to be incorrect.

Penalties. Any person violating this section shall be guilty of a misdemeanor and shall be punishable by a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200), or by a term of not less than five (5) days nor more than sixty (60) days in the county jail. Justice courts, district courts and circuit courts shall have concurrent jurisdiction in all cases arising out of a violation of this act.

**Act not to
apply, when.** SEC. 10. This act shall not be deemed to apply to persons hiring or furnishing employment or giving information leading to the hiring or furnishing of employment, for which no fee is charged or received from applicant; nor to persons, firms, or corporations hiring or furnishing employment or giving information leading to the hiring or furnishing employment to any school-teacher, or to persons in any professional or clerical position.

Rules, etc. SEC. 11. The commissioner of labor statistics and inspector of factories and workshops shall have the power to make all needful rules and regulations for the administration of this act, to provide forms for applications and such other forms as may be from time to time necessary in the administration hereof.

**Revocation
of license.** SEC. 12. After investigation by the commissioner of labor statistics and inspector of factories and workshops, at which the employment agent may be represented in person or by counsel, the license of any employment agent may be revoked after proof that such agent has continued willfully to conduct the employment business in violation of the terms of this act.

**Appeal to
courts.** SEC. 13. Any person aggrieved by the decision of the commissioner of labor statistics and inspector of factories and workshops may appeal from such decision to the circuit court of the county in which the alleged violation occurred. Said appeal shall be taken by serving a notice of appeal and giving a bond in the sum of five hundred dollars (\$500) within the time, and in the manner provided for appeals from justice of the peace or district courts and upon the trial in the circuit court the case shall be tried de novo. Said bond shall be conditioned for the pay-

ment of the costs and disbursements of the appeal and the costs and disbursements shall be allowed and taxed as in other cases as now provided by law. Upon the trial in the circuit court, the appellant shall be the plaintiff.

Filed in the office of the secretary of state February 23, 1915.

CHAPTER 165.—*Employment of labor on public works—Eight-hour day.*

[This act amends section 4 of chapter 1, acts of 1913, and the same section of the identical chapter 61 of the same year by adding the proviso that "the provisions of this section shall not apply to State institutions and departments."]

What exempt.

CHAPTER 204.—*Bureau of labor statistics—Printing reports.*

[This repeals section 5021, Lord's Oregon Laws, which relates to the printing of the biennial reports of the bureau.]

CHAPTER 240.—*Preference of domestic materials for public works.*

SECTION 1. It shall be discretionary with all county courts, boards of county commissioners, school boards, city councils, and all other public officers, boards and commissions, charged, or which may in the future be charged under the law with the letting of contracts for public work, or with the construction of public bridges, buildings and other structures, or with the purchase of materials and supplies for any public use, to give such contracts and employment to, and purchase such materials and supplies from persons and concerns manufacturing same in the State of Oregon: *Provided*, That the bids of such persons or concerns, or the prices quoted by them, shall not exceed by more than 5 per cent the lowest bids or prices quoted by persons and concerns manufacturing the same elsewhere, and when in their opinion the public good will in any way be served thereby: *Provided, however*, That no goods and material, shall be entitled to above preference in which the major portion of the work of manufacturing same shall be done outside the State of Oregon.

Letting contracts.

Margin allowed.

Filed in the office of the secretary of state February 24, 1915.

CHAPTER 329.—*Deductions of wages for hospitals, etc., funds.*

SECTION 1. On the first day of July following the taking effect of this act, and thereafter on the first day of each July, all persons, firms, companies or corporations doing business in Oregon, which have been withholding or accepting any portion of the wages of any of their employees residing in Oregon for hospital or relief purposes, shall furnish the commissioner of labor statistics of the State of Oregon a full and complete list of all money so collected, from the first of the preceding July to date, and a full and complete list of all expenditures from the same fund for the same time.

Reports required.

SEC. 2. The provisions of this act shall not apply to common carriers.

Exemption.

SEC. 3. Any person, firm, company or corporation, violating any of the provisions of this act, shall, upon conviction thereof, be fined not less than fifty dollars and not more than five hundred dollars for each offense.

Violations.

Filed in the office of the secretary of state February 25, 1915.

CHAPTER 343.—*Inspection and regulation of bakeries, etc.*

SECTION 81. Every building, room, basement, or cellar, occupied or used as a bakery, confectionery, cannery, packing house, bottling house, slaughter house, restaurant, hotel, dining car, grocery, meat market, dairy, creamery, butter factory, cheese factory, or

Construction.

other place used for the preparation for sale, manufacture, packing, storage, sale, or distribution of any food, shall be properly lighted, drained, plumbed, ventilated, and kept and maintained in a clean, healthful, and sanitary condition.

Notice of bad condition.

SEC. 82. Whenever it is determined by the dairy and food commissioner, his deputy or inspector that any floor, side wall, ceiling, locker, closet, furniture, receptacle, implements, or machinery, of any establishment or place where food intended for sale or distribution is manufactured, packed, stored, sold, or distributed, or any truck or vehicle used in the transportation of food products, is kept in an unclean, unhealthful, or unsanitary condition, the dairy and food commissioner, his deputy or inspector, shall notify the owner or person in charge of such establishment or place where such food is manufactured, packed, stored, sold, or distributed that such establishment, place, truck, or vehicle shall not be used for the purpose of manufacturing, packing, storing, selling, or distributing food until such establishment, place, truck or vehicle is put in a sanitary condition. A continued use of such establishment, place, truck, or vehicle, without making the changes ordered by the dairy and food commissioner, his deputy or inspector, shall be deemed a violation of this act. Unclean, unhealthful and unsanitary conditions shall be deemed to exist

Toilets, etc.

* * * if proper toilet and lavatory facilities are not provided for employees, or not maintained and kept in a clean and sanitary condition, or if the clothing and persons of operatives, employees, clerks, or other persons therein employed is unclean. * * *

Sleeping in shops.

SEC. 87. No person or persons shall be allowed to live or sleep in any room of a bakeshop, kitchen, confectionery or place where food is prepared.

Diseased persons.

SEC. 88. No owner or employer shall require, permit or suffer any person to work, nor shall any person work, in a building, room, basement, cellar, or vehicle occupied or used for the production, preparation, manufacture, packing, storage, distribution or transportation of food, who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis or consumption, bubonic plague, Asiatic cholera, eczema or other skin disease, leprosy, trachoma, typhoid fever, epidemic dysentery, measles, mumps, German measles, whooping cough, chicken pox, or any other infectious or contagious disease.

Filed in the office of the secretary of state February 26, 1915.

PENNSYLVANIA.

ACTS OF 1915.

ACT No. 88.—*Department of labor and industry—Additional officers.*

SECTION 1. The commissioner of labor and industry is authorized to appoint the following additional officers and employees, at salaries as follows: New officers,
etc.

An auditor for the department of labor and industry, at a salary of two thousand dollars (\$2,000) per annum.

A filing clerk, at a salary of one thousand five hundred dollars (\$1,500) per annum.

Three stenographers and typewriters, at a salary of nine hundred dollars (\$900) each per annum.

One skilled stenographer and typewriter, at a salary of one thousand two hundred dollars (\$1,200) per annum.

IN THE BUREAU OF INSPECTION.

One skilled stenographer, at a salary of two thousand dollars (\$2,000) per annum.

One stenographer, at a salary of one thousand two hundred dollars (\$1,200) per annum.

Fifty additional inspectors of the first grade, each at a salary of one thousand five hundred dollars (\$1,500) per annum.

Two supervising inspectors, at a salary of two thousand five hundred dollars (\$2,500) each per annum.

Four inspectors, who shall be skilled stenographers and typewriters, to act as assistant supervisors and clerks in the several branch offices, at a salary of one thousand five hundred dollars (\$1,500) each per annum.

IN THE DIVISION OF HYGIENE AND ENGINEERING.

Two draftsmen and assistant engineers, at a salary of one thousand five hundred dollars (\$1,500) each per annum.

One clerk, who shall be a stenographer and typewriter, at a salary of one thousand five hundred dollars (\$1,500) per annum.

One stenographer, at a salary of nine hundred dollars (\$900) per annum.

IN THE BUREAU OF STATISTICS AND INFORMATION.

Four additional clerks, at a salary of one thousand four hundred dollars (\$1,400) each per annum.

An editor of publication, at a salary of one thousand six hundred dollars (\$1,600) per annum.

One expert tabulating-machine operator, at a salary of one thousand four hundred dollars (\$1,400) per annum.

Two machine operators, at a salary of one thousand two hundred dollars (\$1,200) each per annum.

One stenographer, at a salary of one thousand five hundred dollars (\$1,500) per annum.

IN THE BUREAU OF MEDIATION AND ARBITRATION.

One secretary, who shall be an expert stenographer and typewriter, at a salary of two thousand dollars (\$2,000) per annum.

IN THE INDUSTRIAL BOARD.

- One secretary, at a salary of four thousand dollars (\$4,000) per annum.
- Salary. Sec. 2. The salary of the chief medical inspector, who shall be chief of the division of hygiene and engineering, shall be five thousand dollars (\$5,000) per annum, payable monthly.
- Same. Sec. 3. The salary of the chief of the bureau of statistics and information shall be five thousand dollars (\$5,000) per annum, payable monthly.
- Same. Sec. 4. The salary of the chief clerk of the department shall be three thousand five hundred dollars (\$3,500) per annum, payable monthly.

Approved—The 22d day of April, 1915.

ACT No. 97.—*Employment of children—School attendance.*

- [This act amends section 1421 of the act, p. 309, Acts of 1911, by adding thereto the following:]
- End of em- If the child leaves such employment, or is absent from such employment five days, the employer shall immediately, in writing, notify accordingly the school official who issued the certificate.
- ployment. [Section 1422 is also amended by adding the failure to comply with the new requirement set forth above to the list of punishable violations of the statute.]

ACT No. 176.—*Pensions for employes of certain counties.*

- Who may be SECTION 1. Counties having a population of less than one million five hundred thousand and over one million shall create a pension fund for the pensioning of all appointed employes who have given twenty years of service in said county. No employe under the age of fifty years shall be pensioned unless such employe is totally and permanently disabled.
- beneficiaries.
- Fund. Sec. 2. Such counties shall set aside and appropriate a sum, not less than one-half of one per cent nor more than two per cent of all available taxes, for such pension fund.
- Contribu- Sec. 3. The employes shall contribute one per cent of their salaries, each succeeding month, until they retire on pension, when such contribution shall cease. The amounts contributed by employes for the pension fund, together with the appropriation made by the county to carry out the purpose of this act, shall be collected by the respective county treasurer, and shall be kept by him in a separate fund. Disbursements of the money from said fund shall be made upon warrant of the pension board, which shall consist of the county controller and county commissioners.
- tions.
- Amount al- Sec. 4. The pension allowed shall be one-half of the yearly salary received for the year immediately preceding the year of the retirement of the employe. If, for any cause, an employe contributing to the pension fund shall cease to be an employe of the county before the expiration of the twenty-year period, the total amount of contributions paid into pension fund by such employe shall be refunded to him in full. The pension paid to any one employe shall not exceed one hundred dollars per month.
- lowed.
- All acts or parts of acts inconsistent with this act are repealed.
- Approved—The 11th day of May, 1915.

ACT No. 177.—*Employment of children—General provisions.*

- Definitions. SECTION 1. Wherever the term "establishment" is used in this act, it shall mean any place within this Commonwealth where work is done for compensation of any kind, to whomever payable: *Provided*, That this act shall not apply to children employed on the farm, or in domestic service in private homes.
- The term "person," when used in this act, shall be construed to include any individual, firm, partnership, unincorporated association, corporation, or municipality.

The term "week," when used in this act, shall mean any consecutive seven days.

The term "minor," when used in this act, shall mean any person under twenty-one years of age. Wherever the singular is used in this act the plural shall be included, and whenever the masculine gender is used the feminine and neuter shall be included.

SEC. 2. No minor under fourteen years of age shall be employed or permitted to work in, about, or in connection with, any establishment or in any occupation. Age limit.

SEC. 3. It shall be unlawful for any person to employ any minor between fourteen and sixteen years of age, unless such minor shall, during the period of such employment, attend, for a period or periods, equivalent to not less than eight hours each week, a school approved by the State superintendent of public instruction. The school aforesaid may be conducted in the establishment where said minor is employed, or in a public school building, or in such other place, either in the district in which said minor is employed or in any joint school authorized by section eighteen hundred and one (1801) of article eighteen (18) of an act, approved May the eighteenth, nineteen hundred and eleven (1911), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as the board of school directors of the school district in which said minor is employed may designate: *Provided, however,* That such school shall be within reasonable access to said place of employment. Any school aforesaid shall be part of the public school system of the school district wherein said minor is employed, or of the school district or districts where said minor attends. The school hours shall not be on Saturday; nor before eight o'clock in the morning, nor after five o'clock in the afternoon, of any other day. Every person who shall employ any said minor shall notify the officer by whom the employment certificate, as hereinafter provided for the said minor, shall have been issued, within four days after said minor shall have entered his employment, of the name and location of the school at which said minor should be in attendance, and of the hours which said minor should attend said school during the continuance of said employment: *Provided,* That this section shall not be effective in any school district until there has been established, within said school district in which said minor is employed, or within reasonable access to said place of employment in an adjoining district, such a school. Continuation of schools.

SEC. 4. No minor under sixteen years of age shall be permitted to work in, about, or in connection with any establishment, or in any occupation, for more than fifty-one hours in any one week, or more than nine hours in any one day, or before six o'clock in the morning, or after eight o'clock in the evening, of any day. In computing the maximum number of hours per day or per week permitted under this act, the hours spent in school by said minors shall be considered as part of the working-day or working week. Hours of labor.

SEC. 5. No minor under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines, which, for the purposes of this act, are considered dangerous: Paper-lace machines, job or cylinder printing presses operated by power other than foot power; stamping machines used in sheet metal and tin ware or in paper or leather manufacturing, or in washer and nut factories; metal or paper cutting machines; corrugating rolls, such as are used in making corrugated paper, or in roofing or washboard factories; dough brakes, or cracker machinery of any description; wire or iron straightening or drawing machinery; rolling-mill machinery; power punches or shears; washing or grinding or mixing machinery; calender rolls in paper and rubber manufacturing, or other heavy Dangerous employments.

rolls driven by power; laundering machinery; upon or in connection with any dangerous electrical machinery or appliances. Nor shall any minor under sixteen years of age be employed or permitted to work, in any capacity, in adjusting or assisting in adjusting any belt to any machinery, or in proximity to any hazardous or unguarded belts, machinery, or gearing, while the same is in motion; nor on scaffolding; nor in heavy work in the building trades; nor in stripping, assorting, or manufacturing tobacco; nor in any tunnel; nor in a public bowling alley; nor in a pool or billiard room; nor in the manufacture of paints, colors, or white lead; nor in any capacity in preparing compositions in which dangerous leads or acids are used; nor in the manufacture or use of dangerous or poisonous dyes; nor upon any railroad, steam, electric or otherwise; nor upon any boat engaged in the transportation of passengers or merchandise; nor in operating motor vehicles of any description; nor in any anthracite or bituminous coal mine, or in any other mine; nor about blast furnaces; nor in or about any distillery, brewery, or any establishment where alcoholic liquors are manufactured or bottled.

No minor under eighteen years of age shall be employed or permitted to work in the operation or management of hoisting machines, in oiling or cleaning machinery, in motion; in the operation or use of any polishing or buffing wheel; at switch tending, at gate tending, at track repairing; as a brakeman, fireman, engineer, or motorman or conductor, upon a railroad or railway; as a pilot, fireman, or engineer upon any boat or vessel; in or about establishments wherein gunpowder, nitroglycerin, dynamite, or other high or dangerous explosive, is manufactured or compounded; as a chauffeur of an automobile or an aeroplane.

Minors.

No minor shall be employed or permitted to work in, or in connection with, any saloon or barroom where alcoholic liquors are sold.

Other employments.

In addition to the foregoing, it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any other occupation dangerous to the life or limb, or injurious to the health or morals, of the said minor, as such occupations shall, from time to time, after public hearing thereon, be determined and declared by the industrial board of the department of labor and industry: *Provided*, That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

Messengers.

Sec. 6. No minor shall be permitted to work as messenger for a telephone, telegraph, or messenger company, in the distribution, collection, transmission, or delivery of goods or messages, before six o'clock in the morning or after eight o'clock in the evening of any day.

Street trades.

Sec. 7. No male minor under twelve years of age, and no female minor, shall distribute, sell, expose, or offer for sale any newspaper, magazine, periodical, or other publication, or any article of merchandise of any sort, in any street or public place. No male minor under fourteen years of age, and no female minor, shall be suffered, employed, or permitted to work at any time as a scavenger, bootblack, or in any other trade or occupation performed in any street or public place. No male minor under sixteen years of age, and no female minor, shall engage in any occupation mentioned in this section before six o'clock in the morning, or after eight o'clock in the evening, of any day.

Certificates.

Sec. 8. Before any minor under sixteen years of age shall be employed, permitted, or suffered to work in, about, or in connection with, any establishment, or in any occupation, the person employing such minor shall procure and keep on file, and accessible to any attendance officer, deputy factory inspector, or other authorized inspector or officer charged with the enforcement of this act, an employment certificate as hereinafter provided, issued for said minor.

Sec. 9. Employment certificates shall be issued only by the following officials, for children residing within their respective public school districts: In public school districts having a district superintendent or supervising principal, by such superintendent or supervising principal; in school districts having no district superintendent or supervising principal, by the secretary of the board of school directors of that district: *Provided*, That any district superintendent, supervising principal, or secretary of the board of school directors, hereby authorized to issue such certificates, may authorize and deputize, in writing, any other school official to act in his stead for the purpose of issuing such certificates. All employment certificates shall be forwarded by mail, by the issuing officer, to the prospective employer of the minor for whom the employment certificate is issued. Who may issue.

Sec. 10. Application for the employment certificate must be made, in person, by the parent, guardian, or legal custodian of the minor for whom such employment certificate is requested; or, if said minor have no parent, guardian, or legal custodian, then by the next friend, who must be over twenty-one years of age; and no employment certificate shall be issued until the said minor has personally appeared before, and been examined by, the officer issuing the certificate. Applications.

Sec. 11. Employment certificates shall be of two classes,—general employment certificates and vacation employment certificates. General employment certificates shall entitle the minor, fourteen to sixteen years of age, to work during the entire year. Vacation employment certificates shall entitle the minor, fourteen to sixteen years of age, to work on any day, except on such days as such minor is required to attend school, under the provisions of the laws now in force or hereafter enacted. Classes.

Sec. 12. The official authorized to issue a general employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers, namely: Evidence.

a. A statement signed by the prospective employer, or by some one duly authorized on his behalf, stating that he expects to give such minor present employment, and setting forth the character of the same, and the number of hours per day and per week which said minor will be employed;

b. A school record, as hereinafter provided;

c. A certificate of physical fitness, as hereinafter provided;

d. Proof of age, as hereinafter provided.

Sec. 13. For the issuance of a general employment certificate, the school record required by this act shall be filled out and signed by the principal of the school which the minor has last attended, or by some one duly authorized by him, and shall be furnished to any minor who may be entitled thereto. It shall certify that the said minor has completed a course of study equivalent to six yearly grades of the public school, in the English language, spelling, reading, arithmetic, geography, and history of the United States. Such school record shall also give the full name, date of birth, and residence of minor, and the name and residence of the parent, guardian, or custodian, as shown on the records of the school. School records.

Sec. 14. The certificate of physical fitness required by this act shall be signed by a physician, approved by the board of school directors of the school district in which said minor resides, and shall state that the said minor has been thoroughly examined by the said physician at the time of the application for an employment certificate, and is physically qualified for the employment specified in the statement of the prospective employer. In any case where the said physician shall deem it advisable, he may issue a certificate of physical fitness for a limited time; at the expiration of which time the holder shall again appear, and submit to a new examination, before being permitted to continue at work. Physical fitness.

Proof of age. SEC. 15. The evidence of age required by section twelve of this act shall consist of one of the following proofs of age, which shall be required in the order herein designated:

a. A duly attested transcript of the birth certificate, filed according to law with a register of vital statistics, or other officer charged with the duty of recording birth; or,

b. A baptismal certificate or transcript of the record of baptism, duly certified, and showing the date of birth; or,

c. A passport showing the age of the immigrant; or,

d. In case none of the aforesaid proofs of age shall be obtainable, and only in such case, the issuing officer may accept, in lieu thereof, any other documentary record of age (other than a school record or an affidavit of age), or transcript thereof, duly certified, which shall appear to the satisfaction of the issuing officer to be good and sufficient evidence of age; or,

e. In case none of the aforesaid proofs of age shall be obtainable, and only in such cases, the issuing officer may accept, in lieu thereof, the signed statement of the physician, approved by the board of school directors, stating that, after examination, it is the opinion of such physician that the minor has attained the age required by law for the occupation in which he expects to engage. Such statement shall be accompanied by an affidavit, signed by the minor's parent, guardian, or custodian, or, in case he shall have no parent, guardian, or custodian, by his next friend, certifying to the name, date, and place of birth of the minor, and that the parent, guardian, custodian, or next friend, signing such statement, is unable to produce any of the proofs of age specified [specified] in the preceding subdivisions of this section.

Papers required. SEC. 16. The official authorized to issue a vacation employment certificate shall not issue such certificate until he shall have received and filed the following papers, duly executed, namely:

a. A statement signed by the prospective employer, or by someone duly authorized on his behalf, stating that he expects to give such minor present employment, and setting forth the character of the same, and the number of hours per day and per week which said minor will be employed;

b. A certificate of physical fitness, as provided in section fourteen of this act;

c. Evidence of age, showing that the said minor is fourteen years of age or upwards, which evidence of age shall be of similar character to the evidence heretofore specified in section fifteen of this act.

Duty of employers. SEC. 17. It shall be the duty of every person who shall employ any minor under sixteen years of age to acknowledge, in writing, to the official issuing the same, the receipt of the employment certificate of said minor, within three days after the beginning of such employment. On termination of the employment of a minor under sixteen years of age, the employment certificate issued for such minor shall be returned by mail, by the employer, to the official issuing the same, immediately upon demand of the minor for whom the certificate was issued, or, otherwise, within three days after termination of said employment. The official to whom said certificate is so returned shall file said certificate and preserve the same. Any minor whose employment certificate has been returned, as above provided, shall be entitled to a new employment certificate upon presentation of a statement from the prospective employer, as hereinabove provided, accompanied by a certificate of physical fitness, issued in the manner hereinabove provided and based upon a reexamination of said minor, and certifying that the minor is physically able to undertake the work for which the new employment certificate is to be issued.

Forms. SEC. 18. All employment certificates shall be issued on forms supplied by the State superintendent of public instruction, and shall contain the name and address of the prospective employer,

and the nature of the occupation in which said minor is expected to engage; and no certificate shall be valid excepting in the hands of the employer so named, and for the occupations so designated; and shall state the name, sex, date, and place of birth, place of residence, color of hair and eyes, and any distinguishing physical characteristics of the minor for whom it shall be issued. It shall certify that the minor named has personally appeared before the issuing officer, and has been examined; and that all the papers required by law have been duly examined, approved and filed; and that all the conditions and requirements for issuing an employment certificate have been fulfilled. Every certificate shall be signed, in the presence of the issuing officer, by the minor for whom it shall be issued. The certificate shall bear a number, shall show the date of its issue, and shall be signed by the issuing officer. Vacation employment certificates shall be of a color different from the general employment certificates, and shall bear across their face the legend "Vacation Employment Certificate."

SEC. 19. Whenever a certificate shall be refused to any minor, the school record issued to such minor shall be forwarded, by the official refusing to issue the certificate, to the principal of the school which said minor shall attend, or to the compulsory attendance officer.

Refusal.

SEC. 20. Whenever the State superintendent of public instruction can not secure effective enforcement of the foregoing provisions of this act, in any school district, he is hereby authorized and required to report that fact to the State board of education. In such case the State board of education is authorized and required to secure such enforcement by appointing attendance officers in such districts. The salary and expenses of such attendance officers shall be a charge against said district where said attendance officers are actually employed, and shall be deducted from any State moneys apportioned to said district for school purposes.

Enforcement.

SEC. 21. It shall be the duty of every person who shall employ any minor, under the age of sixteen years, to post and keep posted, in a conspicuous place in every establishment wherein said minor is employed, permitted or suffered to work, a printed copy of the sections of this act relating to the hours of labor, and a list or lists of all minors employed under the age of sixteen years. Such copies of the sections of this act and blanks for compliance with the provisions shall be prepared by the department of labor and industry, and be furnished by it on application of such employer. Every person employing minors under sixteen years of age shall furnish the employment certificates and lists, provided for in this act, for inspection, to attendance officers, factory inspectors, or other authorized inspectors or officers charged with the enforcement of this act.

Law to be posted.

SEC. 22. Whenever any minor shall be employed or permitted to work in any establishment or at any occupation, who, in the judgment of any officer charged with the enforcement of this act, is under the legal age for such work, or is working at a time forbidden by law for such minor; or whenever any minor shall be employed or permitted to work in, or in connection with, any establishment, who, in the judgment of any officer charged with the enforcement of this act, is under sixteen years of age, and for whom the person employing or permitting such minor to work shall not have on file an employment certificate; such officer may demand from the person employing or permitting such minor to work that he shall either furnish to such officer, within ten days, evidence of age, as defined in section fifteen of this act, that such minor is in fact of legal age for the work in which he is engaged, or over, or sixteen years of age or over, as the case shall be, or shall cease to employ or permit such minor to work as aforesaid: *Provided*, That such person, by thus ceasing to employ or permit such minor to work, shall not be relieved from any of the fines

Officer may require proof.

or penalties provided in this act for the employment or work of a minor contrary to law. In case such person shall fail to furnish to said officer, within ten days after the making of such demand, the required evidence of age, and shall thereafter employ such minor or permit him to work as aforesaid, proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such minor, in any prosecution brought therefor.

Violations.

SEC. 23. Any person, or any agent or manager for any person, who shall violate any of the provisions of this act, or who shall compel or permit any minor to violate any of the provisions of this act, or who shall hinder or delay any officer in the performance of his duty in the enforcement of this act, shall, upon conviction thereof, be sentenced to pay a fine of not less than ten (\$10) dollars nor more than two hundred (\$200) dollars, or to undergo an imprisonment of not more than ten days, or both, at the discretion of the court.

Enforcement.

SEC. 24. It shall be the duty of the commissioner of labor and industry, the attendance officers of the various school districts, and the police of the various cities, boroughs, and townships of this Commonwealth, to enforce the provisions of this act. Prosecutions for violations of this act may be instituted by any factory inspector, attendance officer, or police officer, upon oath or affirmation. All prosecutions for violations of this act shall be in the form of summary criminal proceedings, instituted before a magistrate, alderman, or justice of the peace within the school district wherein the offense was committed. Upon conviction, after a hearing, the sentences provided in this act shall be imposed. All fines collected under this act shall be paid into the State treasury, for the use of the Commonwealth.

SEC. 25. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 26. This act shall take effect on the first day of January, Anno Domini nineteen hundred and sixteen (1916).

Approved—The 13th day of May, 1915.

ACT No. 242.—Pension funds for employees of cities of the first class.

Fund to be created.

SECTION 1. All cities of the first class shall create a pension fund for the pensioning of employees of said cities, and of all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the city treasury thereof, in the manner and under the conditions, and subject to the qualifications, following.

Pension board.

SEC. 2. In every such city of the first class there shall be created a board to be known as the pension board, consisting of the mayor, the city treasurer, the city controller, one member of select council, and one member of common council of said city, to be selected annually by the respective bodies. It shall be the duty of said board to register all persons employed by the said city, and all other public employees paid out of the treasury thereof, as aforesaid, if any, and to administer the collection and distribution of the fund herein provided for, and to do such acts and make such reasonable rules in the premises as such board may deem necessary to effectually carry into effect the provisions of this act.

Who may be beneficiaries.

SEC. 3. Every person now or hereafter employed by the said cities, or paid out of the city treasury thereof, as hereinabove provided, if any, of the age of sixty years and upwards, who shall have been so employed for a period of twenty years or more, shall, upon application to the board of pensions herein created, be retired from service, and shall during the remainder of his or her life receive a pension or compensation fixed by this act, subject to such qualifications as are herein contained.

Amount.

SEC. 4. During the lifetime of the said person he or she shall be entitled to receive as a pension, annually, from the fund set aside for the purpose, fifty per cent of the amount which would con-

stitute the average annual salary or wages which he or she received during the last five years of his or her employment by the said city, or other public employment, as aforesaid. Said pension to be paid in monthly payments. Should any person so employed, after twenty years of service, be dismissed, voluntarily retire, or be in any manner deprived of his position or employment, before attaining the age of sixty years, upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service, said person shall be entitled to the pension above mentioned, notwithstanding he or she has not attained the age of sixty years at the time of his or her separation from the public service; but said pension shall not commence until he or she has attained the age of sixty years. Should any employee, however, become totally and permanently disabled, after twenty years of service and before attaining the age of sixty years, he or she shall be entitled to the said pension. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians, designated by the board, that the employee is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. The pension paid to any one employee shall not exceed one hundred dollars per month.

SEC. 5. The city, county, or other public employees, if any, herein mentioned, shall, after the passage of this act, pay unto the board of pensions, monthly, an amount equal to two per cent of their monthly salaries or wages,—in no event, however, paying at a rate greater than four dollars a month,—which shall be applied to the purposes of this act. Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided. If, for any cause, an employee contributing to the pension fund shall cease to be an employee of any such cities of the first class, or other county or public employees paid out of the treasury of such cities, before said employee becomes entitled to the pension conferred by this act, the total amount of the contributions paid into the pension fund by such employee shall be refunded to him in full, without interest: *Provided, however,* If any such employee shall have returned to him or her the amount contributed, as aforesaid, and shall afterward reenter such public employment, said employee shall not be entitled to the pension designated until twenty years after the said reemployment, unless he or she shall return to the pension fund the amount withdrawn; in which event the period of twenty years shall be computed from the time said employee first entered the such public service. In the event of the death of any employee before the said employee becomes entitled to the pension aforesaid, the said total amount of contributions aforesaid shall be paid over to the estate of said deceased employee.

SEC. 6. Should any person holding position in said cities of the first class, or any county or other public employees, if any, paid out of the treasury of such cities, as aforesaid, be paid a per diem wage, he or she shall not be compelled to pay or contribute toward the pension fund herein provided for; but shall have the option, or choice, of so doing, and, in that event only, becoming entitled to the pension provided by this act.

SEC. 7. The heads of every department and office employing persons entitled under the provisions of this act to receive a pension shall certify to the board of pensions all persons so employed, and the amount of salary or wages which is paid to said employee, together with dismissals, resignations, changes, or terminations of services, and from the records of their office or department furnish such other relative information as the board of pensions shall require.

SEC. 8. It shall be the duty of the board of pensions to receive and retain, and, when deemed advisable, to invest, the funds payable in accordance with the provisions of this act, and to pay over by warrant or check the amount due to said employees.

Contributions.

Per diem employees.

Duty of departments.

Funds.

Appropriation. SEC. 9. The public authorities of every city of the first class, charged with the disbursements, expenditures, and appropriations, shall annually set aside, apportion, and appropriate, out of all taxes and income of the said cities, unto the board of pensions, a sum sufficient to maintain the pensions or compensations due under this act.

Who may be beneficiaries. SEC. 10. The benefits conferred by this act shall apply to all persons employed in any capacity by or holding positions in the cities included in its provisions, or paid out of the treasury thereof, as aforesaid: *Provided*, That this act shall not apply to employees of such departments, bureaus, or offices as are now protected by pension authorized by the laws of this State, and in force at the time of the passage of this act.

Time of service. SEC. 11. The time of service herein specified, namely, twenty years, shall be computed from the time of the first or original employment; said employment to consist of service either to such cities or to the county, or other public service paid out of the city treasury, or both, as aforesaid, and need not be continuous. No pensions shall be paid under the provisions of this act, however, until after January first, one thousand nine hundred and seventeen.

Exemption of payments. SEC. 12. The compensation or pension herein mentioned shall not be subject to attachment or execution, and shall be payable only to the beneficiary designated in this act, and shall not be subject to assignment or transfer.

Approved—The 20th day of May, 1915.

ACT No. 259.—*Pension funds for employees of cities of the second class.*

[The provisions of this act are practically identical with those of act No. 242. No reference is made to county or other public employees, however, and the employees choose two of their number to serve on the pension board.]

ACT No. 281.—*Employment of diseased persons—Certain employment prohibited.*

List of employments. SECTION 1. No person or persons, firm, corporation or common carrier, operating or conducting any hotel, restaurant, dining car, or other public eating place in this Commonwealth, shall hereafter employ or keep in their employ, in the capacity of cook, waiter, chambermaid, kitchen help, or other house servant, any person or persons who is or are suffering from trachoma, active tuberculosis of the lungs, open skin tuberculosis, syphilis, gonorrhea, open external cancer, or barber's itch; and all persons, so employed, who, at the time of the passage of this act, are suffering from any of the said diseases, shall at once be excluded from such employment in such hotel, restaurant, dining car or other public eating place.

Medical inspections. SEC. 2. If any person or persons, firm, corporation or common carrier, operating or conducting a hotel, restaurant, dining car, or other public eating place, shall institute and maintain a medical inspection for their cooks, waiters, chambermaids, kitchen help, and other house servants, at intervals of at least twice a year, for the purpose of excluding from such employment persons found to be suffering from any of the diseases mentioned in section one of this act; and shall, thereupon, promptly exclude from such employment any person or persons found to be so suffering, they shall be considered as complying with the provisions of section one of this act, unless: (1) Any person or persons employed in any such capacity after the passage of this act shall have been suffering from any of the diseases mentioned in section one of this act at the time when they were so employed; or unless (2) the diseased condition of such employee suffering with any of the diseases mentioned in section one of this act is manifest in the interim between such inspections; or unless (3) notice of the

diseased condition of any such employee, suffering from any of the diseases mentioned in section one of this act has been served, in writing, upon the owner, operator, or manager of any such hotel, restaurant, dining car, or other public eating place by a physician or by the health authorities.

Sec. 3. No person or persons, firm, or corporation, operating or conducting any hotel, restaurant, dining car, or other public eating place in this Commonwealth, shall keep in their employ, in any of the several capacities mentioned in section one of this act, any person who is a carrier of typhoid fever, after notice that any person so employed by them is a carrier of typhoid fever has been served, in writing, upon the owner, operator, or manager of any such hotel, restaurant, dining car, or other public eating place, by a physician or the health authorities.

Typhoid-
fever carriers.

Sec. 7. Any person or persons, firm, or corporation, who shall violate any of the provisions of this act, shall, upon conviction thereof, in a summary proceeding before any justice of the peace or alderman in the county in which the offense was committed, be sentenced to pay a fine of not less than five (\$5) or more than one hundred (\$100) dollars, to be paid to said county, and the costs of prosecution, or to be imprisoned in the county jail for a period of not more than thirty (30) days, or both, at the discretion of the court.

Violations.

Approved—The 28th day of May, 1915.

ACT No. 285.—*Mine regulations—Anthracite mines.*

[This act amends section 7, act No. 255, Acts of 1901, by increasing the number of inspectors in the first inspection district to 9, and in the second to 6.]

ACT No. 314.—*Department of labor and industry—Municipal statistics.*

[This act has no relation to labor, but merely affects the organization of the department. A municipal statistician, at a salary of \$2,000, is to be at the head of a division of municipal statistics in the bureau of statistics and information, to gather statistical and other material "from any and every source, that may be helpful in improving the methods of administration in the several municipalities of the Commonwealth."]

ACT No. 324.—*Mine regulations—Bituminous mines—Inspectors.*

[This act amends section 4, article 19, of an act, page 756, Acts of 1911, relating to examinations for mine inspectors by inserting after the second sentence the following proviso:]

Provided, That any person who has served as a mine inspector, or continuously for eight years [sic], and has passed two consecutive examinations for the office of mine inspector, shall be exempt from taking any further examination, and shall continue in said office without any further examination unless removed or suspended, as provided by article twenty-one of the act of June nine, one thousand nine hundred and eleven (Pamphlet Laws, seven hundred and fifty-six), and section four of the act of April fourteen, one thousand nine hundred and three (Pamphlet Laws, one hundred and eighty).

Exemption
from examina-
tions, when.

ACT No. 327.—*Employment of women.*

[This act amends section 3, act No. 466, Acts of 1913, by adding to subdivision (a) the following:]

And provided further, That the one day of holiday in seven may be subdivided into two days of twelve hours each, for women employees in hotels, boarding houses, and in charitable, educational and religious institutions, at the discretion of the industrial board of the department of labor and industry: *Provided*, That

Arrangement
of holidays.

if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is, for any reason, invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

ACT No. 329.—*Mine regulations—Anthracite mines.*

[This act amends sections 1 and 6 of article 8, rule 1 of article 12, section 4 of article 13, section 8 of article 17, and article 13 of an act, page 176, Acts of 1891, as previously amended. (These sections, etc., appear in Brightly's Purdon's Digest, 12th Edition, at pages 1350, et seq., as sections No. 101, 103, 138, 200, 216, and 217 to 224 inclusive). Sections 1 [101] and 6 [108] of article 8, rule 1 [138] of article 12, section 4 [200] of article 13, and section 8 [216] of article 17, are amended to read as follows:]

Who may be foreman.

Section 1. [101] It shall not be lawful, neither shall it be permitted, for any person to act as mine foreman or assistant mine foreman of any coal mine or colliery unless they are registered as a holder of a certificate of qualification or service under this act, or unless, in the judgment of the employer, he is a person possessed of qualifications which make him equally competent to act in such position.

Foreman required.

Sec. 6. [108] No mine shall be operated for a longer period than thirty days without the supervision of a mine foreman. In case any mine is worked a longer period than thirty days without a mine foreman, the owner, operator, or superintendent thereof shall be subjected to a penalty of twenty dollars per day for each day over the said thirty days during which the said mine is operated.

Owner, etc., to have charge.

Rule 1. [sec. 138] The owner, operator, and superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases, whether provided for in this act or not, and shall have supervision, direction, and control of the mine foreman and all other mine employees.

Inquests.

Sec. 4. [200] Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector, and at any such inquest the mine inspector and any representative of a party in interest shall have the right to examine witnesses, and read the law governing the case to the coroner's jury.

Foreman etc., agent of operator.

Sec. 8. [216] The mine foreman, assistant mine foreman, fire boss, and any person placed in charge of the works, or any part thereof, shall be the agent of the owners and operators, and such owners and operators shall employ them and discharge them at will.

"Miner."

[Article 18 (secs. 217-224) is amended by adding at the end thereof the following:]

The term "miner" means the person who cuts or blasts coal or rock at the face of a gangway, airway, breast, pillar, or other working place; also any person engaged at general work in a mine, and qualified to do the work of a miner.

ACT No. 330.—*Mine regulations—Bituminous mines.*

SECTION 1. Section one of article four, section one of article five, and section nine of article twenty-four, of an act, * * * [page 756, Acts of 1911] are hereby amended to read as follows:

Foreman to be appointed.

Section 1. In order to secure efficient management and proper ventilation of the mines, to promote the health and safety of the persons employed therein, and to protect and preserve the property connected therewith, the operator or the superintendent shall employ a competent and practical mine foreman for every mine where ten or more persons are employed, who shall be under the supervision and control of the operator. The mine foreman shall have full charge of all the inside workings and the persons employed therein, subject, however, to the supervision and control of the operator, in order that all the provisions of this act so far as they relate to his duties shall be complied with, and the regula-

Status.

tions prescribed for each class of workmen under his charge carried out in the strictest manner possible. If the mine is generating explosive gas, in quantities sufficient to be detected by an approved safety lamp, the mine foreman must possess a first grade mine foreman's certificate, or be a person who, in the judgment of the operator, is a person equally competent with the holders of such certificates. If the mine is nongaseous, the mine foreman must possess either a first grade mine foreman's certificate or a second grade mine foreman's certificate, or be a person who, in the judgment of the operator, is equally competent with the holders of such certificates.

When the mine workings become so extensive that the mine foreman is unable personally to carry out the requirements of this act pertaining to his duties, he shall have the right to employ a sufficient number of competent persons to act as his assistants, who shall be under his instructions and the operator's instructions in carrying out the provisions of this act. If the mine is generating explosive gas, in quantities sufficient to be detected by an approved safety lamp, the mine foreman's assistants must possess first grade assistant mine foremen's certificates, or be a person who, in the judgment of the operator, is equally competent with the holders of such certificates.

In case of the necessary temporary absence of the mine foreman, he may deputize his work, for the time being, to his assistant, who shall perform all the duties of the mine foreman; and the right to hire and discharge employees, the management of the mine, and the direction of the working forces, are vested exclusively in the operator; and no person or persons, association or associations, organization or organizations, corporation or corporations, shall interfere with or attempt to interfere with, abridge or attempt to abridge, in any manner whatsoever, such right: *Provided*, That this act shall not invalidate any existing contract.

[The amendment of section 1 of article 5 consists in adding to the first sentence thereof the words, "or a person or persons who, in the judgment of the operator, is equally competent with the holders of such certificates." The words "for each shift" are also stricken out in the fourth sentence.

[Section 9 of article 24 is amended by substituting the word "lawful" for the word "unlawful" in the first line thereof, and striking out the word "not" before the word "obtained"; also by inserting the words, "or a person who, in the judgment of the operator, is equally competent with the person or persons who are the holders of such certificates," before the first and last provisos of the section.]

Act No. 349.—Mine inspectors—Salaries.

SECTION 1. On and after the passage of this act, the salary of mine inspectors of this Commonwealth shall be three thousand five hundred dollars per annum, together with the necessary expense of performing his duties under the law, which money shall be paid in the manner now provided by law.

Approved—The 3d day of June, 1915.

Act No. 373.—Department of labor and industry—Bureau of employment.

SECTION 1. The term "bureau," as used in this act, shall mean bureau of employment.

The term "commissioner" shall mean the commissioner of labor and industry.

The term "board" shall mean the industrial board of the department of labor and industry.

The term "local offices" shall mean local, free, public employment offices.

Assistants.

Management.

Salary.

Expenses.

Definitions.

- Bureau of employment.** SEC. 2. A bureau of employment shall be established in the department of labor and industry. The central office of the bureau shall be located in the city of Harrisburg.
- Director.** SEC. 3. The commissioner shall appoint a director, who shall be subject to the direction and supervision of the commissioner.
- Qualifications.** SEC. 4. The director shall have executive and managerial ability, a scientific and practical knowledge of the problem of unemployment, experience as an administrator, and a capacity to direct investigations and devise remedies for unemployment.
- Term.** SEC. 5. The director shall hold office as long as his work is performed to the satisfaction of the commissioner.
- Duties.** SEC. 6. The director shall bring into communication employers seeking employees and persons seeking employment; prescribe rules and regulations for the administration and operation of all public and private employment offices; investigate the circulation of information and statements regarding employment and labor conditions, for the purpose of preventing fraud and improper practices; ascertain the extent and causes of unemployment and the remedies therefor; devise and recommend (in the form of bills, or otherwise) means and methods for the prevention of unemployment and distress from involuntary idleness; and cooperate with any person or authority whatsoever in carrying out the full intent and purposes of this act.
- Superintendents.** SEC. 7. A superintendent for each branch office shall be appointed by the commissioner. He shall have such experience, training, executive ability, and general fitness as to qualify him for the position.
- Other employees.** SEC. 8. Additional officers and employees shall be appointed by the commissioner as may be necessary to enable the bureau to perform properly its duties and functions. All subordinate officers and employees shall be under the supervision and direction of the director.
- Tests.** SEC. 9. The commissioner shall prescribe such tests for each position as shall be necessary to guide him in appointing persons with the highest qualifications.
- Districts.** SEC. 10. The State may be divided into districts, and district branch offices may be established by the commissioner as he may deem necessary and advisable.
- Cooperation.** SEC. 11. The director may enter into an agreement with any county, city, borough, town, or township for the establishment and joint maintenance of local offices. All county, city, borough, town, or township executives shall report to the director, from time to time, the general conditions of employment, the demands of employers for employees, the demands of employees for employment, and the existence of industrial disputes, strikes, and lockouts, in their respective districts, and shall cause to be posted any bulletins or notices of the bureau pertaining to the purposes of this act. Any county, city, borough, town, or township may appoint the superintendent of the nearest district branch office to fill the office of superintendent of employment.
- Duty of board.** SEC. 12. The board shall,—
 (a) Devise plans and take steps toward the regularization of employment in the industries and seasonal trades of the State.
 (b) Investigate the feasibility of, and induce the State, counties, cities, boroughs, towns, and townships to undertake, public improvements during the periods of unemployment.
 (c) Cooperate with any persons, employer, official, association, or organ of the press whatsoever, for the accomplishment of the aforesaid purposes; appoint subcommittees for juveniles, farm laborers, and for other purposes; and the membership of these subcommittees may be enlarged to include persons outside the board, but each subcommittee must be presided over by a member of the board.
- Councils.** SEC. 13. Each district and local office shall have a representative council, appointed by the commissioner. The council shall consist of six members, one of whom shall be a woman, and all of whom are citizens of the United States and of the State,

and residents of the district where the council is to serve. One member shall be an employer, not a member of any employers' association; two members shall be representatives of employers' organizations; one member shall be a working person, not a member of any organization of working people, and two shall be representatives of organizations of working people. The commissioner shall designate one from the employers and one from the employees, to serve for a period of two years; and one from each group, to serve for a period of four years; and one from each group, to serve for a period of six years. Upon the expiration of said terms, the term of office of each member thereafter appointed shall be for a term of six years, except that any member appointed to fill a vacancy shall serve for the unexpired term thereof.

The commissioner and the director shall be ex officio members of each council. The superintendent in charge of a district shall be chairman of the council for his district, and in case of his inability to be present at any meeting the director or the commissioner may act as chairman.

The actual and necessary traveling expenses incurred by members of district representative councils, while engaged in the performance of their duties, shall be paid by the State.

Sec. 14. The council in each district shall,—

(a) Devise methods and take steps toward the regularization of employment in the various industries and seasonal trades of the district. Duty of coun-
cils.

(b) Devise plans and take steps to promote public improvements by municipalities within the district, during seasons of unemployment.

(c) Cooperate with any person, employer, association, or organ of the press in accomplishing the aforesaid purposes.

(d) Appoint subcommittees to deal specially with any subject which the council has power to investigate or act upon, but each subcommittee shall be presided over by a member of the council.

(e) Hold meetings at least once each month, or oftener if required, for the accomplishment of the aforesaid purposes; such meetings to be called by the chairman of the council, or to be fixed at any regular meeting of the council.

(f) Keep minutes of all meetings; submit a copy of all minutes, records, and decisions; and report in full on all actions or proceedings to the director. No rule shall be prescribed or action taken by the council inconsistent with the action of the board.

Sec. 15. The bureau shall neither charge nor receive fees, directly or indirectly, for any service or benefit rendered to those availing themselves of advantages provided. No official, employee, or person associated with the bureau in the performance of its duties shall charge, demand, accept, or receive, directly or indirectly, any fee, compensation, contribution, or gratuity for any service or duty performed as an official or employee of the bureau. Fees.

Sec. 16. Each person applying for employees at any public employment office shall file, in such form and manner as the director may require, a signed statement affirming or denying the existence of an industrial dispute, strike, or lockout at or in connection with the business or place of business for which such person is applying for help. Any citizen or employee may file at any public employment office a signed statement with regard to the existence of an industrial dispute, strike, or lockout affecting any business or trade. Each statement filed shall be exhibited in the public employment office, but not until it has been communicated to the employees affected if filed by employers, or to the employers affected if filed by citizen or employees. In case a reply to such a statement is received, it shall be exhibited, together with the original statement, in the public employment office; but no statement or reply thereto shall be so exhibited until it has been ascertained, upon investigation, that an industrial dispute, strike, or lockout does exist at or in connection with the business or place Statements
as to strikes,
etc.

of business in question. No official of the bureau shall assist, in any manner whatsoever, any person, firm, association, or corporation who is a party to an industrial dispute, strike, or lockout. Each person applying to any public employment office for help or employment shall give such information as the director may require.

Full information. SEC. 17. It shall be the duty of the officer in charge of each public employment office, and of his assistants, to give full and complete information with regard to any position offered, and the terms and conditions relative thereto, to any person applying for such position; and to call the attention of such applicant to any statement, or reply thereto, with reference to the existence of any industrial dispute, strike, or lockout affecting the business or trade in which the position is offered.

Refusing offer. SEC. 18. No applicant for employment shall suffer any disqualification, or be otherwise prejudiced, at any public employment office on account of refusing to accept employment offered. The reliability and fitness of an applicant for the particular position which he is to fill shall always be taken into consideration in referring him to an employer. No applicant procuring employment with any employer other than the State, through the medium of the bureau or its officials, shall be regarded in any sense as an employee or official of the State.

Qualifications. SEC. 19. In case bureaus for vocational training and placement, or other similar bureaus, are established by local school authorities, the director shall cooperate with such bureaus in dealing with the employment of children between the ages of fourteen and eighteen years, in such manner as may be advisable. The director shall use all reasonable means to promote the establishment of bureaus for vocational training and placement, in connection with vocational education by public school authorities throughout the State. Until bureaus for vocational training and placement, or other similar bureaus, have been established by local public school authorities, for the purposes of directing, advising, and assisting children in the selection of suitable vocations, the director shall provide school principals and all public employment offices with special blank forms for the registration of all children having employment certificates, as required by law, and leaving school lawfully in search of employment. Each child applying for employment may register at a public or other approved school with the principal of such school; and the principals of public or other approved schools are hereby authorized and required to register such applications for employment, to assist and advise each applicant in the selection of a vocation, in such manner as may be necessary, and to transmit immediately to the superintendent of the district branch office all applications for employment registered. The superintendent of each public employment office shall cooperate with the school principals in his district in endeavoring to secure suitable positions for children leaving school lawfully to enter a vocation, and shall guide and induce minors to enter promising vocations; and each principal shall acquaint the teachers and pupils of his school with the purpose and functions of the public employment office in placing juveniles.

Children. SEC. 20. No provision of any section of this act shall be construed as applying to agents procuring employment for school teachers exclusively; nor to registries of any incorporated association of nurses; nor to departments or bureaus maintained by persons, firms, or corporations or associations, for the purpose of obtaining help for themselves, where no fee is charged the applicant for employment.

Exemptions. SEC. 21. Any person willfully making any untrue statement in applying to any public employment office shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment not exceeding six months, or both, at the discretion of the court.

False statements.

Sec. 22. Except as herein provided otherwise, any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court.

Approved—The 4th day of June, 1915.

ACT No. 335.—Exemption of wages—Unlawful assignments of claims.

SECTION 1. Upon the trial of any action of debt, instituted under and by virtue of the terms and provisions of the act to which this is a supplement, the assignment or transfer of any claim against the plaintiff, and the commencement of prosecution, in a court outside of this Commonwealth, of proceedings in attachment or garnishment thereon, which might, could, or do deprive the plaintiff of the benefit of the right to have his personal earnings or property exempt from application to the payment of his debts according to the laws of this Commonwealth, shall be prima facie evidence of an intention and purpose to violate the provisions of the said act to which this act is a supplement.

Approved—The 7th day of June, 1915.

ACT No. 338.—Department of mines—Deputy chief.

SECTION 1. On and after the passage of this act the salary of the deputy chief of the department of mines of this Commonwealth shall be three thousand five hundred dollars per annum, which salary shall be paid as provided by existing laws.

Approved—The 7th day of June, 1915.

ACT No. 390.—Department of mines.

[This act amends section 2 of the act, page 180, Acts of 1903, creating the department, the sole change being the increase of the salary of the director from \$4,000 to \$5,000 per year.]

ACT No. 397.—Private employment offices.

SECTION 1. No employment agent shall hereafter conduct business for profit unless licensed to do so in accordance with the provisions of this act.

Sec. 2. The term "employment agent," as used in this act, shall mean every person, copartnership, association or corporation engaged in the business of assisting employers to secure employees, and persons to secure employment, or of collecting and furnishing information regarding employers seeking employees, and persons seeking employment: *Provided*, That no provision of any section of this act shall be construed as applying to agents procuring employment for school teachers exclusively; nor to registries of any incorporated association of nurses; nor to departments or bureaus maintained by persons, firms, or corporations or associations, for the purpose of obtaining help for themselves, where no fee is charged the applicant for employment.

The term "employment office" shall mean every office or place where the business of an employment agent is carried on.

The term "commissioner" shall mean the commissioner of labor and industry.

Sec. 3. Application for a license may be made in person or by mail to the commissioner, upon a blank furnished by the commissioner, which shall be verified by oath or affirmation.

The application must be accompanied by a fee of fifty dollars.

The application must also be accompanied by a bond, to the use of the Commonwealth of Pennsylvania, in the penal sum of one thousand dollars, with two or more sureties or of a surety

Violations.

Sending
claims out of
State.

Salary.

License re-
quired.

Definitions.

Applications.

Fee.
Bond.

company approved by the commissioner, conditioned, among other things, upon the faithful observance by the employment agent of the provisions of this act, together with all rules and regulations issued thereunder; that the employment agent shall discharge all obligations and pay all damages or loss which shall accrue to any person dealing with such employment agent, by reason of any contract or other obligation of such employment agent, or resulting from any fraud, deceit, excessive charges, misrepresentations, or other wrongful act of such employment agent or of his employees or agents, in connection with the business so licensed.

Any person aggrieved may bring an action for the enforcement of said bond in any court of competent jurisdiction.

Use as evidence.

SEC. 4. Applications, or a certified copy thereof, under the hand and seal of the commissioner, shall be received as evidence in any court to prove the facts contained therein.

Term.

SEC. 5. Each license issued by the commissioner shall expire on the thirtieth day of September next following the day on which it was issued, and shall not be transferable.

Rejection.

SEC. 6. The commissioner shall refuse to issue a license, if, upon investigation, he finds that the applicant is unfit to engage in the business, or has had a license or permit previously revoked, or that the business is to be conducted on or immediately adjoining unsuitable premises, or that any other good reason exists within the meaning of the law.

Revocation.

SEC. 7. The commission shall revoke any license issued under the provisions of this act, with or without a hearing, and may order such license to be returned for cancellation, if the employment agent has violated any provisions of this act or the rules and regulations issued thereunder, or if any cause appears on which a license might have been refused.

Rules.

SEC. 8. The commissioner shall prescribe such rules and regulations as may be necessary for the supervision of employment agents.

Liabilities.

SEC. 9. Every employment agent shall be held responsible for every untrue statement he makes, publishes, or distributes regarding any employment. He shall also be responsible for the acts, statements, and misconduct of his employee or employees, agent, partner, or person associated with him, where such acts, statements, or misconduct occur in the conduct and operation of such employment agent's business.

False statements.

No employer seeking employees, and no person seeking employment, shall knowingly make any false statement or conceal any material facts, for the purpose of obtaining employees or employment by or through any employment agent duly licensed.

Copy of contract.

SEC. 10. Every employment agent using written or printed form of contracts in his business shall file with the commissioner a copy of such contracts. No written or printed form of contract shall be used until approved by the commissioner.

The forms of contract may be changed, but shall not be used by employment agents unless approved by the commissioner.

The commissioner shall direct changes to be made in forms of contracts if he finds the forms are unfair or oppressive, or tending to violate the intent of this act, and shall withhold his approval unless the changes are made.

Schedule of fees.

SEC. 11. Every employment agent shall file with the commissioner, for his approval, a schedule of fees proposed to be charged for any services rendered to employers seeking employees, and persons seeking employment. The schedule of fees may be changed only with the approval of the commissioner.

No registration or other fees in lieu thereof shall be charged or received by such employment agent.

Dividing fees.

No employment agent shall divide, directly or indirectly, any fees charged or received by him with any person who secures help through such employment agent, or to whom help is referred by such employment agent, nor shall any employment agent offer to so divide any fees.

SEC. 12. Every employment agent shall give a receipt to each person from whom he has received any money, or other valuable consideration whatsoever, as compensation, directly or indirectly, for services rendered.

Receipts.

The receipt shall state separately the amount received as a fee and the amount received for transportation and for other expenses, and shall set forth such other facts as the commissioner may direct.

SEC. 13. If any person fails, through no fault of his own, to obtain employment from the employer to whom he has been referred by any employment agent, or, after having been engaged by an employer, is not permitted by said employer to enter upon such employment, the whole amount paid by such person to the employment agent as a fee, or for transportation or other expenses, shall be refunded to him on demand.

Fees to be refunded, when.

SEC. 14. Every employment agent shall keep conspicuously posted in his office or place of business the license issued under this act, a copy of the schedule of all fees required to be filed with the commissioner, and other notices or information that the commissioner may direct, and in such form and manner as he may prescribe.

What to be posted.

SEC. 15. For the purpose of enforcing this act and the rules and regulations issued thereunder, the commissioner or his duly authorized agent may enter any employment office, or place of business of any employment agent, and inspect the registers, cards, or other records of such employment agent.

Enforcement.

In the performance of the duties herein required by law, the commissioner or his agents may, at any time, enter any premises. If permission so to enter shall be refused or delayed by any person, the commissioner or his agent may, on oath or affirmation, declare before any alderman, magistrate, or justice of the peace that permission to enter and to investigate has been refused or delayed; whereupon such alderman, magistrate, or justice of the peace may, upon payment of a fee of one dollar, issue a search warrant for such premises. Such search warrant shall describe, as nearly as may be, the premises which it is desired to search or investigate. The commissioner or his agent, armed with such search warrant, shall have all the authority of a constable or other peace officer in the execution of such warrant. It shall be unlawful for any person to refuse or delay admission to any premises to the commissioner or his agent provided with a search warrant as herein authorized.

Entering premises.

SEC. 16. No employment agent shall furnish any female for immoral purposes; or send, or cause to be sent, any female employee, to enter as servant, inmate, or for any purpose whatsoever, any place of bad repute, house of ill fame, or assignation house, or any house or place of amusement kept for immoral purposes, the character of which such employment agent could have ascertained upon reasonable inquiry.

Immoral resorts.

No employment agent shall knowingly admit or allow to remain in such agency any person of bad character, prostitute, gambler, or intoxicated person.

SEC. 17. No employment agent shall furnish employment to any child, in violation of the laws regulating the labor of children or their compulsory attendance at school.

Children.

SEC. 18. The commissioner shall inspect all labor camps and housing accommodations for employees, maintained directly or indirectly in connection with any work or place where work is being performed, and all places established for the temporary shelter and care of aliens and unemployed persons, and prescribe minimum standards of sanitation for all such labor camps, accommodations, and temporary quarters.

Labor camps, etc.

SEC. 19. The commissioner shall investigate the general industrial, social, and educational welfare and conditions of aliens within the State, for the purpose of cooperating with the various agencies of the State possessing the requisite jurisdiction in securing such remedial action as may be necessary.

Aliens.

Sale of tickets, etc.

The commissioner shall enforce all laws pertaining to the sale of steamship tickets or orders for transportation; and prescribe rules and regulations for the protection of purchasers in the purchase of and cancellation of third-class or steerage tickets, or orders for transportation; investigate conditions prevailing at all docks, ferries, railway stations, and other places where employees or aliens arrive or depart; and, in cooperation with the proper authorities, afford such employees or aliens protection against frauds, crimes, and exploitations; investigate all complaints of employees and aliens with respect to frauds, extortion, and improper practices by any person or corporation, whether public or private, and present to the proper authorities the results of such investigation for action thereon.

Power as to oaths, etc.

SEC. 20. The commissioner shall have power to issue subpoenas, administer oaths, take affidavits and testimony, in all matters relating to the duties and powers herein prescribed. He shall have power to subpoena any witness or any person; to examine all books, contracts, records, and documents of any person or corporation, and by subpoena duces tecum to compel production thereof.

All subpoenas shall be issued in the name of the commissioner, under the seal of the Commonwealth.

All hearings held before the commissioner, or his deputy duly authorized, shall be governed by rules prescribed by the commissioner, who shall not be bound by the technical rules of evidence in the examination of witnesses or in the conduct of such hearings.

Violations.

SEC. 21. Any person, copartnership, association, or corporation who shall open and conduct an employment agency without procuring a license as required by this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than five hundred dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court.

Any person making any false statement or testifying falsely under oath shall be subject to prosecution for perjury, upon the recommendation of the commissioner to the officials having the requisite jurisdiction.

Any individual, copartnership, or corporation, or association who shall neglect or refuse to obey any subpoena and give testimony, according to the provisions of this act, or who shall neglect or refuse to answer questions by circular or upon personal application, shall be liable to a penalty of one hundred dollars, to be collected, by order of the commissioner, in an action in which the Commonwealth of Pennsylvania shall be plaintiff, as debts of like amount are collected.

Any person, copartnership, association, or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars, or to undergo imprisonment not exceeding one year, or both, at the discretion of the court; and, in addition thereto, such person, or each of the members of a copartnership association, or each of the directors of the corporation, as the case may be, with guilty knowledge of the fact, may be sentenced to pay a fine of not more than one hundred dollars, or to undergo imprisonment in the jail in the proper county for a period of not exceeding one year, or both, at the discretion of the court.

Approved—The 7th day of June, 1915.

ACT No. 410.—Intoxication of drivers of traction engines.

Misdemeanor. SECTION 16. Any person operating a traction engine when intoxicated shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than ten dollars

(§10), nor more than twenty-five dollars (§25), or imprisonment for not more than three months, or both, at the discretion of the court.

Approved—The 8th day of June, 1915.

ACT No. 420.—*Manufactures in tenements.*

SECTION 32. No room or rooms in any dwelling house, rooming house, or tenement which are used for manufacturing purposes shall be occupied, at any one time, by more persons than would give to each occupant at least four hundred cubic feet of air space; and no such room or rooms shall be so occupied, in any instance, except by a permit from the bureau or board of health, which permit shall expire not later than the calendar year for which it is issued. No such permit shall be granted if such use would create dust, foul odors, or undue noise, liable to affect injuriously the health or comfort of those engaged therein, or of the tenants, occupants, or neighbors. Air space.

SEC. 39. No tenement house, or any part thereof, shall be used as a bakery or as any place of business in which fat is boiled, unless the ceiling, side walls, and all exposed woodwork therein, or in the part thereof so used, is lined with fireproof materials satisfactory to the chief of the division and the director of the department of public safety. Use as bakery, etc.

Approved—The 3d day of June, 1915.

ACT No. 423.—*Pension for State employees.*

SECTION 1. From and after the first day of September, Anno Domini one thousand nine hundred and fifteen, whenever the governor is of opinion, based upon satisfactory medical evidence, that a State employee is, by reason of physical or mental disability, permanently incapacitated for performing his regular official duties, except State employees whose retirement has been or shall be otherwise provided for, he shall notify said employee of his opinion, giving the reasons therefor; and if the said employee shall resign within thirty days after such notice, and shall have served continuously in office as such a State employee for twenty-five years or more, or who shall have reached the age of seventy years, and shall have served continuously in office as such a State employee for twenty years or more, and shall hold himself in readiness to perform special duties, in such ways as he may be reasonably able to do, after his honorable retirement from office by resignation; he shall receive during the remainder of his life, or during the continuance of such disability or incapacity, one-half of the salary which he would have received had he remained in active service. Pension to be given, when.

SEC. 2. No such State employee while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder; and no such employee shall be obliged to accept an assignment of duty for any other than the department or branch of service of which he was an employee at the time of his retirement. Amount.

SEC. 3. Any such State employee, wishing to take advantage of the provisions of this act, may notify the governor of his desire so to do; or the governor, on his initiative, may notify any State employee as provided herein. Status of pensioner.

SEC. 4. All payments under this act shall be made monthly, only upon the certificates of the head of the proper department or branch of service that such retired State employee is living, and willing to perform the special duties assigned to him by such State official. Procedure.

SEC. 5. Any vacancy created by a retirement under this act shall be filled as now provided by law. Payments.

Approved—The 14th day of June, 1915. Vacancies.

ACT No. 439.—*Mothers' pensions.*

[This act amends sections 1 to 5 of act No. 80, Acts of 1913. The sections as amended are as follows:]

Board of trustees.

Who may receive aid.

Age limit.

Supervisor.

Duties.

Trustees.

Appropriation.

Section 1. On and after the passage of this bill and its approval by the governor of the Commonwealth, the governor shall appoint not less than five and not more than seven women, residents of each county desiring to avail itself of the provisions of this act, to act as trustees, in whom shall be intrusted the carrying into effect the provisions of this act, to provide monthly payments, as approved by the trustees, to women who have children under sixteen years of age, and whose husbands are dead or permanently confined in institutions for the insane, when such women are of good repute, but poor and dependent on their own efforts for support, as aid in supporting their children in their own homes; such payment to be made direct to the recipient by the State treasurer, upon warrants drawn by the auditor general, and direct to the recipient by the county treasurer. Such payments to continue at the will of the trustees, but not beyond the time that the law will permit a child to secure employment; except that such payments shall continue until a child is sixteen years of age, if said child is physically unable to earn wages, or is at school with satisfactory record of attendance and scholarship. The governor shall also appoint a woman, qualified by her training and experience, to act as State supervisor over the boards of the different counties. Said supervisor shall furthermore act as general field organizer, and she shall be on the staff of the State board of education. The supervisor may, with the approval of the governor, appoint a clerk, who shall receive an annual salary not exceeding twelve hundred dollars. The term of office of said supervisor shall be two years, and her annual salary shall not exceed \$2,400 and the necessary traveling and office expenses.

Sec. 2. The State supervisor and general field organizer of the county boards shall formulate, and issue to the various boards, rules of procedure, under the general law, by which they shall be governed, to the end that uniformity of interpretation and practice shall obtain throughout the State; and, to attain this end, she shall visit not less than twice each year, for conference and counsel, each county board organized under this act; she shall supervise and inspect, and report annually to the State board of education on the work of the county boards, especially as to the educational conditions and progress of the assisted families. She shall, as general field organizer, visit the officer of those counties who do not avail themselves, in behalf of their counties, of the funds appropriated under this act, for the purpose of explaining the provisions of this act to those concerned, in counties which have not taken advantage of the act; and assist the county commissioners, upon the acceptance by them of the provisions of this act, in the organization of mothers' assistance boards. But the administration of this act, within the counties, shall be solely in the hands of the trustees appointed by the governor, subject to the rules formulated and issued by the State supervisor. The trustees shall serve without pay, but shall be permitted to charge for expenses incurred directly in the administration of this act. The trustees shall provide a headquarters and appoint competent investigators and clerical assistants, as necessary, and provide suitable furnishings, stationery, and postage; but at no time shall the yearly expenses of administration in any county exceed ten per cent of the appropriation of such county for that year (with the exception of the first year, when the trustees shall be permitted to expend an additional sum of not more than five hundred dollars), if necessary, for furnishings. In order to carry the provisions of this act into effect, the sum of one hundred thousand dollars (\$100,000) is hereby appropriated. There is also reappropriated, for the same purpose, the unexpended balance of the moneys appropriated at the last session of the general assembly for carrying out the purposes of the said act, approved April

twenty-nine, one thousand nine hundred and thirteen, the sum of one hundred and fifty thousand dollars (\$150,000). The moneys hereby appropriated and reappropriated shall be paid to and apportioned among the counties of the Commonwealth according to the following classification:

First class—Counties with a population of more than one million shall each receive equal parts of thirty per cent of the entire appropriation. Classes of counties.

Second class—Counties with a population of more than two hundred thousand and less than one million shall receive equal parts of fifteen per cent of the entire appropriation.

Third class—Counties with a population of more than one hundred thousand and less than two hundred thousand shall each receive equal parts of thirty per cent of the entire appropriation.

Fourth class—Counties with a population of more than fifty thousand and less than one hundred thousand shall each receive equal parts of fifteen per cent of the entire appropriation.

Fifth class—Counties with a population of more than twenty-five thousand and less than fifty thousand shall each receive equal parts of seven per cent of the entire appropriation.

Sixth class—Counties with a population of less than twenty-five thousand shall receive equal parts of three per cent of the entire appropriation.

Upon the passage and approval of this bill, the State treasurer shall place the proportionate amount of the entire appropriation to the various counties, upon the books of the State treasury, to the credit of the trustees; one-half of which amount shall be available for the first year after approval, and the remainder the second year, or until another appropriation may become available: *Provided, however,* That no county, through its trustees or otherwise, shall receive its allotment of the State's appropriation unless an equal amount has been provided by the government of such county desiring the benefits under this act, within a period of one year after passage and approval of this bill. All of the funds so appropriated to various counties which have not availed themselves of the provisions of this act, remaining at the expiration of said time, shall revert to a fund which shall be available for further division among the counties that have already availed themselves of the provisions of the act: *Providing, however,* That the second allotment to any county does not exceed twenty-five per cent of the first amount appropriated to the county, and that the government of said county appropriates an equal amount as in the first instance. Apportionment of funds.

Sec. 3. The trustees shall in no case recommend payment until they are satisfied that the recipient has proved her character and ability, and that for decent maintenance of her children in her own home monthly payments are necessary; but then only upon satisfactory report from a teacher in a school in which child or children are enrolled, stating that the child or children of the recipient of this fund are attending school: *Provided,* They are of proper age and physically able to do so. The combined maximum payment shall not exceed twelve dollars per month for one child, twenty dollars per month for two children, twenty-six dollars per month for three children, and five dollars per month for each additional child. These payments to continue at the will of the trustees, but not beyond the time that the law will permit a child to secure employment; except that such payments may continue until a child is sixteen years of age, if said child is physically unable to earn wages or is at school, with satisfactory record of attendance and scholarship. Conditions of payment.

Sec. 4. Four copies of a complete record of each family that is in receipt of any payment under the provisions of this act—the number of children, their full names, ages, and places of residence—shall be provided: One copy to be on file in the office of the trustees, as a public record; one copy to be forwarded to the State board of education; one copy to be forwarded, with each application for a warrant, to the auditor general; and one copy Amount.

Age limit.

Records.

to the county treasurer. The copy to the auditor general and the county treasurer shall be sworn to by the investigator, and approved by at least a majority of the trustees.

Residence. Sec. 5. In order to prevent the alienation of citizenship of those who receive the benefits of this act, no family shall be a beneficiary under this act unless the mother has been a continuous resident of the county, in which she is applying for such benefits, for a period of three years.

Approved—The 18th day of June, 1915.

RESOLUTIONS.

CONCURRENT RESOLUTION No. 40.—*Purchase of American products.*

Conditions. WHEREAS, American manufacturing industries are only operating to a certain small percentage of their capacities at the present time, which is chiefly attributed to the unstable business conditions and general depressions existing throughout the country; and

WHEREAS, The State of Pennsylvania, the counties, the cities, boroughs, townships, boards of education and public school boards, public and private institutions, as well as the citizens of Pennsylvania, constantly have occasion to purchase equipment and supplies which are produced and manufactured in the United States of America; and

WHEREAS, The General Assembly of Pennsylvania is desirous of promoting the patronage of manufacturing industries of the United States of America, for the purpose of restoring prosperity to the people of Pennsylvania and the United States; therefore, be it

Use of domestic products. Resolved (if the Senate concur), That the officers of the various departments of the government of the Commonwealth of Pennsylvania be requested to purchase and specify at all times the products of the United States of America, and that the various counties, cities, boroughs, townships, boards of public education and public school boards, public and private institutions, throughout this Commonwealth, as well as the private citizens, be urged to specify and buy products of the United States of America; * * *

Approved—The 6th day of May, 1915.

JOINT RESOLUTION No. 3.—*Amendment to Constitution—Redress for injuries—Status of corporations.*

SECTION 1. Amend section twenty-one, article three of the constitution of the Commonwealth of Pennsylvania, * * * so that it shall read as follows:

Compensation law. The general assembly may enact laws requiring the payment by employers, or employers and employees jointly, of reasonable compensation for injuries to employees arising in the course of their employment, and for occupational diseases of employees, whether or not such injuries or diseases result in death, and regardless of fault of employer or employee, and fixing the basis of ascertainment of such compensation and the maximum and minimum limits thereof, and providing special or general remedies for the collection thereof; but in no other cases shall the general assembly limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property, and in case of death from such injuries, the right of action shall survive, and the general assembly shall prescribe for whose benefit such actions shall be prosecuted. No act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property, or for other causes, different from those fixed by general laws regulating actions against natural persons, and such acts now existing are avoided.

[The foregoing amendment was adopted November 2, 1915.]

INDUSTRIAL BOARD—SAFETY STANDARDS¹—1915.No. 1—*Power transmission safeguards.*

V-1.60. The word "shall" where used is to be understood as **Construction.** mandatory and "should" as advisory.

NOTE.—Unless otherwise provided for by regulations approved by the industrial board, the following safety standards for transmission of power shall apply also to all power-driven machinery having exposed collars, set screws, shafts, couplings, clutches, pulleys, gearings, and belts.

V-1.614. A station or stations must be provided in each room, section, or department, to stop immediately all power transmission therein. Such station or stations shall be properly marked and easily accessible. The prompt stoppage of machinery in an emergency is hastened by allowing the full load to remain on all machines. **Emergency stops.**

V-1.615. Set collars shall be cylindrical, and the screws used to fasten the same to the shaft shall not project beyond the largest periphery of the collar. Split collars, after assembly, shall conform to the above specifications for solid collars. **Set collars.**

V-1.616. All projecting set screws in moving parts of machinery shall be removed and replaced by flush set screws. **Set screws.**

V-1.622. Horizontal shafts less than six feet from the floor or working platform level, including dead ends of shafts, shall be guarded or protected by a standard railing, as provided for horizontal belts. Shafts less than twenty feet above floor or ground level and located over driveways, shall be guarded. **Horizontal shafts.**

V-1.6226. Vertical shafts shall be encased or guarded to a height of six feet from floor or working platform, or be guarded by a standard railing with not less than 15 inches clearance. **Vertical shafts.**

V-1.631. Revolving shaft couplings shall be cylindrical, and bolts used shall not project beyond the largest periphery of the coupling or its projecting flanges. **Shaft couplings.**

V-1.632. It is recommended that the use of this style of coupling be discouraged unless guarded by a cylindrical sleeve the full length of the coupling. New installation of such couplings must be guarded by a cylindrical sleeve the full length of the coupling. **Clamp couplings.**

V-1.633. Jaw clutch couplings shall be provided with a cylindrical sleeve to cover the jaws. **Jaw clutch couplings.**

V-1.634. Universal and flexible couplings shall be guarded in a manner to remove all hazard. **Universal and flexible couplings.**

V-1.635. Friction clutch couplings shall have their operating mechanisms completely guarded where exposed. **Friction clutch couplings.**

V-1.64. All projecting keys in revolving shafts, where such keys are exposed to contact, shall be made flush or shall be guarded. **Keys.**

V-1.650. When the bearings are not self-oiling and the clearance between the pulley and the bearing on line shafting is 3/64 inches or less, the pulley shall be completely guarded on the side nearest the bearing and all keyways in the shaft between such pulley and bearing shall be substantially encased or properly filled. **Pulleys.**

All parts of pulleys less than seven feet above the floor or working platform level shall be guarded underneath, or protected by a railing as provided for horizontal belts.

Where the space between two pulleys or between a pulley and a bearing is less than the width of the widest belt used, such space shall be guarded so that the belt can not get between the pulleys or between the pulley and the bearing. A flange on the side of the pulley nearest the bearing or adjacent pulley will be considered a guard.

On counter shafts, the space between pulleys and the nearest bearing shall not be less than the width of the belt used unless such space is properly guarded. A pulley with a flange on the side nearest the bearing, or adjacent pulley, will be considered as guarded.

¹ See acts of 1918, ch. 267, sec. 15.

Gears.

V-1.66. All toothed, chain-driven, and sprocket gearing used in the transmission of power or on machinery, shall be completely enclosed wherever practicable, otherwise, at least to the base of the teeth.

It is strongly recommended that pulleys, gears, sprockets, sheaves, etc., having spoke arms should be guarded by discs, as nearly as possible flush with the rims of the wheels. Friction drives shall be completely guarded.

Belts.

V-1.67. Vertical and inclined belts extending to within six feet of the floor or working platform level shall be substantially guarded as follows:

If the guard is placed less than six inches from the belt; with an enclosure on all sides, not over $\frac{1}{2}$ inch between members to a height of six feet above floor or working platform. If the guard is placed between 6 inches and 15 inches in clearance from the belt; with an enclosure on all sides, not over 2 inches between members to a height of 6 feet above floor or working platform. A Standard railing may be used if placed to allow 15 inches clearance from the belt.

Where belts pass through a floor, a standard toe board shall protect the floor opening.

If the upper part of a horizontal belt is less than 6 feet from floor level or working platform, the belt shall be guarded on the top and sides or provided with a standard railing at least 15 inches horizontally from the edge of the belt.

Overhead belts, with the lower part 7 feet or less from the floor or working platform level, shall be guarded on the sides and bottom.

Passageways between the upper and lower parts of belts are prohibited unless special permit is granted by the department of labor and industry. The space traversed by such a belt shall be completely barred against passage. Overhead belts 10 inches or more in width and more than 7 feet from floor or working platform level shall be guarded underneath in such a manner as to insure the safety of persons below.

Belt fasteners.
Shifters for belts and clutches.

V-1.671. Hereafter no change belts shall be laced with metal.

V-1.672. Shifters shall be provided for all tight and loose pulleys and clutches.

Shifter and disengaging levers when suspended overhead shall be arranged to hang vertically when belt is on the loose pulley, or the clutch is disengaged. Belt shifters shall be automatically held so that the belt will not creep from the loose to the tight pulley.

All controls for stopping machines shall be within convenient reach of the operator from any operating position. Mechanical shifters for change belts are strongly recommended.

Lubrication.

V-1.68. Loose pulleys shall have oiling devices so arranged as to permit oiling in any position of loose pulley when machinery is shut down.

V-1.682. An effective system of self-oiling is recommended for all bearings. Shafting shall not be oiled by hand while in motion.

V-1.683. Drip cups and pans shall be securely fastened.

V-1.684. Oiling shall be done only by authorized and experienced persons, properly clothed and in accordance with approved and safe practice.

Starting signals.
Inspection.

0.01. Ample notice should be given by means of an effective alarm or signal before transmission machinery is started.

V-1.685. All power transmission equipment should be given careful and thorough inspection at frequent and regular intervals and records kept of such inspection.

Caution. It is unlawful to remove guards from machinery, except when shut down, and in that case the guards must be replaced before starting.

No. 2.—Standard railings and toe boards.

V-6.12. The word "should" where used is to be understood as advisory and "shall" as mandatory.

(a) Standard railings shall be not less than three and one-half feet high and be provided with an additional rail midway between the top rail and the floor and shall be constructed in a permanent and substantial manner. Material and construction of railings.

(b) If constructed of pipe, they shall be not less than 1½ inches in inside diameter.

(c) If constructed of structural metal or bars, their section shall be at least equal to that of 1½ inches x 1½ inches x 3-16 inch angles.

(d) If constructed of wood, the posts shall be not less than 2 inches x 4 inches or its equivalent section, having rails not less than ¾ inch x 6 inches or its equivalent section.

(e) Posts and uprights shall be spaced not more than 8 feet apart.

(f) The rails when of metal shapes, metal bars or wood should be placed on the side of the posts that will afford the greatest support and protection.

(g) One or more sides may be hinged, preferably with self-closing gates.

(h) Railings already installed, if of substantial construction and proper position and approved by the department of labor and industry, will be accepted, although not permitted in new installation.

(i) Where panels are filled with substantial expanded metal or wire mesh, the middle rails may be omitted.

V-1.612L. In addition to standard railings a toe board or toe piece, 6 inches high, of wood or metal, shall be provided at the edge of: Toe boards.

(a) Working platforms, balconies, and galleries if 6 feet or more above floor level;

(b) Floor openings and hoistways;

(c) Flywheel and pulley pits;

(d) All other openings in floors and platforms where the safety of persons below is involved.

No. 3.—Stationary engine guards.

III-12.5. The word "shall" where used is to be understood as mandatory and "should" as advisory.

NOTE.—By stationary engine is meant an engine normally in one place and used regularly for furnishing motive power. Farm and sawmill portable engines, portable hoisting engines, and pumps used in construction work are not classed as stationary engines.

These standards are to be considered as also applicable to gas engines, pump engines, and air compressors if their construction is such as to bring them within the scope of these requirements.

Ample notice should be given by the use of an effective alarm or signal before machinery is started.

All steam, gas and hot-air pumping engines and air compressors, shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gears, flywheels and belts guarded as specified in Safety Standards, Volume I, No. 1.

It is recommended that an approved type of automatic-engine stop, with speed-limit device, be put on all stationary engines of more than 500 H. P. Automatic stops.

No live-steam connections should be made to the receiver of a compound engine without a reducing valve, set so that the pressure will be well within the safe working pressure of the receiver and of the low-pressure cylinder. Reducing valves.

Such a receiver shall be equipped with one or more safety-relief valves of ample capacity, adjusted to a pressure well within the safe working pressure of the receiver and of the low-pressure cylinder.

These valves shall be provided with facilities for testing, such as hand levers.

Jet condensers shall be provided with vacuum breakers to prevent water from entering the engine cylinders. Condensers.

Steam traps used to discharge water from steam separators shall be so installed that their operation will be evident. Traps.

- Governors.** Each engine shall be equipped with an effective governor which will at all times automatically control the speed of the engine under varied loads, except where the load itself acts as an effective governor. Each belt or rope driven governor shall be equipped with a device for stopping the engine in case the belt or rope should break.
- Valve gears.** Valve gears shall be so arranged, or other provisions made that in the event of the load being removed the engine will stop if the governor fails to act. (A broken-belt stop will be considered sufficient for slide or four-valve engines.)
- Blocking.** Positive means shall be provided for blocking vertical and large horizontal engines, compressors and pumps during adjustments and repairs.
- Turning over by hand.** A safe method should be provided for turning over engines by hand.
- Stairs.** Stationary stairs or iron ladders shall be provided for access to such emergency valves as cannot be operated from the floor or other accessible places.
- Platforms.** Platforms and walks on engines shall have standard railings and toe boards as specified in Safety Standards, Vol. I, No. 2. This applies also to the engine bed alongside of the connecting rod or crosshead, when it is used as a footwalk.
- Oiling.** Provisions should be made where practicable for oiling all engine bearings, journals, eccentrics, crank pins, etc., from outside the guard railings. All power-transmission equipment should be given careful and thorough inspection at frequent and regular intervals and complete records kept of such inspections.
- Inspection.**

No. 4.—*Machine tool safeguards.*

V-1.70. The word "shall" where used is to be understood as mandatory and "should" as advisory.

NOTE.—Unless otherwise provided for by regulations approved by the industrial board, all lathes, planers, milling machines, boring mills, metal saws, keyseating machines, shapers, slotters, gear cutters, drill presses and all other machine tools shall have all gears, sprockets, chains, bands, belts, pulleys, clutches, wheels, shafting, spindles, couplings, clutches, counterweights, revolving and reciprocating parts and all other hazardous points, parts or projections guarded as specified in Safety Standards, Volume I, No. 1.

- Safety dogs.** V-1.711. The use of safety dogs is strongly recommended. Set screws and bolt heads shall be made flush or shall be guarded.
- Face plates, etc.** V-1.712. In new installation each face plate, chuck and collet shall be cylindrical with no projecting parts on the rim or the periphery.
Face plates, chucks and collets now in use having projecting parts on the rim or the periphery shall be encased and guarded with hinged or other effective guards.
- Drills.** V-1.713. The use of drills on dead centers, unless securely fastened there, should not be permitted.
- Cams.** V-1.74. Cams and other automatic parts shall be carefully guarded.
- Stocks.** V-1.75. On hollow spindle lathes bar stocks should be guarded full length.
- Chip guards.** V-1.716. Chip guards shall be provided on lathes and other machines for the protection of nearby persons as well as the operator, where there is an eye hazard by reason of flying chips or cuttings. Goggles will be considered adequate protection for the operator.
Eye protection in all lathe, machine, and grinding work shall be carefully considered.
- Openings.** V-1.77. All openings in bed frames shall be covered with sheet metal, expanded metal or wire mesh aprons, securely fastened in place. All openings in housings shall be filled or guarded.
- Clearance.** Not less than 24 inches clearance shall be provided at both ends and sides of planers for the planer bed, the work being machined and its chucking. If the clearance is less than 24 inches, the clearance space shall be guarded with standard railings as specified in Safety Standards Volume I, No. 2.

Floor openings and pits shall be guarded with standard railings and toe boards as specified in Safety Standards Volume I, No. 2.

Attention is called to the hazard attending the practice of reversing a planing table by hand, except when absolutely necessary in setting up work.

Counterweights shall be placed in wells or securely guarded for their entire travel.

Pits, etc.

Reversing by hand.

Counterweights.

No. 5.—*Forging, stamping, and shearing machinery guards.*

V-1.40. The word "shall" where used is to be understood as mandatory and "should" as advisory.

NOTE.—Unless otherwise provided for by regulations approved by the industrial board, all forging, pressing, forming, and stamping machines shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gears, and belts guarded as specified in Safety Standards, Volume I, No. 1.

(a) Locking devices shall be provided for presses and shears to prevent the machines coming into action prematurely or while the tools are being set. Where tight and loose pulleys are used, the locking device may be applied to the same instead of to the machine. Where direct motor drive is used the switch shall be secured in an open position.

Locking devices.

(b) A positive guard which is controlled by the moving ram is recommended for blanking, drawing, and forming presses operating on cold material. The guard should be arranged to throw the operator's hands away from the danger zone.

Guards.

(c) Sheet metal presses for stamping, blanking, forming, trimming, shearing, and punching should, where the nature of the work permits, have an inclined bed or have an automatic or roll feed.

Feed.

(d) If neither false fingers, sliding dies, double trips, soft metal plyers nor work holders, using compressed air or suction for handling material operated on are used, then guards of metal strips, metal netting, or plate glass to protect the operator are recommended; these guards shall be either fixed or automatic.

Guards.

(e) A positive disengaging device for clutches is recommended.

Clutches.

V-1.403. (a) All hammers operated by steam, air, gravity, or electricity, shall be provided with positive locking devices, so that when the ram is at the top or the bottom of its stroke it can not be accidentally moved.

Hammers.

(b) Every steam and air hammer shall be provided with a stop valve in the admission pipe line, which must be closed, preparatory to and during the repair of the hammer or while changing dies.

Stop valves.

(c) Extreme care shall be taken in making and using hammer die keys on all power hammers to see that they are not only of suitable material, but that they are driven into place with a view to the safety of the operator and of the neighboring workmen.

Keys.

(d) It is suggested that hammer die keys be made of open-hearth material (Mn. 40 to 50 per cent; C. 50 to 60 per cent); that they be machined accurately to fit notches; and, that the ends be tempered to prevent spreading, upsetting, or breaking. The ends of keys shall be re-dressed when necessary.

Same.

No. 6.—*Safeguards for grinding and polishing machinery.*

V-1.80. The word "shall" where used is to be understood as mandatory and "should" as advisory.

NOTE.—Polishing and grinding machines shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gears, flywheels, and belts guarded as specified in Safety Standards, Volume I, No. 1.

Grinding wheels are to be understood as wheels composed of a practically uniform mixture of an abrasive material and a bonding cement, formed or molded into a single piece. This does not include grinding wheels of natural stone.

Polishing wheels are to be understood as wheels composed of material other than abrasive, to all or a portion of whose surface an abrasive material is applied.

Disc grinders having discs of steel, iron, or equally strong material are classed as polishing wheels with respect to safety of operation.

- Grinding wheels.** (a) The use of defective grinding wheels is prohibited.
 (b) Grinding wheels shall fit freely on their spindles. They should never be forced on, nor should they be too loose. A clearance of .005 of an inch is recommended.
 (c) The soft metal bushings at the centers shall not extend beyond the sides of the wheels. Wheels shall be kept as true as practicable and work rests shall be kept adjusted close to wheels.
 (d) Wherever possible a compressible medium, such as blotting paper, rubber, lead, etc., at least as large in diameter as that of the flanges, shall be fitted between a wheel and each of its flanges.
Flanges for grinding wheels. (e) Each flange, whether straight or tapered, must be relieved or recessed at the center at least 1-16 inch on the side next to the wheel for a distance as provided in Table B.
 (f) The maximum and minimum dimensions of flanges and the minimum diameter of the flat spot at center of wheel, as given in Tables A and B, must be observed.

TABLE A.—*Tapered flanges and tapered wheels.*

Proportions.

Diameter of wheel.	A.	B.	C.	D.	E.
	Maximum.	Minimum.	Minimum.	Minimum.	Minimum.
	Inches.	Inches.	Inches.	Inches.	Inches.
6.....	0	1	3	$\frac{3}{8}$	.....
8.....	0	1	5	$\frac{3}{8}$	.....
10.....	0	2	6	$\frac{3}{8}$	.....
12.....	4	$4\frac{1}{2}$	6	.....	$\frac{1}{2}$
14.....	4	$4\frac{1}{2}$	8	.....	$\frac{5}{8}$
16.....	4	5	10	.....	$\frac{5}{8}$
18.....	4	5	12	.....	$\frac{5}{8}$
20.....	4	5	14	.....	$\frac{5}{8}$
22.....	4	5	16	.....	$\frac{5}{8}$
24.....	4	5	18	.....	$\frac{5}{8}$
26.....	4	5	20	.....	$\frac{5}{8}$
28.....	4	5	22	.....	$\frac{5}{8}$
30.....	4	5	24	.....	$\frac{5}{8}$

TABLE B.—*Straight flanges and straight wheels.*

Same.

Diameter of wheel.	Minimum outside diameter of flanges.	Diameter of recess.	Minimum thickness of flange at bore.
	Inches.	Inches.	Inches.
6.....	2	1	$\frac{3}{8}$
8.....	3	2	$\frac{3}{8}$
10.....	$3\frac{1}{2}$	$2\frac{1}{4}$	$\frac{3}{8}$
12.....	4	$2\frac{3}{4}$	$\frac{1}{2}$
14.....	$4\frac{1}{2}$	3	$\frac{1}{2}$
16.....	$5\frac{1}{2}$	$3\frac{3}{4}$	$\frac{1}{2}$
18.....	6	4	$\frac{5}{8}$
20.....	7	$4\frac{1}{2}$	$\frac{5}{8}$
22.....	$7\frac{1}{2}$	5	$\frac{5}{8}$
24.....	8	$5\frac{1}{2}$	$\frac{5}{8}$
26.....	$8\frac{1}{2}$	6	$\frac{5}{8}$
28.....	10	7	$\frac{3}{4}$
30.....	10	7	$\frac{3}{4}$

- (g) Flanges shall be made of steel or other equally strong material.
 (h) Both flanges in contact with a wheel shall be of the same diameter.
 (i) New installation having tapered flanges shall have a taper of not less than $\frac{1}{8}$ of an inch (preferably $\frac{1}{4}$ of an inch) to the foot on each flange; and where a flat spot is used it shall conform to dimensions set forth in the above table. But one taper shall be used in any one establishment.

(j) If but one tapered flange is used, the taper shall be not less than $1\frac{1}{4}$ inches to the foot.

(k) Wherever possible only 2 inches of the wheel should project beyond the flanges where the wheel is over 10 inches in diameter.

(l) All grinding wheels shall conform to the dimensions for flanges as set forth in the above table.

(m) The surface of wheels in contact with straight or tapered flanges, the surface of flanges in contact with wheels, and the compressible material between flanges and wheels shall be clean, smooth, and free from foreign material.

(n) Either substantial hoods, tapered flanges, or both, sufficiently strong to retain the pieces of a wheel in case of breakage and so designed as to leave exposed the least portion of the wheel compatible with the work in hand shall be fitted to all grinding machines. Protection for grinding wheels.

(o) Precision and tool grinding machines shall be thoroughly guarded where possible. Proper clamping devices and hoods shall be applied to precision grinding machines where the diameter of the hole in the wheel will not permit the application of the specifications for guards elsewhere set forth in these standards. Precision grinding machines.

(p) Cup and cylinder wheels shall be surrounded, as much as operating conditions will allow, either by a substantial hood or be retained by a chuck which surrounds the periphery at least $\frac{1}{4}$ of the height of the rim of the wheel. Cup and cylinder grinding wheels.

(q) All specially shaped wheels shall be substantially guarded.

(r) The protruding end of the arbor and its nut shall be guarded. Arbors.

(s) Arbor bearings shall be of ample size and shall be kept carefully adjusted and lubricated.

(t) Arbors of floor, bench, and swing frame grinding machines for wheels 12 inches or more in diameter, shall have fixed collars not less than $\frac{1}{4}$ of the diameter of the wheel being used.

(u) Floor and bench grinding machines shall be rigidly constructed and securely fastened to a suitable foundation. Grinding machines.

(v) Grinding-wheel manufacturers shall furnish information regarding speeds at which wheels are recommended to operate safely.

(w) Wheels must not be operated at a speed in excess of that which is recommended by the manufacturer. Speed.

(x) Approved eye protection shall be provided for operators on grinding wheels if the operation involves the possibility of eye injury. Eye protection.

V-.02. For use with grinding and polishing machinery.

NOTE.—All blowers and exhausters shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gears, flywheels, and belts guarded as specified in Safety Standard in Volume I, No. 1. Blowers and exhausters.

(aa) Sufficient suction head shall be maintained in each branch pipe within 15" of the hoods to displace a minimum of two inches of water column in a U-shaped tube. Pressure shall be taken by pressing a tube attachment over a small opening through the pipe, which is commonly called the static method. Tests shall be made with all branches open and unobstructed. Suction test.

(bb) Round pipe shall be used for all main ducts and branch connections unless some other form is specifically approved by the commissioner of labor and industry. All branch pipes must enter the main trunk pipe at an angle of 45 degrees or less. All bends, turns, or elbows in such pipes must be made with easy, smooth surfaces having a radius in the throat of not less than two diameters of the pipe on which they are connected. No branch pipe shall extend into the main duct, and all laps shall be made in the direction of air flow. Piping.

(cc) Emery wheel and buffing wheel exhaust systems shall be kept separate owing to danger of sparks from the former setting fire to the lint dust from the latter if both are drawn into the same suction main.

(dd) The inlet of the exhauster shall be at least 20 per cent greater in area than the combined areas of the several connections to the hoods, and this increase in the main pipe shall be carried proportionately throughout the entire trunk line. The piping on the outlet of the fan is also to be at least 20 per cent greater than the combined areas of the several connections to the hoods.

(ee) The area of the main duct at any point should be equal as nearly as possible to the combined areas of all branch pipes to that point, plus the necessary 20 per cent excess area. In general not more than two branches should be connected to a section of uniform diameter in the main duct.

(ff) The use of screens across the mouths of branch pipes is prohibited.

(gg) The withdrawal of air from a room by an exhaust system tends to create a vacuum, and for this reason sufficient inlets for air shall be left open.

(hh) The main trunk lines shall be provided with suitable clean-outs not over 10 feet apart, and the end of the main trunk line shall be blanked off with a removable cap placed on the end.

(ii) The sizes of the branch pipes leading to the hoods for polishing and grinding wheels shall be as follows:

Diameter of wheels.	Diameter of branch pipe.
From 6'' up to and including 16''-----	4''
More than 16'' up to and including 24''-----	5''
More than 24'' up to and including 30''-----	6''

For rag wheels the following dimensions shall be used:

Diameter of wheels.	Diameter of branch pipe.
Up to and including 6''-----	3''
More than 6'' up to and including 12''-----	4''
More than 12'' up to and including 16''-----	4½''
More than 16'' up to and including 24''-----	5''
More than 24'' up to and including 30''-----	6''

Plans.

(jj) Plans for all blower installation should be submitted to the department of labor and industry in duplicate for approval before work is commenced, and it should be clearly specified that the system is to be installed in strict accordance with the above regulations.

(kk) The plans should show the diameter of all wheels, dimensions of all piping, and should also show the general construction of the hoods to be used. The regulations as set forth above must be complied with before the system will be acceptable to the department of labor and industry.

NOTE.—The above regulations shall not apply to grinding machines upon which water is used at the point of the grinding contact nor shall they apply to any factory or workshop where men are not employed continuously at such wheels or belts more than three hours in twenty-four.

No. 7.—Safeguards for pneumatic appliances.

V-1.611. The word "shall" where used is to be understood as mandatory and "should" as advisory.

NOTE.—All air-compression machinery shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gears, flywheels, and belts guarded as specified in Safety Standards, Volume I, No. 1. All air-compressors shall have flywheels, tail rods, cranks, and other dangerous moving parts guarded as specified in Safety Standards, Volume I, No. 2.

Pneumatic hammers. V-1.6112. In new installation each pneumatic hammer shall be fitted with a device to prevent the piston from leaving the cylinder.

Portable pneumatic drills. V-1.6113. In new installation each portable pneumatic drill and pneumatic wood-boring machine shall be provided with an automatic device to stop the machine and prevent accidental starting when the operator's hand is removed from the controlling valve.

V-1.6116. A straightway valve shall be used in new installation where a valve is required in a pipe line between a compressor and its air tank. Pipe connections for compressed air.

Where a stop valve is placed in the discharge line between a compressor and an air tank a spring-pop safety valve shall be placed between the compressor and such stop valve.

V-1.6114. A drain cock shall be fitted at the lowest part of each air tank and the accumulated oil and water shall be frequently withdrawn. Air tanks.

The design and construction of air tanks shall conform to specifications approved by the department of labor and industry.

No. 8.—*Safeguards for woodworking machinery.*

III-8.0. The word "shall" where used is to be understood as mandatory and "should" as advisory.

NOTE.—All moving parts of woodworking machinery, such as saws, feed rolls, and cutting heads, shall be guarded in a manner to remove all hazards and shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gears, and belts guarded as specified in Safety Standards, Volume I, No. 1.

Where special operations require the removal of the various saw guards mentioned below an equally safe special guard must be substituted and the saw must always be guarded by one or the other while in motion.

III-8.11. Each circular rip saw shall be guarded by a hood and provided with a spreader located at the rear of the saw. Saws shall be guarded under the table to prevent possible personal contact. An exhaust will be considered an underguard. Circular rip saws.

III-8.12. Circular crosscut saws having fixed horizontal bearings shall be guarded by hoods. Swinging crosscut saws shall have the saws guarded in an approved manner. All circular crosscut saws shall be guarded under or at the rear of the table. Knuckle guards shall be attached to the swing frame. A swing cut-off shall be equipped with an effective device to return and retain saw at the back of the table. Circular crosscut saws.

III-8.13. In setting sawmills, a horizontal clearance of at least 3 feet shall be allowed between any fixed object not required in the mill and any part of the traveling mechanism. Circular saw mills.

III-8.2. Band saws shall have both wheels encased and be provided with a shield extending down to the guide rolls to prevent the operator from coming in contact with the saw. A band-saw blade shall be completely guarded on its up travel. Band saws.

III-8.3. Wood shapers shall have the cutting heads carefully guarded. It is recommended that shapers be provided with a cylindrical collar having rounded corners, of a diameter not less than the greatest diameter of the cutter, and placed immediately above the cutter, when the work operated on permits. The collar specified may have several $\frac{3}{8}$ -inch diameter perforations to permit a view of the work. Wood shapers.

III-8.4. Wood jointers shall be provided with a cylindrical cutter head and an automatically adjusted guard. Wood jointers.

III-8.5. Mortising machines shall be provided with thumb stops to prevent the hands of the operator from coming in contact with the chisel. Mortising machines.

III-8.6. See note under III-8.0.

III-8.7. Disk sanders shall have the periphery and the back of the revolving head thoroughly guarded and an approved exhaust system provided for the removal of dust. Planing, matching and molding machines. Sanding machines.

III-8.8. Cutting heads, saw if used, and all exposed moving parts shall be carefully guarded. Tenoning machines.

Pneumatic wood-boring machines shall be guarded as specified in Safety Standards, Volume I, No. 7.

No. 9.—*Bakeshops.*

NOTE.—The word "Bakeshop" as herein used shall mean any place used for the purpose of making, preparing, or baking bread, biscuits, pastry, cakes, doughnuts, crullers, pretzels, noodles, macaroni, or spaghetti to be sold on or off of the premises.

Place.

Any person, firm, or corporation owning or holding a building intended for use as a bakeshop shall communicate with the department of labor and industry and shall demonstrate to the satisfaction of that department, through the submission of plans and other information, that the premises in question are properly suited to such purpose. The opening of bakeshops in cellars at locations not so occupied before is forbidden after February fifteenth, 1915. If at any time hereafter it becomes necessary for the department to close any bakeshop now in operation in a cellar, such premises may not be reopened for bakeshop purposes.

The following definitions of "cellar" and "basement" shall apply to above section.

Sections 16 and 17 of Act 428, approved July 22, 1913:

A "cellar" is a story more than one-half below the level of the ground surrounding the building.

A "basement" is a story partly, but not more than one-half, below the level of the ground surrounding the building and shall be considered the first story of such building.

All bakeshops newly opened after February 15, 1915, must have a height of at least nine feet and windows half or more above ground. After January 15, 1916, no bakeshops of less than seven feet in height shall be permitted.

Permission to use the kitchen of a private house as a bakeshop may be granted when the conditions laid down by the department are met.

Operation.

Any person, firm, or corporation intending to engage in the baking business shall communicate with the department of labor and industry and shall demonstrate to the satisfaction of that department that the proposed plant and its preparation for operation, including distribution, conform to the rules and regulations issued by the department for the governance of such business. If such conditions have been met, the department shall authorize the operation of said plant by a certificate of permission, to cover a period of six months.

If, at the end of that time, the plant has been actually operated in accordance with such regulations, the department shall issue a certificate of approval, good for one year only and revocable at any time for failure to obey said regulations.

No person, firm, or corporation shall open a bakery without first obtaining a certificate of permission from the department of labor and industry. This permit shall specify the place in which business is authorized to be carried on.

When any of the provisions contained herein are not being complied with in any bakeshop, the department of labor and industry or its deputy shall issue to the person in charge, or his representative, a written order to comply with the said regulations, within ten days; or he may order the closing of any such bakeshop until the order shall have been complied with, should the safety of the employees or the public, in his opinion, so require.

Sanitation.

All rooms where baked goods are manufactured, stored, or offered for sale, or where the materials for such goods are stored, shall be separate and apart from any sleeping room and shall not be used as sleeping, or lounging places. Such rooms shall not communicate directly with any water-closet, stable, stable yard, or other place of possible contamination. This shall not apply to wagon sheds or general yards, provided they are kept free from offal. Such rooms shall be drained and plumbed in a sanitary manner. They shall be properly ventilated, in accordance with the requirements of the department; and shall have sufficient light to prevent the necessity of any place being operated entirely by artificial light. Windows shall open easily. Those of the one-sash variety used in the basements shall be hung on hinges or pivots.

Doors shall be faced with metal extending at least six inches from bottom on the outside where necessary to prevent the entrance of rodents. All water-closets shall be vestibuled and permanently screened, and such rooms shall also contain washbowls conveniently placed. Plain notices requiring the use of same upon leaving the toilet shall be posted. All baking, mixing, storing, and sales rooms shall be thoroughly screened between April first and November first. The screening of shipping departments where baked goods are handled in packages shall be arranged in consultation with the representative of the department.

The floors, walls, and ceilings of all baking, mixing, storing, and salesrooms shall be tightly joined and free from unevenness and crevices. The walls and ceilings shall not be covered with paper nor with any substance that requires paste or glue or that cannot be thoroughly cleaned. Walls, ceilings, and floors shall be kept in a clean and sanitary condition at all times. Damp sweeping, damp dusting, and frequent scrubbing and washing with proper cleansing and disinfecting solutions shall be demonstrated to the satisfaction of the inspector. The department of labor and industry shall have power to order that any room be cleaned in such manner as it may direct.

All domestic animals and pets shall be excluded.

Kitchen bakeshops shall conform in general to the regulations outlined above. Walls and ceilings shall not be papered; floors shall not be carpeted. No arrangements for sleeping in the kitchen shall be allowed, and no laundry work of any kind shall be done there.

No person suffering from a communicable disease shall be employed. Persons working in bakeshops shall be subject to medical inspection under the supervision of the department of labor and industry. Outer clothing used by bakeshop workers when on duty shall be of washable material (preferably white) and shall be kept clean at all times. The smoking, snuffing, or chewing of tobacco or snuff, the scraping of hands and arms with a knife to remove the dough, the open blowing of the nose, expectoration, wetting the finger in the mouth, and all other insanitary personal practices are forbidden, and plain notices to this effect shall be conspicuously posted. Personal sanitation.

Dressing rooms shall be provided separate and apart from all workrooms or rooms where materials are stored and apart from all water-closets. The hanging of unused clothing in either bakeshops or storerooms is prohibited. Lockers hereafter installed shall be fireproof and sanitary. Proper washing facilities, including hot water, clean towels, and soap, shall be provided; also an abundance of clean, pure, and cool drinking water. Dressing rooms.

All buildings occupied as bakeshops shall conform to the building and fire-risk requirements of the State and city. Skylights, floor openings, hoists, stairs, elevators, and other special features of the building; boilers, engines, and electrical equipment; power-transmission appliances, power-working machines, roller-fed machines, and machines having cutting, shearing, pressing, or squeezing action shall be located, operated, guarded, and maintained in accordance with standards approved by the department of labor and industry. Safety.

No. 10.—*Regulation for fire prevention.*

Smoking is prohibited in every workroom or stock room in any factory or workshop in this Commonwealth in which readily combustible material is used, handled, or stored, and in other parts of such factories where there is an equal fire hazard. Smoking.

No. 11.—*Canneries.*

The word "shall" where used is to be understood as mandatory and "should" as advisory.

NOTE.—The word "factory" as herein used shall mean any structure, building, shed, or place used for, or in connection with, the preparation, canning, or packing of foodstuffs.

Place.

(a) Factories preparing food products shall be located so as to be able to receive and distribute their products promptly without danger of damage or deterioration and shall not be located in the immediate vicinity of any other industry which may be objectionable because of noxious odors given off or because of the use of decomposed products.

(b) No factory shall be located in an insanitary place or in a place which cannot be made sanitary or maintained in a sanitary condition.

(c) No factory shall be located where the refuse from the plant cannot be disposed of in a sanitary manner and where such refuse will of itself become a nuisance to the factory.

(d) No litter, waste, refuse, or decomposed products shall be allowed to accumulate in or around the buildings or yards. All liquid waste shall be conducted from the building by means of suitable drains. Gross by-products suitable for other usage, as pea vines or corn husks, may be stacked or placed in silos separate from the building, but must be surrounded by a tight drain to intercept any oozing liquid. Other by-products may be retained only if rendered unobjectionable. Raw tomato skins, cores, etc., shall not be permitted to be piled near the factory nor to be distributed on the land within 500 yards of the factory unless thinly spread.

(e) All factories used for the manufacture of food products shall be clean, properly lighted, and ventilated. The ceilings shall be of sufficient height to permit ample clearance for all work under any suspended shafting, hangers, piping, galleries, etc. Where natural light and ventilation are insufficient, provision shall be made for augmenting the same by mechanical methods. The interiors of all working rooms shall be kept a light color by paint, whitewash, or other suitable method.

(f) The floors shall be tight and pitched to accommodate the machinery—that is, to confine overflow and waste to the smallest area. Gutters shall be provided to carry all waste to sewers.

(g) Grating of sufficient height to insure free drainage shall be provided around cookers, washers, and at other places where overflow is unavoidable.

(h) At least one seat shall be provided for every three females employed or permitted to work, and all such seats shall, during working hours, be conveniently accessible to the workers for whose use they are intended.

Operation.

(a) Any person, firm, or corporation now engaged, or intending to engage, in the canning industry shall demonstrate to the satisfaction of the department of labor and industry that the proposed factory and its preparation for operation conform to the regulations issued by the industrial board for the government of such business. If such conditions have been met the commissioner shall authorize the operation of said factory by a certificate of permission good for one year only and revocable at any time for failure to obey said regulations.

Water-closets and privies.

(a) Water-closets and privies shall be ventilated to the outside and properly lighted and a separate hopper or seat shall be provided for each twenty-five persons using said water-closet or privy. Where water-closets are in factories they shall be provided with proper flushing apparatus and connected with a sewer. Privies will not be permitted in or in direct connection with a building.

(b) The entrance to every water-closet or privy compartment shall be screened by a vestibule or by a stationary screen at least two (2) feet wider than the entrance door, extending to a height of at least six and one-half (6½) feet.

(c) Water-closets and privies, including the walls, floors, ceilings, and fixtures shall be kept clean, and where a privy is used sufficient slack lime or equivalent disinfectant shall be used each day to prevent odor.

(d) Every privy vault shall be built with water-tight wall extending at least two feet below and one foot above the surface of surrounding ground, being so covered as to exclude flies.

(e) Every privy shall be ventilated by an unobstructed opening to the outer air, other than the door, which has an area of at least one hundred and forty-four (144) square inches. Every privy shall be provided with a door. Every window and ventilating opening of a privy shall be protected by screens to prevent the entrance of flies, and every door shall be provided with a self-closing device to keep it closed.

(f) Dry walks shall be provided from the plant to outside privies.

(a) All power-driven machinery shall have all exposed collars, set screws, shafts, couplings, clutches, keys, pulleys, gearing, belts, revolving and reciprocating parts or projections guarded as specified in Safety Standards, Volume I, No. 1, of the industrial board, covering the transmission of power. Protection and safety.

(b) All platforms, balconies, and galleries six feet or more above floor level, floor openings, and hoistways, fly wheel and pulley pits, and all other openings in floors and platforms where the safety of persons below is involved, shall be guarded as specified in Safety Standards, Volume I, No. 2, of the industrial board, governing the erection, construction, and maintenance of standard railings and toe boards.

(c) All lathes, planers, milling machines, boring mills, metal saws, key-seating machines, shapers, slotters, gear cutters, drill presses, etc., shall be guarded as specified in Safety Standards, Volume I, No. 4, of the industrial board on machine tools.

(d) All factories above the first story shall be provided with proper ways of egress, or means of escape from fire, sufficient for the use of all persons accommodated, assembled, or employed therein; and such ways of egress and means of escape shall be kept free from obstruction, in good repair, and ready for use, at all times; and all rooms above the second story in said factories shall be provided with more than one way of egress or escape from fire, which shall be placed as near as practicable at opposite ends or sides of the room and leading to fire escapes on the outside of such factories or to stairways on the inside. Where any of said factories is designated for the use or occupancy of fifty or more persons, the external doors of the same shall open outward, and be so constructed or arranged as to afford, when open, an unobstructed external passageway of not less than five feet in the clear, and shall have landings, inside of the external doorways, of dimensions not less than four feet between the external doors and the adjoining stairways, said landings to be of a width not less than the stairway approached thereto.

(a) A sufficient supply of cool potable water shall be provided at all times. The use of common drinking cups is prohibited. Sanitary provisions.

(b) No wearing apparel not in actual use shall be permitted in workrooms either where food is prepared or placed in containers.

(c) No person suffering from a communicable disease shall be employed. Persons working in food factories shall be subject to medical inspection under the supervision of the department of labor and industry.

(d) Outer clothing including head covering used by food preparers shall be of washable material and shall be kept clean at all times.

(e) Washing places in workrooms shall be provided conveniently located and of sufficient size and equipment for the accommodation of all employees. Such washing places shall be equipped with a sufficient supply of water and provided with individual towels and plenty of soap.

(a) In all factories employing or permitting females to work, a suitable wash and dressing room for their use shall be provided so located as to be accessible to such females; and shall be separated from the rooms in which employees work by partitions extending from floor to ceiling; and such rooms shall be furnished Rest and dressing room.

with sufficient hooks for the accommodation of the wearing apparel of said females when not in actual use; and shall be provided with a couch and sufficient seats, and washing facilities to accommodate all females. The housing conditions in all labor camps shall conform to the regulations issued for the same by the Pennsylvania Department of Health.

Personal sanitation.

(a) The smoking, snuffing, or chewing of tobacco or snuff, the open blowing of the nose, expectoration, wetting finger in the mouth, and all other insanitary personal practices are forbidden and plain notices to this effect shall be conspicuously posted.

No. 12.—*Boilers.*

(Not available at time of this publication.)

No. 13.—*Foundries.*

The word "shall" where used is to be understood as mandatory and "should" as advisory.

CAUTION.—Employees shall not remove or make ineffective any safeguards while same are in use, except for the purpose of making repairs, and such safeguards so removed shall be replaced.

Definitions.

An iron or steel foundry shall mean a place where iron or steel or both metals are melted and poured into molds in the making of castings, together with all cleaning, core making, drying, wash rooms, and toilet rooms used in connection therewith.

The term "entrance" as used in these regulations, shall mean main doorways opening directly to the outer air.

The term "gangway" as used in these regulations, shall mean well-defined passageways dividing the working floor of foundries but not the spaces between molds. Spaces between molds shall be divided into three classes, which shall be known as "bull-ladle aisles," "hand-ladle aisles," and "buggy-ladle aisles."

Unless otherwise specified, these regulations shall, as to the subjects covered therein, exempt foundries from the provisions of other regulations relating to such subjects.

Entrances and windows.

SECTION 1. Entrances to foundries shall be protected from November first to April first of each year by a covered vestibule, either stationary or movable, which shall be so constructed as to eliminate drafts and of such dimensions as to answer ordinary purposes, such as the passage of wheelbarrows, trucks, and small industrial cars. This regulation shall not apply to entrances used for railroad or industrial cars handled by locomotives or motors, or for traveling cranes, horse-drawn vehicles, or automobiles; these entrances may remain open only for such time as is necessary for the ingress and egress of such cars, trucks and cranes, horse-drawn vehicles or automobiles. No locomotive shall be permitted to remain inside the factory during the loading or unloading of the cars.

Gangways.

Sec. 2. Main gangways, where metal is carried by hand, bull or truck lades, shall not be less than five feet wide. Truck-ladle gangways which are not main gangways shall not be less than four feet wide. Bull-ladle aisles between floors shall not be less than three feet wide. Single hand-ladle or buggy-ladle aisles between floors shall not be less than eighteen inches wide. Where trolleys are used over molding floors for pouring metal, the aisles shall be of sufficient width to permit the safe ingress and egress of employees and the safe use of the lades. Where it is necessary to occupy the central portion of the floor space in the production of castings, continuous gangway space shall be provided.

Same.

Sec. 3. During the progress of casting, every gangway or aisle shall be kept entirely free from undue dampness or obstructions of any nature. Every gangway shall be kept in good condition at all times. Every gangway where industrial trucks are used shall be constructed of a hard material of substantial character and the top of the rail shall be flush with the floor.

- SEC. 4.** Where smoke, steam, gases, or dust arising from any of the operations of the foundry are dangerous to health or eyes and where a natural circulation of air does not carry off such smoke, steam, gases or dust, there shall be installed and operated hoods, ventilators, fans or other mechanical means of ventilation approved by the industrial board. **Ventilation.**
- SEC. 5.** The cleaning and chipping of castings shall be done in cleaning rooms except that where traveling cranes or where in existing installations cars are used for conveying castings into such rooms, a separating partition shall be erected which shall not be less than twelve (12) feet in height. In existing installations, where the crane cage or crane girders will not permit the erection of a twelve-foot partition, the height of the partition may be reduced sufficiently to permit of the clearance of same. Large castings may be chipped or cleaned by hand in the molding and casting room, provided sufficient protection is furnished by the use of a curtain or screen or some other means equally good to protect employees who are otherwise employed therein. This regulation shall not apply if mechanical contrivances are used for cleaning castings and the dust and particles arising therefrom are effectively removed at the point of origin by means of an exhaust system. **Cleaning castings.**
- SEC. 6.** Where tumbler mills are used, exhaust systems shall be installed to effectively carry off the dust arising from the cleaning of castings except where the mill is operated outside the foundry. This regulation shall not prohibit the use of a water barrel to clean castings. Sand-blast operations shall be carried on in the open air or in a separate room used solely for such purpose. The milling of cupola cinders, when done inside the foundry, shall be carried on by an exhaust mill or water mill, each of a type approved by the industrial board. **Tumbler mills.**
- SEC. 7.** The floor beneath and immediately surrounding the cupola shall slope and drain away from the base of same. **Drainage.**
- SEC. 8.** Cores shall not be blown out of castings by compressed air unless such work is done outside the foundry or in a special room or dust proof inclosure approved by the industrial board. Men employed in cleaning castings by compressed air or sand blast shall wear eye guards and helmets approved by the industrial board. **Use of compressed air.**
- SEC. 9.** Where natural light is insufficient properly to light the foundry, artificial light of sufficient power shall be provided, in the discretion of the industrial board. **Lighting.**
- SEC. 10.** Interior walls of foundries shall be whitened, in the discretion of the industrial board. **Walls.**
- SEC. 11.** Proper and sufficient heat shall be provided and maintained in every foundry. Open fires may be used for the drying of molds or cores if coke containing less than one per cent of sulphur is used; also charcoal, gas or oils may be so used; where practicable, such drying of molds or cores shall be done at night. **Heating.**
- SEC. 12.** All hand and bull ladles shall be dried in ovens or outside of the foundry. A sufficient number of sheet-iron shields shall be available in iron foundries for use in covering hand bull ladles. **Ladles.**
- SEC. 13.** Suitable facilities shall be provided for the thorough drying of employees' clothing. Such facilities may be located in the wash room, the locker room, or in a room used exclusively for such purpose. **Drying clothing.**
- In each foundry in which ten or more persons are employed or engaged in labor, there shall be provided and maintained for the use of said employees in a place conveniently accessible and connected with said foundry in such a manner that access thereto can be had without exposure to the open air, a toilet room of suitable size wherein said employees may change their clothes; such toilet rooms shall be provided with wash bowls of sufficient capacity adequately equipped with hot and cold water service; such wash rooms shall be kept clean and sanitary and shall be properly heated during cold weather. There shall also be established and maintained separate from said toilet rooms a suitable water-closet. The said **Sanitary convenience.**

toilet room and the said water-closet shall be connected with the foundry building in such a way that access thereto may be had without exposure to the open air and shall be properly heated, ventilated, cleaned and protected from the dust of such foundry.

Water-closets. SEC. 14. Water-closets shall be provided in every foundry and for each sex, according to the following table:

Number of persons.	Number of closets.	Ratio.
1 to 10	1	(1 for 10)
11 to 25	2	(1 for 12½)
26 to 60	3	(1 for 16⅔)
61 to 80	4	(1 for 20)
81 to 125	5	(1 for 25)

For every unit of forty-five or fractional part thereof in excess of one hundred and twenty-five (125) persons employed one additional water-closet shall be provided.

Urinals. SEC. 15. Where less than thirty (30) males are employed at one time there shall be provided one individual urinal; where more than thirty (30) and less than eighty (80) males are employed, two urinals shall be provided, and thereafter one individual urinal shall be provided for every eighty (80) men employed or fractional part thereof. At least two (2) linear feet of trough or slab urinal shall be considered the equivalent of one individual urinal.

Washrooms. SEC. 16. Washbasins with faucets for hot and cold water shall be supplied according to the following table:

Number of persons.	Number of washbasins.	Ratio.
1 to 8	1	(1 for 8)
9 to 16	2	(1 for 8)
17 to 30	3	(1 for 10)
31 to 45	4	(1 for 11½)
46 to 65	5	(1 for 13)

For each additional twenty-five (25) employees at least one additional washbasin shall be supplied.

Shower baths. SEC. 17. Washrooms hereafter installed where twenty (20) or more men are employed shall be provided with at least one shower bath with an ample supply of hot and cold water, and for every additional fifty (50) men one additional shower bath shall be provided.

Lockers. SEC. 18. Individual lockers arranged for locking shall be provided for employees and shall be placed in a room used exclusively for such purpose, in the washroom, the drying room, or at convenient places in the molding room. In cases of dispute the necessity for and the number of such lockers shall be determined by the industrial board.

(NOTE.—The provisions of the sanitary regulations issued by the industrial board shall apply in all matters not specifically covered herein.)

Inspection. SEC. 19. Ladles, shanks, tongs, slings and yokes, skimmers and slag hoes used in the pouring of molten metal shall, prior to their use, be inspected daily as to their safety, by the men preparing and using same; and in addition a regular inspection as to their safety shall be made once a month by a man designated for that purpose. A monthly inspection shall also be made of the chains and cables on counterweights used in connection with drying ovens. Reports of such monthly inspections shall be made on forms prescribed by the industrial board and shall be kept on file for their examination.

Fire ways. SEC. 20. All fire ways connected with drying ovens, when built in the floor, shall at all times be protected by either a substantial protecting cover or a standard railing as defined in Safety Standards, Volume I, No. 2.

Trap doors, etc. SEC. 21. All trapdoors shall be guarded when open, either by standard railings, as described in section 20, or watchmen, and all pits shall be properly covered or railed when not in use, and sufficiently guarded at other times.

- SEC. 22.** All passageways and stairways shall be properly lighted and inclined runways and stairways, charging decks and platforms shall be safeguarded with standard railings as described in section 20. **Ways, etc.**
- SEC. 23.** All ladles pouring from the lip of 2,000 pounds capacity, or more shall be equipped with a worm-gear device for tilting the same. All ladles not so equipped shall be changed to conform with the above regulation on or before September 19, 1917. All crane-truck and trolley-pouring ladles shall be so constructed that the center of gravity shall be below the bail unless ladles are equipped with a geared device approved by the industrial board, and shall be equipped with a clip to prevent overturning. **Ladies.**
- SEC. 24.** Trunnions on flasks shall be capable of sustaining the loads they are required to handle. Trunnions hereafter constructed shall be carefully designed to carry the load they are to handle and constructed with a factor of safety of at least ten (10), including bolts where they are used. The diameter of the button shall be equal to the diameter of the groove plus one and one-half times the diameter of the sling used to handle the flask. Inside corners shall be well filleted and in order to prevent the sling slipping off or riding the button, the radius of the corner between groove and button shall be approximately equal to the radius of the sling used, the remainder of the inside edge of the button to be straight. All trunnions constructed after October 1, 1915, shall bear the date of their construction. **Trunnions.**
- SEC. 25.** The use of high explosives on the foundry premises for the breaking of castings is prohibited unless effective protection is provided. **Explosives.**
- SEC. 26.** The breaking of castings by the use of a drop inside the foundry during working hours is prohibited. **Drops.**
- Where a drop is used for the breaking of castings or scrap outside of the foundry a permanent shield of heavy planking or other effective protection shall be provided.
- SEC. 27.** Every employee shall use safety devices furnished for his protection by the employer where there is a hazard connected with his employment. **Duty of employees.**
- SEC. 28.** Where rooms in which core ovens are located adjoin rooms where cores are made by females and where the making of cores and the baking of cores are simultaneous operations, the partition between such rooms shall be constructed of concrete, hollow tile, brick, metal, or other material approved by the industrial board and there shall be in such partition only such openings as are required by the nature of the business. **Rooms for women.**
- SEC. 29.** All openings in partitions between the core oven room and the room in which females are employed shall be vestibuled with a revolving device or double doors which shall be self-locking, or any other self-closing device equally effective, which shall be approved by the industrial board. Such device shall be kept in such condition that gases, fumes, and smoke shall be effectually trapped. **Partitions.**
- SEC. 30.** No female shall be allowed to handle cores which have a temperature of more than one hundred and ten degrees Fahrenheit. **Doors.**
- SEC. 31.** No female shall be permitted to make or handle cores when the combined weight of core, core box and plate at which she is working exceeds fifteen (15) pounds. **Hot cores.**
- The term "brass foundry" shall mean a place where brass, aluminum, copper, tin, zinc, gold, silver, or composition metals containing any of the foregoing metals are melted or poured into molds in the making of castings, except that foundries where aluminum only is melted shall be covered by regulations governing iron and steel foundries. **Weight.**
- The term "cellar" when used in these regulations shall mean a story more than one-half below the level of the ground surrounding the building. **Brass foundries. Definitions.**

- The term "basement" when used in these regulations shall mean a story partly but less than one-half below the level of the ground surrounding the building, and shall be considered the first story of such building.
- What rules apply.** SEC. 32. The regulations relative to dust, smoke, gases or fumes, ventilation, sanitation, heat, light, gangways and aisles, safety appliances, washrooms, cleaning rooms, drying and locker accommodations, as specified for iron and steel foundries, shall apply to brass foundries, except that main gangways shall not be less than four (4) feet wide and gangways between molds on spill troughs shall not be less than three (3) feet wide.
- Guard rails.** SEC. 33. When the crown plate of an upright melting furnace is elevated above the surrounding floor in excess of twelve (12) inches, the furnace shall be equipped with a platform guarded with a standard railing; and such platform shall be constructed of metal or other fire-resisting material and shall extend along the front and sides of the furnace flush with the crown plate and shall be at least four (4) feet in width and shall be clear of all obstructions during pouring time. If the platform is elevated above the floor in excess of twelve (12) inches the lowering from same of crucibles containing molten metal shall be by mechanical means.
- Lifting.** SEC. 34. When the combined weight of a crucible, tongs, and molten metal exceeds one hundred (100) pounds, it shall be removed from the furnace and deposited on the floor by mechanical means.
- Smoke boxes.** SEC. 35. When smoke finish is desired on molds made on benches or tubs, smoke boxes which shall effectually trap the smoke shall be used: such boxes to be connected with flues to the outer air.
- Space.** SEC. 36. When molders work side by side at least five (5) feet of space sideways shall be allowed for each man, and a clear space of three (3) feet shall be provided back of each man.
- Hoods.** SEC. 37. Hoods shall be provided directly above all brass melting furnaces using gas or oil as fuel, which will effectually trap all gases and fumes generated in the melting of the metal; such hoods shall be provided with outlet pipes to lead the gases or fumes to outer air.
Ventilators shall be provided over all other furnaces used for melting brass or composition metal, to effectually remove the gases above the furnaces.
- Light.** SEC. 38. Brass foundries shall be provided with natural light from at least two sides or from at least one side, and skylights in roof.
- Leg guards.** SEC. 39. All persons removing pots containing molten metal from furnaces or handling such pots shall be provided with protection for legs and feet.
- Riddling scrapings.** SEC. 40. Gangway dirt and floor scrapings shall not be riddled in the room where workmen are employed unless it is so dampened as to prevent dust arising therefrom.
- Stoves.** SEC. 41. Stoves for drying molds, when located in the rooms used by workmen, shall be surrounded by a casing of fire-resisting material, to the full height of the stove at the discretion of the industrial board.
- Height of rooms.** SEC. 42. No brass foundry shall hereafter be constructed with a clearance less than fourteen (14) feet between the lowest point of the ceiling and the floor, except that where a peak, saw tooth, monitor or arch roof is constructed the side walls may be of a minimum height of twelve (12) feet.
- Future cellar foundries.** SEC. 43. No foundry shall hereafter be located in a cellar or basement unless the ceiling shall be at least fourteen (14) feet in height measured from the finished floor to the underside of the ceiling, and if the foundry is located or intended to be located entirely in the front part of the building, unless the ceiling shall be in every part at least six (6) feet six (6) inches above the curb level of the street in front of the building, or if the foundry is located or intended to be located entirely in the rear part of the building or to extend from the front to the rear, unless the ceiling

shall be not less than three (3) feet above the curb level of the street in front of the building, and the foundry shall open upon a yard or court which shall extend at least six (6) inches below its floor level, nor unless proper and adequate provisions shall be made for lighting and ventilation.

SEC. 44. In case any foundry that was legally operated in a cellar or basement on October 1, 1915, shall be discontinued or closed by the department, it can thereafter be reopened as a foundry only by complying with the provisions of the regulations relating to future foundries. The occasional use of a foundry for the purpose of evading this regulation shall not be deemed a continuance of use thereof. Existing cellar foundries.

PHILIPPINE ISLANDS.

ACTS OF 1915.

ACT No. 2449.—*Bureau of labor—Public employment offices.*

SECTION 1. Subsection (e) of section two of act numbered eighteen hundred and sixty-eight is hereby amended to read as follows:

“(e) To organize in such towns in the Philippine Islands as it may deem necessary or advisable one or more employment agencies. A fee in an amount to be fixed by the director of labor, with the approval of the secretary of commerce and police, may be collected from employers for services performed by an employment agency in securing servants and employees. All such fees collected shall be covered into the insular treasury to the credit of the general fund.”

Establishment.
Fees from employers.

Enacted January 22, 1915.

ACT No. 2473.—*Liability of employers for injuries to employees.*

SECTION 1. In all litigations instituted by a laborer or by his heirs and successors under the provisions of act numbered eight-hundred and seventy-four of the Philippine Legislature, entitled “An act to extend and regulate the responsibility of employers for personal injuries and deaths suffered by their employees while at work,” neglect on the part of the employer shall constitute a presumption of law.

Negligence presumed.

Enacted February 5, 1915.

ACT No. 2486.—*Emigrant agents—Labor commissioners.*

SECTION 1. Every person or entity who, directly or indirectly, shall engage in the Philippine Islands in contracting, enlisting, recruiting, or shipment of laborers, shall pay annually, as a tax, to the provincial treasurer of each one of the provinces where laborers are contracted or recruited, and if in Manila, to the collector of internal revenue, the sum of five hundred pesos, which fund shall be subjected to the conditions expressed in the following sections: *Provided*, That when such contracting, enlistment, recruiting, or shipment of laborers is made in representation of a corporation or person, said tax shall be paid by the same and not by each one of its agents or employees: *Provided, further*, That nothing contained in this act shall be interpreted or construed in such manner as to permit any contract or recruiting of individuals of non-Christian tribes for the purpose of exhibiting same in the Philippines or in any other foreign country, which is hereby declared prohibited and unlawful: *And provided finally*, That nothing contained in this act shall be applied to persons who contract individuals for other personal service or to make up the crew of a vessel.

Who covered.

Fee.

Crews.

SEC. 2. Any company or entity engaged in the industry mentioned in the next preceding section shall be obliged to furnish free passage upon the return to these islands of the laborer or laborers contracted, so soon as the time stipulated in the contract made with him shall have expired in case they shall have complied with the terms and conditions of the contract on their part to be kept and performed, or in case they shall have later become unfit for work on account of physical incapacity.

Return of workmen.

- License.** **SEC. 3.** Any person or entity referred to by this act shall annually provide himself, before engaging in the industry referred to by this law, with a license issued by the director of the bureau of labor and approved by the secretary of commerce and police, in which shall be expressed the name of the Province or names of the Provinces where he is to exercise such industry. For the issuance of said license the director of the bureau of labor shall collect the sum of six thousand pesos annually which shall be covered into the insular treasury.
- Fee.** The same as above.
- Commission-
ers.** **SEC. 4.** The Governor General, with the advice and consent of the commission, shall from time to time appoint a commissioner or commissioners for service outside of the Philippine Islands, whose duty it shall be to receive and hear the complaints made by Filipino laborers, to arrange the differences between the latter and their employers, to see to the compliance of the contracts made with said laborers, and to look after their interests in general, making a report of the condition thereof to the Governor General: *Provided*, That the compensation, traveling and other expenses of such commissioner or commissioners shall be fixed by the Governor General; but the total expense for this purpose shall not exceed six thousand pesos in any one year.
- Duties.** The same as above.
- Minors.** **SEC. 5.** All of the contracts made with laborers shall be supervised by the director of labor, whose duty it shall be to permit no contracting of minors under fifteen years, and minors of eighteen years without the written consent of their parents or guardians.
- Violations.** **SEC. 6.** Any violation of this act shall be punished by a fine of not to exceed two thousand pesos or by imprisonment for not more than two years, or by both fine and imprisonment in the discretion of the court.

Enacted February 5, 1915.

PORTO RICO.

ACTS OF 1915.

ACT No. 13.—*Preference of domestic materials for use on public works.*

SECTION 1. In all work of construction, maintenance or repair undertaken by the Insular Government of Porto Rico, municipality, school board or other dependency of the Insular Government, the cost of which is to be paid out of any public funds, there shall be used, in so far as they are advantageous and desirable, suitable materials produced or manufactured within Porto Rico: *Provided*, That the cost of such construction, maintenance or repair, when using such materials or manufactured products, shall not be greater than the cost if such work had been done using materials produced or manufactured outside of Porto Rico. Local products to be used.

Approved March 11, 1915.

RHODE ISLAND.

ACTS OF 1915.

CHAPTER 1218.—Employment of women and children—Hours of labor.

SECTION 1. Section 22 of chapter 249 of the General Laws * * * is hereby amended so as to read as follows:

Section 22. No minor under sixteen years of age, and no woman, shall be employed or permitted or suffered to work in any factory, manufacturing, mechanical, business or mercantile establishment within this State, more than fifty-four hours in any one week, and in no case shall the hours of labor exceed ten hours in any period of twenty-four consecutive hours. Every employer shall post in a conspicuous place, in every room where such persons are employed, a printed or typewritten notice stating the number of hours' work required of such persons on each day of the week, and the hours of commencing and stopping work and the employment of any such person for a longer time in a period of twenty-four consecutive hours than so stated, shall be deemed a violation of this section: *Provided*, That the provisions of this section shall not be construed to enlarge or impair any restriction placed upon the employment of any minor mentioned in chapter 72.

Hours per week and day.

Schedule.

Approved April 22, 1915.

CHAPTER 1226.—Reports of occupational diseases.

SECTION 1. Every physician in this State attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood alcohol, mercury or their compounds, or from anthrax, or from compressed-air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within forty-eight hours of such attendance send to the State board of health a report stating:

Physicians to make reports.

- (a) Name, address and occupation of patient.
- (b) Name, address and business of employer.
- (c) Nature of disease.
- (d) Such other information as may be reasonably required by the State board of health.

The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for. The posting of the report, within the time required, in a stamped envelope addressed to the office of the State board of health, shall be a compliance with this section.

SEC. 2. The State board of health shall prepare and furnish, free of cost to the physicians included in section 1, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the State board of health.

Blanks.

SEC. 3. Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported.

Reports.

SEC. 4. It shall furthermore be the duty of the State board of health to transmit a copy of all such reports of occupational disease to the chief factory inspector.

Report to factory inspector.

Approved April 23, 1915.

CHAPTER 1233.—*Private employment offices.*

SECTION 1. Section 18 of chapter 50 of the General Laws, * * * is hereby amended so as to read as follows:

Who to issue licenses.

Section 18. The board of police commissioners of any city or town, and in any city or town where there is no such board, the board of aldermen, or the town council thereof may license suitable persons as keepers of intelligence or employment offices for the purpose of obtaining employment for, or furnishing information concerning places of employment of domestics, servants, laborers and any other classes of employees, except seamen, or for the purpose of procuring or giving information concerning such persons for or to employers, or for the purpose of procuring or giving information generally concerning employment in business; and may issue different classes of such licenses for all or any such purposes, and may fix the amount or amounts to be paid for such license or licenses, and may revoke any such licenses at pleasure; and may make rules and regulations governing such offices and the conduct thereof and the business pertaining thereto or transacted therein, and the charges for obtaining employment for any persons or furnishing any such information to any persons. Whoever without a license therefor establishes or keeps an intelligence or employment office for any of the purposes specified in this section, upon conviction thereof, shall be fined ten dollars for each day such office is so kept; and any person violating any of such rules or regulations, upon conviction thereof, shall be fined not exceeding twenty dollars for each offense.

Rules.

Acting without license.

Approved April 23, 1915.

CHAPTER 1253.—*Factory, etc., regulations—Employment of children.*

[This act amends section 1 of chapter 78 of the General Laws, as last amended by chapter 956, Acts of 1913. The first amendment by the present act relates to physical examinations, and provides that in the city of Providence such examinations are to be made by the physicians appointed by the commissioner of public schools, who are to receive no fee for this special service.

[The following provision relative to the appointment of these physicians is added to this section:]

Medical examiners.

Provided, however, That the commissioner of public schools is hereby authorized to appoint two physicians for the city of Providence who shall make the physical examinations in accordance with the provisions of this section. On the first day of May, 1915, said commissioner shall appoint said physicians for the term of three years and every third year thereafter said commissioner shall appoint two physicians for the term of three years to perform the duties required by this section. Any vacancy occurring during any such term shall be filled by appointment by said commissioner for the unexpired portion of such term. Said physicians shall examine all the children in said city between fourteen and sixteen years of age who shall apply for a physical examination in accordance with the provisions of this section. Said physicians shall each receive in full compensation for his services, the sum of seven hundred fifty dollars annually on vouchers approved by the commissioner of public schools.

[The second section of the act declares that there shall be an annual appropriation for carrying out the purposes of this act, no amount being named.]

CHAPTER 1264.—*Employment of children in street trades.*

Age limit.

SECTION 1. No boy under twelve years of age and no girl under sixteen years of age shall, in any street or other public place in any city having a population of over 70,000 inhabitants, sell or offer for sale any newspaper, magazine, periodical, or any other article, or exercise the trade of bootblack or scavenger.

SEC. 2. No boy under sixteen years of age shall, in any of the places mentioned or described in the preceding section, perform any act therein mentioned or described until a permit and a badge have been issued to him by the truant officer of the city where he resides; and no such boy shall in any of said places perform any of said acts except while wearing such badge in a conspicuous place on his clothing. Permit re-
quired.

SEC. 3. Said permit and badge shall be issued only upon the application of the parent, guardian, or other person having the custody of the boy desiring such permit and badge, or, in case such boy has no parent, guardian or custodian, then upon the application of his next friend, an adult. Such application must be accompanied by a written statement of the principal teacher of the school which the boy is attending, stating that such boy is an attendant at such school, that he is, in the opinion of such principal teacher, of the normal development of the average boy of his age and physically fit for such employment, and that said principal teacher approves the granting of such permit and badge to such boy. Said application and statement shall be placed on file with the officer mentioned in the preceding section. If satisfied with said application and written statement of said principal teacher, such officer shall forthwith issue to the applicant a permit and a badge at cost and the moneys so received for said badges shall be by said officer paid over to the general treasurer within one month after their receipt to be turned in to the treasury of the State. Applications.

SEC. 4. The permit shall be numbered, shall give a sufficient description to identify the boy, and shall give the date and place of birth of said boy, his name and address, and the name and address of his parents, guardian, custodian, or next friend, and shall state that the application and statement required by the preceding section have been duly filed and examined, and approved by the officer issuing the permit. The badge shall be of metal and shall bear the number of the permit and of the year for which it is issued. Said permit and badge shall be valid during one calendar year only. All such badges shall be furnished by the State board of education, and all such badges issued in the same calendar year shall be of the same color, shape and design. New badges shall be issued annually, and the color or shape of such badges shall be changed materially each year. No boy to whom a permit or badge has been issued shall give, sell, loan, or otherwise transfer such permit or badge to any person. Permits and
badges.

SEC. 5. No boy under sixteen years of age shall, in any of the places mentioned or described in section 1 of this act, perform any of the acts therein mentioned or described after nine o'clock in the evening, before five o'clock in the morning, or, unless holding an employment certificate, during the hours when the public schools in the city or town in which such child resides are in session. Night work.

SEC. 6. The permit and badge of any boy who shall give, loan, sell or otherwise transfer either his permit or badge, or who shall violate any of the provisions of this act, or who shall fail to comply with all of the legal requirements concerning school attendance, or to whom the possession of said permit and badge is, in the opinion of the principal teacher of the school which he attends or of the officer authorized to issue such permits, detrimental to his studies or well-being, may be revoked or suspended by such officer; and, upon such revocation or suspension, such boy shall forthwith surrender the permit and badge so revoked or suspended. The refusal of any such boy to surrender [surrender] his permit and badge upon such revocation or suspension, or the performance by him of any of the acts mentioned or described in section 1 of this act, in any of the places therein mentioned or described, after notice of the revocation or suspension of such permit and badge shall be deemed a violation of this act. Transfers
forbidden.

- School lists.** SEC. 7. The principal teacher of each school in which boys under sixteen years of age are pupils shall keep a complete list of all boys in his school to whom permits and badges as herein provided, have been issued, and, whenever in his opinion the possession of such permit and badge is detrimental to the studies or well-being of any such boy, shall report the same to the officer authorized to revoke the permit and badge of such boy.
- Enforcement.** SEC. 8. The officers authorized by section 2 of this act to issue permits and badges, probation officers, the principal teachers of all public schools and the police officers shall enforce this act. A complaint of a violation of any of the provisions of this act may be brought by any person: *Provided, however,* That if the offender be a child then proceedings against such child shall be by petition to the juvenile court.
- Violations by children;** SEC. 9. Any child who shall violate any of the provisions of this act shall be warned by an officer whose duty it is to enforce this act; and the parents, guardian, custodian, or next friend of such child shall also be warned by such officer.
- By parents, etc.** SEC. 10. Any person having control over such child as parent, guardian or otherwise, who permits or suffers such child to violate any of the provisions of this act shall, for each offense subsequent to the first offense, be fined not more than five dollars.
- Purchase of badges.** SEC. 11. The sum of one hundred dollars, or so much thereof as may be necessary, is hereby appropriated for the purpose of purchasing the badges required to be issued under this act, and the State auditor is hereby directed to draw his order upon the general treasurer for the payment of said sum upon receipt of vouchers approved by the chairman of the State board of education.
- Surety not to be given.** SEC. 12. No police officer, probation officer, truant officer, or principal teacher of a school complaining under any of the provisions of this act shall be required to give surety for costs; and no such person shall in anywise become liable for any costs that may accrue on such complaint.
- Act in effect.** SEC. 13. This act shall take effect January 1, 1916, and all acts or parts of acts inconsistent herewith are hereby repealed.

Approved April 24, 1915.

SOUTH CAROLINA.

ACTS OF 1915.

Act No. 44.—*Payment of wages in scrip.*

[This act amends section 3818, vol. 1, Code of 1912, as amended by act No. 314, Acts of 1914, by substituting the word "par" for "face" in the first sentence; also by permitting demand of payment after one week instead of two, unless there is a regular weekly pay day.]

Act No. 69.—*Factory regulations—Segregation of races in textile factories.*

SECTION 1. It shall be unlawful for any person, firm or corporation engaged in the business of cotton textile manufacturing in this State to allow or permit operatives, help and labor of different races to labor and work together within the same room, or to use the same doors of entrance and exit at the same time, or to use and occupy the same pay-ticket windows or doors for paying off its operatives and laborers at the same time, or to use the same stairways and windows at the same time, or to use at any time the same lavatories, toilets, drinking-water buckets, pails, cups, dippers or glasses: *Provided*, Equal accommodations shall be supplied and furnished to all persons employed by said person, firm or corporation engaged in the business of cotton textile manufacturing as aforesaid, without distinction [as] to race, color or previous condition. Races to be separated.

SEC. 2. Any firm, person or corporation engaged in cotton textile manufacturing violating the provisions of this act shall be liable to a penalty of not over one hundred (\$100) dollars for each and every offense, to be recovered in suit by any citizen of the county in which the offense is committed and to be paid to the school fund of the district in which [the] offending textile manufacturing establishment is located. Violations.

SEC. 3. This act shall not apply to employment of firemen as subordinates in boiler rooms, truckmen, or to floor scrubbers and those persons employed in keeping in proper condition lavatories and toilets, and carpenters, mechanics and others engaged in the repair or erection of buildings. Exemptions.

Approved the sixteenth day of February, 1915.

Act No. 81.—*Employers' liability insurance—Mutual companies.*

SECTION 1. Any number of persons, not less than twenty, a majority of whom shall be bona fide residents of the State of South Carolina, by complying with the provisions of this act, may become, together with others who may hereafter be associated with them or their successors, a body corporate, for the purpose of carrying on the business of mutual insurance as herein provided. Who may form companies.

SEC. 3. The articles of association, its by-laws and all amendments thereto of each such corporation shall be submitted to the insurance commissioner for his approval, and, if prepared in accordance with this act, he shall approve the same, and such articles shall be filed with the secretary of state, whereupon it shall have all the general rights of corporations under the laws of this State. Articles to be approved.

Forms of insurance.

SEC. 4. Any corporation organized under the provisions of this act is empowered and authorized to make contracts granting any or all kinds of insurance indemnity, as follows:

1. Against loss, expense and liability by reason of bodily injury, death by accident, disability, sickness or disease suffered by others for which the insured may be liable or have assumed liability.

Corporations, etc.

SEC. 5. Any public or private corporation, board of [or] association in this State or elsewhere may make applications, enter into agreements for, and hold, policies in any such mutual insurance corporation. Any officer, stockholder, trustee or legal representative or [of] any such corporation, board, association or estate may be recognized as acting for, or on, its behalf for the purposes of such membership, but shall not be personally liable upon such contract of insurance by reason of acting in such representative capacity.

Approved the nineteenth day of February, 1915.

ACT No. 98.—*Employment of children—School attendance.*

School attendance required.

SECTION 1. From and after the first day of July, one thousand nine hundred and fifteen, every parent, guardian or other person, temporarily or permanently, residing in the State of South Carolina having charge or control of a child or children between the ages of eight and fourteen years, shall cause such child or children to attend the local public school in the district in which he resides, continuously for the entire school term of each year, except as hereinafter provided. This period of compulsory attendance shall commence at the beginning of the school term nearest to the eighth birthday of such child, and shall cover the compulsory period of six consecutive school years thereafter. This period of compulsory attendance for each public school shall commence at the beginning of the school term of said school unless otherwise ordered by the county board of education in writing; in case of towns or cities of two thousand or more inhabitants, according to the preceding Federal census, by the board of trustees of the public schools of said towns or cities with the approval in writing of the county superintendent of education. Continuous attendance upon some other public school or upon some private or church school taught by competent teachers may be accepted in lieu of attendance upon the local public schools: *Provided*, That said period of continuous attendance upon such other school shall be for at least as long as the public school term each year: *Provided, further*, That any private school or church school receiving for instruction pupils between the ages of eight and fourteen years shall be required to keep such records of attendance of such children and to render such reports of same as are hereinafter required of public schools; and attendance upon such schools refusing or neglecting to keep such records or to render such reports shall not be accepted in lieu of attendance upon the local public school of the said town, city or district where the child shall be entitled to attend: *Provided, further*, That the compulsory school term in all agricultural districts shall be four months or the full term if the school runs less than four months, said term to be fixed by the board of trustees of such district; and any child or children not engaged in work at home in such agricultural districts, must attend a full term. This four months' compulsory provision shall also apply to all children residing in agricultural districts and attending schools in any town located in such districts.

Act does not apply, when.

SEC. 2. This act shall not apply * * * in any case in which, because of extreme poverty, the services of such child are necessary for his own support or the support of his parents, as attested by the affidavit of such parents and of such witnesses as the trustees of the district may require; * * *

Attendance to 16.

SEC. 4. Every parent, guardian or other person in the State of South Carolina having charge or control of a child between the

ages of fourteen and sixteen years who is not actually, regularly and lawfully engaged in some useful employment or service, or who can not read at sight and write legibly simple sentences in the English language, shall cause such child to attend regularly some public school as aforesaid.

SEC. 5. Any parent, guardian or other person violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be liable to a fine of not less than two dollars for the first offense and not less than five dollars for any subsequent offense, nor more than twenty-five dollars in any case, and upon failure or refusal to pay said fine said parent, guardian or other person shall be imprisoned not to exceed thirty days in the county jail: *Provided*, That the fine for any first offense may, by order of court, upon the payment of costs, be suspended and not collected until the same party is convicted of a second offense: *Provided, further*, That after the expiration of three days from the service of the notice by the trustees each and every day a parent, guardian or other person shall willfully and unlawfully keep such child or children from school, or allow him to remain out of school, shall constitute a separate offense and shall subject said person to the penalties hereinafter prescribed.

Violations.

SEC. 6. * * * The board of trustees shall have the right to visit and enter any office or factory or business house employing children for the purpose of ascertaining the names and ages of the children employed to facilitate the enforcement of this act. When doubt exists as to the age of a child they may require of the employer a properly attested birth certificate or affidavit stating said child's age; * * *

Enforcement.

SEC. 9. * * * In any district, [or] aggregation of adjoining districts, this act shall not take effect and become operative until, and unless, a petition signed by a majority of the qualified electors of such district, [or] aggregation of districts, requesting [that] the compulsory school attendance under this act, be authorized in such territory shall have been submitted to the clerk of court. * * * Upon receipt of such certificate showing that such petition bears the signatures of a majority of the qualified voters of the territory affected, the county board of education shall forthwith declare the provisions of this act of full force and effect in such territory. * * * Where no such petition is filed, signed by a majority of the electors as herein provided, upon the filing of a petition signed by one-fourth of the qualified electors of such district or aggregation of districts, an election shall be ordered by the county board of education, submitting to the qualified electors of such district or aggregation of districts, the question of compulsory school attendance or no compulsory school attendance for said district or aggregation of districts: *Provided, further*, That the county board of education, in all school districts containing a town of a population of 1,500 or more inhabitants, upon the petition of a majority of the board of trustees, shall order such election. * * *

Petition.

Election.

Approved the twentieth day of February, 1915.

ACT No. 112.—*Payment of wages due on discharge.*

SECTION 1. Section 3812, Volume I, Code of Laws, 1912, [shall] be amended * * * so that said section, when so amended, shall read as follows:

Section 3812. When any corporation carrying on any business in this State in which laborers are employed, whose wages, under the business rule or custom of such corporation, are paid monthly or weekly on a fixed day beyond the end of the month or week in which the labor is performed, shall discharge any such laborer, the wages which have been earned by such discharged laborer shall become immediately due and payable. And if not so paid, then such laborer shall recover in addition thereto a penalty of as much per day for the time said wages shall remain unpaid, not exceeding thirty days, as he was receiving at

Wages to be paid on discharge.

the time of his discharge: *Provided*, That written demand for the amount due such laborer at the time of his discharge shall be made upon the paymaster or other paying officer of the employer within twenty-four hours after his discharge.

Approved the sixth day of March, 1915.

ACT No. 126.—*Scrup—Discounting.*

Discounting forbidden. SECTION 1. Any person, firm or corporation who shall acquire any trade check, payable either in money or in merchandise, which has been given, directly or indirectly, for the payment of the wages of a laborer, for less than the actual par value at and in which said trade check is payable, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine not exceeding one hundred (\$100) dollars, or by imprisonment not exceeding thirty days.

Penalty. SEC. 2. Any person, firm or corporation who shall acquire such trade check for less than its face value shall have no right to collect and enforce the payment thereof.

Approved the eleventh day of March, 1915.

ACT No. 162.—*Tips to certain employees.*

Tips forbidden. SECTION 1. It shall be unlawful in this State for any hotel, restaurant, café, dining car company, railroad company, sleeping car company or barber shop [shop], to knowingly allow any person in its employ to receive any gratuity, commonly known as a "tip," from any patron or passenger, and it shall be unlawful for any patron of any hotel, restaurant, café, dining car or for any passenger on any railroad train or sleeping car to give to any employee any such gratuity and it shall be unlawful for any employee of any hotel, restaurant, café, dining car company, railroad company, sleeping car company or barber shop to receive any such gratuity.

Definition. SEC. 2. By "gratuity," or "tip," as used in this act, is meant any extra compensation of any kind, which any hotel, restaurant, café, dining car, railroad company, sleeping car company or barber shop manager, officer or any agent thereof in charge of the same, allows to be given to an employee or which any person gives to an employee, or which is received by any employee and is not a part of the regular charge of the hotel, restaurant, café, dining car, railroad company, sleeping car company, or barber shop, for any part of service rendered, or a part of the service which by contract it is under duty to render. No company or corporation shall evade this act by adding to the regular charge, directly or indirectly, anything intended for or to be used or to be given away as a gratuity or "tip" to the employee. All charges must be made by the company or proprietor in good faith as a charge for the service it renders, inclusive of the service which it furnishes through employees.

Law to be posted. SEC. 3. Each hotel shall post a copy of this act in each room, and each restaurant, café and barber shop, and [sic] shall post at least two copies of this act in two conspicuous places in their places of business, and each railroad company shall post two copies of this act in their waiting rooms and passenger rooms at passenger stations in cities of three thousand inhabitants or more. Each sleeping car and dining car shall have posted therein, at least one copy of this act.

Violations. SEC. 4. Any person or corporation failing to post copies as required shall be fined not less than ten dollars for such failure, and each day of such failure shall constitute a separate and distinct offense, and any person violating any of the other provisions of this act shall be subject to a fine of not less than ten dollars, or more than one hundred dollars, or be imprisoned for not exceeding thirty days.

Approved the second day of March, 1915.

SOUTH DAKOTA.

ACTS OF 1915.

CHAPTER 251.—*Mothers' pensions.*

[This amends section 1 of chapter 275, Acts of 1913, by including within the class of persons who may receive assistance, women who have been granted a divorce within the State.]

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TENNESSEE.

ACTS OF 1915.

CHAPTER 28.—*Factory, etc., regulations—Tenements.*

SECTION 1. No room or rooms, apartment or apartments in any tenement or dwelling house used for eating or sleeping purposes, shall be used for the manufacture for sale in whole or in part, of coats, vests, trousers, knee pants, overall[s], cloaks, shirts, ladies' waists, purses, feathers, artificial flowers or cigars and all wearing apparel except by the immediate members of the family living therein. Manufactures
forbidden.

Every such workshop shall be kept in a cleanly state and shall be subject to the provisions of this act; and each of said articles made, altered, repaired or finished in any such workshops shall be subject to examination and inspection as hereinafter provided for the purpose of ascertaining whether said articles or any of them or any part thereof, are in a cleanly condition and free from vermine [vermin] and any matter of an infectious and contagious nature; and every person so occupying or having control of any workshop aforesaid, shall within fourteen days from the taking effect of this act, or from the time of beginning of work in any workshop as aforesaid, notify the board of health of the location of such workshops, the nature of the work there carried on, and the number of persons therein employed. Sanitation,
etc.

Sec. 2. If the board of health of any city or said chief inspector or [inspector of] workshops and factories or his deputies find evidence of infection or contagious diseases present in any workshop or in goods manufactured, or in the process of manufacture therein, and said board or chief inspector or deputies shall issue such order or orders as the public health may require, the board of health are [is] hereby enjoined to condemn or disinfect all such infections [infectious] and contagious articles. Presence of
diseases.

Sec. 3. Whenever it will [shall] be reported to said chief inspector of workshops and factories or to the board of health or to either of them, that coats, vests, trousers, knee pants, overalls, cloaks, skirts, ladies' waists, purses, feathers, artificial flowers, or cigars are being transported to this State, having been previously manufactured in whole or in part under unhealthy conditions, said chief factory inspector or deputies shall examine said goods and the condition of their manufacture and if upon such examination said goods or any part of them are found to contain vermine [vermin] or to have been made in improper places, or under unhealthy conditions, he shall make report thereof to the board of health, which board shall thereupon make such order or orders as the public health require; and the board of health are [is] hereby empowered to condemn and disinfect all such articles. Goods, etc.,
brought into
State.

Sec. 4. The words "manufacturing establishment or factory or workshop" whenever used in this act, shall be construed to mean any place where goods or products are manufactured or repaired, cleaned, or sorted in whole or in part, for sale or for wages. Whenever any house, room, or place is used for the purpose of carrying on any process of making, altering, repairing or finishing, for sale or for wages any coats, vests, trousers, knee pants, overalls, cloaks, shirts, waists, purses, feathers, artificial flowers, or cigars or any wearing apparel of any kind whatsoever, intended for sale, shall within the meaning of this act be deemed a workshop for the purpose of inspection. Definitions.

Lists of shops. of And it shall be the duty of every person, firm or corporation to keep a complete list of all such workshops in his or their employ and such list shall be produced for inspection or [either] on demand by the board of health or any of the officers thereof, or by the chief inspector of workshops and factories or any of his deputies.

Violations. Sec. 5. Any firm, person, or corporation, who fails to comply with any of the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined not less than ten dollars (\$10) nor more than one hundred dollars, (\$100), for each offense.

Approved March 25th, 1915.

CHAPTER 32.—*Mothers' pensions.*

Provision to be made. SECTION 1. In every county in which a juvenile court is now being held or may hereafter be held the county court shall have the right and authority to provide out of the general fund in the county treasury an amount sufficient to meet the purposes of this law, but not exceeding in any one year the sum of four thousand (\$4,000) dollars for the partial support of women whose husbands are dead, or are so disabled, mentally or physically, as to be unable to aid in the support of the family, when such women are poor and are mothers of children under the age of sixteen years and such mothers are [and] children reside in such counties, and otherwise come within the provisions of this act. This act shall apply to any county having a juvenile court or [which] may hereafter establish one.

Amount. The allowance to each of such women shall not exceed ten (\$10) dollars a month when she has but one child under the age of sixteen (16) years and if she has more than one child under the age of sixteen years it shall not exceed the sum of ten (\$10) dollars a month for the first child and five (\$5) dollars a month for each of the other children under the age of sixteen years.

Conditions. Sec. 3. Such allowance shall be made by order of the juvenile court and only upon the following conditions:

(1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children;

(2) The allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children;

(3) The mother, must, in the judgment of the juvenile court, be a proper person, morally, physically, and mentally, for the bringing up of her children.

(4) Such allowance shall in the judgment of the court be necessary to save the child or children from neglect;

(5) No person shall receive the benefit of this act who shall not have been a resident of the State for two years and of the county in which application is made for one year before the making of such application for such allowance, and upon removal from the county, such allowance shall cease.

Termination of allowance. Sec. 4. Whenever any child shall reach the age of sixteen years, any allowance made to the mother of such child for the benefit of such child shall cease. The juvenile court may, in its discretion, at any time before such child reaches the age of sixteen years, discontinue or modify the allowance to any mother and for any child.

Shortage of funds. Sec. 5. Should the fund herein authorized be insufficient [sic] to permit an allowance to only a part of the persons coming within the provisions of this law, the juvenile court shall select those cases in most urgent need of such allowance.

Persons entitled. Sec. 6. The provisions of this law shall apply to any woman whose husband is dead or is so disabled, mentally or physically, as to be unable to aid in the support of the family.

SEC. 7. Any person fraudulently procuring or attempting to procure any allowance for a person not entitled thereto shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$10 nor more than \$25, or by imprisonment in the county jail for a period of not more than one year, or by both fine and imprisonment. Misdemeanor.

SEC. 8. In each case where an allowance is made to any woman under the provisions of this act, a judgment entry to that effect shall be entered upon the records of the juvenile court making such allowance, and it shall be the right of any tax-paying citizen at any time to file a motion to set aside such judgment; and on motion the juvenile court, or the court to which such motion may be taken on a change of venue, shall bear [hear] evidence, either with or without a jury, as either side may demand, and may make a new order granting or refusing such allowance, and from such order so made an appeal shall lie as in ordinary civil cases. If the judgment making such allowance is not [?] appealed from and is affirmed on appeal, the person filing such motion shall pay all of the costs of such motion and proceedings, subsequent thereto. Such motion may be renewed from time to time, but not oftener than once in any calendar year. Procedure.

SEC. 9. The juvenile court shall have jurisdiction over the person of a child, for whose benefit allowance is made to its mother or under the provisions of this act, as long as said allowance continues. Jurisdiction child.

Approved March 26, 1915.

CHAPTER 90.—*Payment of wages in scrip.*

SECTION 1. Chapter 11, of the Acts of 1899, of the State of Tennessee, [shall] be amended as follows: The following words [shall] be added at the end of section 2 of the said act, to wit: "And if the plaintiff obtain judgment in such case, it shall include a penalty of twenty-five per cent, and a reasonable fee for the plaintiff's attorney for his services in the suit, all of which, as well as the costs, shall be taxed against the defendant." Attorney's fee.

Approved May 13th, 1915.

CHAPTER 101.—*Private employment offices—Tax.*

SECTION 4. Each vocation, occupation, and business hereinafter named in this section is hereby declared to be a privilege, and the rate of taxation on such privilege shall be as hereinafter fixed which privilege tax shall be paid to the county court clerk as provided by law for the collection of revenue. Privilege tax.

* * * * *

INTELLIGENCE OFFICES AND EMPLOYMENT AGENCIES.

Each office, per annum----- \$25. 00

CHAPTER 144.—*Employment of women and children—Hours of labor.*

SECTION 1. Section 1 of chapter 12 of the Acts of the Special Session of the General Assembly, 1913, [shall] be amended by adding after the end thereof the following:

The terms "workshops and factories" as used in this act shall include the following:

Manufacturing, mills, mechanical, electrical, mercantile, art and laundering establishments, printing, telegraph and telephone offices, department stores, or any kind of an establishment wherein labor is employed or machinery is used: *Provided*, That domestic service and agricultural pursuits are hereby excluded. Scope of law.

Weekly hours. SEC. 2. Section 2 of said act [shall] be amended after the fifty-fourth word thereof by substituting the word "fifty-seven" for the word "fifty-eight."

Approved May 17, 1915.

CHAPTER 169.—*Mine regulations.*

[This act is in the main a reenactment of chapter 237, Acts of 1903, as amended by chapter 540, Acts of 1907. Unimportant changes are not noted. The act now requires State and district inspectors to have had 10 years' experience in mining instead of 6 and to have been for 10 years residents of the State instead of 2. The third district inspector provided for by the act of 1907 is dropped, and the following provision is made for a statistician:]

SECTION 1. * * *

Statistician. There shall also be appointed, in the same manner as now provided for the appointment of the district mine inspectors, a statistician, who shall hold his office for a period of two (2) years from date of appointment, and thereafter until his successor is appointed and qualified, [;] said statistician shall be thoroughly familiar with the work necessary in the compilation of mining statistics and general office work. He shall receive a salary of two thousand (\$2,000) dollars per annum and traveling expenses not to exceed seven hundred (\$700) dollars per annum, to be paid in the same manner as now provided for the district mine inspectors.

[The bond required of district inspectors is of the same amount as for the chief inspector (\$15,000), instead of \$5,000, as before.

[The penalty provided in section 5 for refusing admission to an inspector is raised from \$25 to \$100.

[The following provision is inserted in section 7, following the statement as to the annual report of the chief mine inspector:]

Successor. And at the appointment and qualification of his successor he shall turn over to said successor all records of his office of every character and all property of the State that may or should be in his hands and in the hands of the district inspectors. In case of his negligence or refusal to do so or perform the duties as prescribed in this act he shall upon conviction be fined not less than twenty-five (\$25) dollars nor more than the value of the property of the State that may be in his hands.

[In the same section, operators reporting output, etc., are directed also to report "such other data that may be called for in the annual report sent out for that purpose." The concluding words of this section, beginning with "such inspection to be made," are omitted.

[In section 8 the limit for the traveling expenses of the chief inspector is raised from \$1,000 to \$1,200 and for the district inspectors from \$700 to \$800 per annum. The entire appropriation may be \$15,000 per annum, instead of \$14,000, as formerly.

[Section 13 of the act of 1903 is omitted.

[Section 13 of the present act is, with unimportant changes, the same as the earlier section 14 down to and including the words "wanting in integrity." The remainder of the old section is stricken out, and the following substituted therefor:]

Hearing on revocation. *Provided*, That the holder of any such certificate shall have ten days' notice from the chief mine inspector to appear at a time and place designated in said notice; before the chief mine inspector and show cause why such certificate shall not be revoked, and after a hearing, as provided in said notice, the chief mine inspector shall enter an order or judgment revoking said certificate or otherwise: *Provided*, That if the certificate is revoked the holder of such certificate and the employer of said holder of such certificate shall each be notified of such revocation, and the chief mine inspector shall immediately certify the same to the secretary of the State, who shall record said revocation upon a book containing copy of certificate issued, and the holder of said certificate shall immediately surrender the said revoked certificate to the chief mine

inspector, to be by him turned over to the secretary of the State for calculation [cancellation]. Should the holder of said revoked certificate fail or refuse to surrender the same as herein provided, he shall be deemed guilty of a high misdemeanor and upon conviction be fined not less than one hundred (\$100) dollars and be imprisoned not less than three months nor more than eleven months in the county jail or workhouse.

[Section 15 (old section 16) requires foremen in "coal or other" mines, instead of coal mines only, and the provision that assistant foremen in class A and class B mines may be holders of class B certificates is omitted. The following is added: "For 'class E' mines the foreman shall hold a 'class C' certificate."

[The provision as to supply of props, caps, and timbers found in section 19 (old sec. 20) now reads, "and that sufficient props, caps and timbers are kept at some convenient point (near the mine entrance), which shall be selected by the miners and delivered by the operator to the miners' working place."

Timbers.

[In the first sentence of section 20 (formerly 21) the words "and oftener if necessary" are inserted between the words "mine" and "for the presence of fire damp."

[The proviso relating to class E mines that was appended to old section 29 is given its proper place at the end of the present section 27 (old section 28).

[Section 31 (old section 32), following the words "neglects or refuses" where they first appear, now reads "to take down all loose material or securely prop the roof of his working place under his control when ordered to do so by the foreman, etc."]

CHAPTER 170.—*Factory, etc., regulations—Inspection.*

[This act amends chapter 11, Acts of 1913. The first amendment affects section 3, and provides for 3 deputy inspectors instead of 2, the additional appointee to be a male.

[Section 5 is amended by inserting after the first sentence the following:]

Said deputies referred to herein shall have power and authority to order such changes as may by them be considered necessary to accomplish the highest degree of health, safety, comfort and efficiency possible. Powers of inspectors.

[Provision is made for a clerk in the office of the department of workshop and factory inspection, and section 10 of the act is amended by raising the amount of the annual expense allowance from \$1,800 to \$3,600.

[New provisions of chapter 170 are as follows:]

SECTION 5. Every factory, workshop, association, or other establishment in which five or more persons are employed shall be so ventilated while work is carried on therein that the air shall not become so exhausted as to become injurious to the health of the persons employed therein, and shall also be so ventilated as to render harmless, as far as practicable, all gases, vapors, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein. Ventilation.

SEC. 6. Every factory, workshop, association, or other establishment where a work or process is carried on by which dust, filaments, or injurious gases are produced or generated, that are liable to be inhaled by persons employed therein, the person, firm, or corporation by whose authority the said work or process is carried on shall cause to be provided and used in said workshop, factory, association, or other establishment, exhaust fans, conveyers, receptacles, or blowers with pipes and hoods extending therefrom to each machine, contrivance or apparatus by which dust, filaments, or injurious gases are produced or generated; or provide other mechanical means to be maintained for the purpose of carrying off or receiving and collecting such dust, filaments, devitalized air or other impurities as may be detrimental to the health of those in, about, or in connection with such place as herein mentioned: *Provided*, That if natural ventilation sufficient to exclude Exhaust fans, etc.

the harmful element[s] above enumerated be provided, the requirement of this section shall have been complied with by such firm, corporation, association or other establishment as herein mentioned. Said fans, blowers, pipes and hoods shall be properly fitted and adjusted and of power and dimensions sufficient to effectually prevent the dust, filaments, or injurious gases produced, or generated by said machines, contrivances, or apparatus [apparatus] from escaping into the atmosphere of the room or rooms of said factory, workshop, or other establishment where persons are employed.

- Air space.** SEC. 7. Not less than two hundred and fifty (250) cubic feet of air space shall be provided for each employee or operative at work in a room or place within the meaning of this act between the hours of six o'clock in the morning, and the hours of six o'clock in the evening, and not less than four hundred (400) cubic feet of air space for each person so employed between the hours of six o'clock in the evening and six o'clock in the morning.
- Places of amusement.** SEC. 8. In places of amusement wherein five or more employees are engaged in duties that appertain thereto, the owners, managers, proprietors or other persons in charge shall provide that such places shall be well ventilated and that adequate and sufficient fire protection shall be maintained, and that all exit doors of such amusement places shall be opened outward, wherein in addition to the said five employees fifty or more patrons might be congregated.
- Fire protection.**
- Air space in tenements.** SEC. 9. No person shall hire, employ or contract with another to manufacture, alter, repair or finish any article in any room, apartment, or tenement, unless said room, apartment, or tenement shall be well lighted and ventilated and shall contain at least five hundred (500) cubic feet of air space for every person working therein: *Provided*, That where children under the age of sixteen years live in such room, apartment, or tenement, they shall not engage in any work above specified without first obtaining a permit so to do from the department of workshop and factory inspection.
- Employment of children.**
- Inquiry as to wages.** SEC. 10. The chief or deputies of the department of workshop and factory inspection shall have authority to ascertain the average weekly wages of all employees, other than officers, and the failure or refusal on the part of any manager, owner, foreman or other person in charge of any industry under inspection or investigation to furnish such information or answer any question pertaining to any inspection or investigation, shall constitute a violation of this act, and said manager, owner, foreman, or other person found guilty thereof, shall be punished as provided for herein.
- Violations.** SEC. 11. Any owner, manager, foreman, or other person who may refuse, fail or neglect to comply with the orders issued by said chief or deputies shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than fifty (\$50) dollars nor more than one hundred (\$100) dollars, and in addition thereto, a fine of five (\$5) dollars for each day after the time limit has elapsed until said order is carried out acceptably to said department chief or said deputies. Any fine thus imposed shall through the county court be paid to the State treasurer and be credited to the department of workshop and factory inspection, and shall be used in paying the incidental expenses of said department.
- Removal, etc., of safeguards.** SEC. 12. No person shall remove or make ineffective any safeguard around or attached to any machinery, vats, pans, or apparatus, except for the purpose of making repairs thereon, and all safeguards so removed shall be replaced promptly: *Provided*, When the machine or any part thereof is found to be in dangerous condition a notice shall be attached thereto, and such notice shall not be removed until the machinery is made safe and the required safeguards are provided, and in the meantime such unguarded or dangerous machinery shall not be in use.

Approved May 17, 1915.

CHAPTER 172.—*Employment of children—Age limit.*

SECTION 1. Chapter 57 of the Acts of 1911, of the General Assembly of the State of Tennessee, as amended by chapter 47 of the Acts of 1913, * * * [shall] be amended so as to provide that hereafter, none of the provisions of said act as amended, except the provisions contained in section[s] 2 and 3 of said act, shall apply to fruit and vegetable canning factories. **Exemption of canneries.**

Approved May 17, 1915.

CHAPTER 176.—*Employment of women and children—Hours of labor.*

SECTION 1. Chapter 12 of the Acts of 1913, * * * [shall] be so amended as to exclude fruit and vegetable canning factories from the provisions of said act. **Exemption of canneries.**

Approved May 17, 1915.

TEXAS.

ACTS OF 1915.

CHAPTER 12.—*Fire escapes on factories, etc.*

SECTION 1. Every building of over two stories in height now or hereafter used in whole or in part as a * * * manufacturing, wholesale or retail mercantile establishment, factories, or workshops, warehouses where five or more persons shall be assembled, shall be provided with at least one, and as many additional fire-proof stairways or ladders or iron spiral fire escape on the exterior of such building placed in such position and as many in number as may be designated by the head of the fire department of that city or town, in or near which such building may be located, if there be one, or by the mayor, if there be no head of such fire department, or by the commissioner of labor statistics, if such building be not in or near any incorporated city or town, or one having a head of its fire department. If one or more fire escapes or ladders are required on each side of such buildings for the accommodation and protection of the * * * employees * * * of such buildings, now or hereafter, used in whole or in part * * * by any manufacturing wholesale or retail mercantile establishment, factories or workshops, warehouses, where five or more persons shall be assembled or a place of public resort, [they] shall be provided therewith; such stairways or ladders shall connect the cornice with the top of the first story of any such building by a metal platform, balcony, piazza, or other safe and convenient resting place on a level with the floor of each story so connected and of sufficient length to permit access to the same from not less than two windows of each story. They shall be convenient of access from the interior of the building, commodious in size and form and of sufficient strength to be safe for the purpose of ascent and descent. * * *

SECTION 2. It shall be the duty of fire chiefs or marshals of fire departments, mayor or chief of police or city marshal of all such cities and towns in which the building is located, or by [sic] the commissioner of labor statistics and his factory inspectors, to enforce the provisions of the foregoing section. The term "balcony, piazza, or other safe and convenient resting place" shall not be construed to mean any wooden or iron awning which might intervene between such stairways and such landing upon the ground or sidewalk.

SECTION 3. Any person who shall fail to comply with the provisions of section one (1) of this act within sixty days after being notified in writing to do so by either of the said officers whose duty it may be to give such notice, shall be punished according to law; said chief or marshal of all such cities and towns in which the buildings are located, or by [sic] the commissioner of labor statistics or his factory inspectors, upon receiving notice or obtaining knowledge, that any person within his jurisdiction has not so complied with said provisions, shall file a written statement to that effect with the county attorney of the county in which such building is located, and such being done, such county attorney shall prosecute such persons, firms, corporations or agents having charge of such buildings.

SECTION 4. The owners, tenants, firms, corporations, agents or other persons in charge of any business within either of the foregoing

Scope of law.

Fire escapes required.

Enforcement.

Violations.

Penalty.

sections, who shall fail or neglect, after a written notice has been given him [them] in accordance with the preceding sections, to comply with any of the provisions of said preceding section[s] which are applicable to the building owned, leased, or in his [their] charge, shall be deemed guilty of a misdemeanor, and be punished by a fine of not less than fifty dollars, nor more than two hundred dollars.

Approved February 16, 1915.

CHAPTER 25.—Payment of wages—Semimonthly pay day.

Scope of law. SECTION 1. From and after January 1, 1916, each and every manufacturing, mercantile, mining, quarrying, railroad, street railway, canal, oil, steamboat, telegraph, telephone and express company, employing more than ten persons, and each and every water company not operated by a municipal corporation, and each and every wharf company, and every other corporation engaged in any business within the State of Texas, which employs more than ten persons, or any person, firm or corporation engaged in or upon any public work for the State or for any county or any municipal corporation thereof, either as a contractor or a subcontractor, therewith, shall pay each of its employees the wages earned by him or her as often as semimonthly, and pay to a day not more than sixteen days prior to the day of payment.

Semimonthly pay day.

Absent employees.

An employee who is absent at the time fixed for payment, or who for any other reason is not paid at that time, shall be paid thereafter on six days' demand, and any employee leaving his or her employment, or discharged therefrom, shall be paid in full on six days' demand.

Violations.

SEC. 2. Every person, partnership or corporation, willfully failing or refusing to pay the wages of any employee at the time and in the manner provided in this statute shall forfeit to the State of Texas the sum of fifty (\$50) dollars for each and every such failure or refusal, and suits for penalties accruing under this act shall be brought in any court having jurisdiction of the amount in the county in which the employee should have been paid, or where employed. Such suits shall be instituted at the direction of the commissioner of labor statistics by the attorney general or under his direction or by the county or district attorney for the county or district in which suit is brought; and the attorney bringing any such suit shall be entitled to receive and shall receive as compensation for his service therein \$10 of the penalty or penalties recovered in such suit, and the fees and compensation so allowed shall be over and above the fees allowed to the attorney general, county or district attorneys under the general fee act.

Enforcement.

SEC. 3. It shall be the duty of the commissioner of labor statistics to inquire diligently for violations of this act and institute prosecutions and see that the same are carried to final termination and generally to see to the enforcement of the provision[s] hereof.

Approved March 1, 1915.

CHAPTER 28.—Assignments of wages—Wage brokers.

"Loan broker."

SECTION 1. A "loan broker" is a person, firm or corporation who pursues the business of lending money upon interest and taking as security for the payment of such loan and interest an assignment of wages, or an assignment of wages with power of attorney to collect the same or other order for unpaid [wages,] chattel mortgage or bill of sale upon household or kitchen furniture.

Bond.

SEC. 2. No person, firm or corporation shall pursue the business of a loan broker without first having given bond with at least two good and sufficient sureties or the guaranty of some solvent bonding company authorized to do business in this State, in the sum of five thousand (\$5,000) dollars, payable to the State of

Texas, approved by and filed with the clerk of the county court of the county in which such person, firm or corporation proposes to pursue said business, conditioned that such person, firm or corporation shall faithfully comply with each and every requirement of the law governing such business, and will pay to any person dealing with such loan broker any judgment that may be obtained against him.

SEC. 3. The bond required by the preceding article shall be recorded and safely kept in the office of the clerk of the county court of the county in which such loan broker pursues such business, the recording fees thereof to be paid by such loan broker, and a new bond shall be given, filed and recorded in the same manner as the first one every twelve months during the continuance of such business.

SEC. 4. A bond shall be required and given by each loan broker for each and every separate office or place of business which he may conduct.

SEC. 5. Each loan broker shall keep a well-bound book in which he shall register all his transactions as a broker at the time same occurs [occur]; such registry shall show (1) the articles of property securing the loan, if the same be secured by chattel mortgage or bill of sale on household or kitchen furniture; (2) the assignment [assignment] of wages, or the assignment of wages with power of attorney to collect the same, or other order for unpaid wages given as security, giving the name of the person receiving the money, and the person by whom such person is employed, or by whom it is expected that he will be employed, and in whose service it is expected that he shall earn the salary or wages; (3) the amount of money received by the borrower; (4) the amount to be received back by the loan broker, and the time in which he is to receive back such payment; (5) the rate of interest or discount agreed upon.

SEC. 6. Such books shall be kept open for inspection, and the broker shall give to the party borrowing, a ticket showing the amount of cash actually received, and showing the amount paid back by the borrower to the loan broker on each payment, such tickets to correspond with the entry on the book of the register.

SEC. 7. Each loan broker as defined in section 1 of this act engaged in doing or desiring to do business in this State shall file with the county clerk of the county in which he or it is engaged in doing such business or desires to do such business an irrevocable power of attorney duly executed, constituting and appointing the county judge of the county in which he or it is engaged in doing business or in which he or it desires to do business, and to his successors in office, his or its duly authorized agent and attorney in fact, for the purpose of accepting service for him or it, or being served with citation in any suit brought against him or it in any court of this State by any person, firm, company or corporation, and consenting that the service of any civil process upon such county judge as his or its attorney for such purpose, in any suit or proceeding, shall be taken and held to be valid, waiving all claim and right to object to such service or to any error by reason of such service and such appointment, agency and power of attorney, shall by its terms and recitals provide that it shall continue and remain in force and effect so long as such loan broker continues to do business [business] in this State and so long as it shall have outstanding [outstanding] any claim of any character held by any citizen, firm, company or corporation of this State or by the State of Texas against him or it, and until all claims of every character, so held by any citizen, firm, company or corporation or by the State of Texas, shall have been settled. Said power of attorney shall be signed in person by any individual loan broker and by each member of any firm, partnership or association engaged in business as a loan broker, and if such loan broker is a corporation it shall be signed by the president or vice-president and by the secretary of such corporation, and shall be attested by the seal of such corporation.

Recording.

Separate of-
fices.

Register.

Books to be
open.
Tickets.Power of at-
torney.

Each such power of attorney shall be acknowledged before some officer authorized by the laws of this State to take acknowledgments.

Unpaid judgments.

SEC. 8. If any judgment upon any bond given by any loan broker shall remain unpaid for sixty days after final judgment and execution thereon, it shall be unlawful for such loan broker to continue to run such business, and the same shall be punished by fine of not less than \$50 nor more than \$250, and each and every day in which such loan broker conducts such business shall be a new and separate offense. Each and every person employed by and engaged in the conduct of such business shall be guilty of unlawfully conducting the same, if the same be conducted without a bond, or after the forfeiture of such bond as above described.

Collection.

SEC. 9. Any judgment obtained by any person against a loan broker under these articles or under the laws of the State of Texas shall be collectable [collectible] out of the bond herein provided for.

Law to be complied with.

SEC. 10. If any loan broker, or person doing business as such shall make any loan upon chattel mortgages or bill of sale upon household or kitchen furniture, or shall make any loan taking as security for the payment thereof an assignment of wages or an assignment of wages with power of attorney to collect the same, whether the same be called a loan or purchase without complying with the laws regulating loan brokers in this State, he shall be punished by a fine of not less than \$50 nor more than \$250 for each.

Penalty.

Wife to consent.

SEC. 11. Each assignment, mortgage, power of attorney to collect or other transfer of the salary or wages of a married man, and each bill of sale or chattel mortgage upon the household and kitchen furniture of a married man shall be void unless the same be made and given with the consent of the wife, and such consent shall be evidenced by the wife joining in the assignment, mortgage, power of attorney to collect or other transfer of salary or wages, and the signing of her name thereto and by her separate acknowledgment thereof, taken and certified to by a proper officer, substantially in the mode provided by law for the acknowledgment by the wife of a conveyance of the homestead.

Annual tax.

SEC. 12. Every loan broker shall pay an annual tax of one hundred and fifty dollars to the State of Texas for each and every place of business.

Compromises.

SEC. 13. All compromises for usury or unlawful interest collected and received are contrary to public policy, and shall be void.

Approved March 1, 1915.

CHAPTER 49.—*Employment of children—School attendance.*

School attendance required.

SECTION 1. Every child in this State who is eight years and not more than fourteen years old shall be required to attend the public schools in the district of its residence, or in some other district to which it may be transferred, as provided by law, for a period of not less than sixty days for the scholastic year, beginning September 1, 1916, and for a period of not less than eighty days for the scholastic years beginning September 1, 1917, and for the scholastic year 1918-19, and each scholastic year thereafter a minimum attendance of 100 days shall be required. The period of compulsory school attendance at each school shall begin at the opening of the school term unless otherwise authorized by the district school trustees and notice given by the trustees prior to the beginning of such school term: *Provided*, That no child shall be required to attend school for a longer period than the maximum term of the public school in the district where such child resides.

Exemptions.

SEC. 2. The following classes of children are exempt from the requirements of this act:

* * * * *

(e) Any child more than twelve years of age who has satisfactorily completed the work of the fourth grade of a standard elementary school of seven grades, and whose services are needed in support of a parent or other person standing in parental relation to the child, may, on presentation of proper evidence to the county superintendent of public instruction, be exempted from further attendance at school.

SEC. 5. No child under fourteen years of age not lawfully excused from attendance upon school shall be employed by anyone during the school hours in any occupation during the period which the child is required to be in school, as provided by this act. Any person, firm or corporation found guilty of employing any child or any person inducing any child to remain out of school who is subject to the provisions of this act shall be fined not to exceed ten dollars for each offense, and each day that said child is employed after due notice given by any school official that said child can not be legally employed shall constitute a separate offense.

Employment of unexcused children.

Approved March 13, 1915.

CHAPTER 51.—*Mine regulations—Bathhouses.*

SECTION 1. It shall be the duty of the operator, owner, lessees or superintendent of any coal mine in this State employing ten or more men to provide a suitable building convenient to the principal entrance of such mine, for the use of persons employed in and about said mine, for the purpose of washing themselves and changing their clothing when entering or leaving the mine. Such building shall be provided with proper light and heat, with a supply of hot and cold water and shower baths, and with properly constructed individual lockers for the use of such employees. The employees shall furnish their own towels, soap and locks for their lockers, and shall exercise control over and be responsible for all property by them left in such house. The baths and lockers for Negroes shall be separate from those for whites, but may be in the same building.

Wash rooms required.

Towels, etc.

SEC. 2. Any operator, owner, lessee or superintendent or company, its officers or agents maintaining such a bathhouse at his or its mine, as required in section 1 hereof, shall not be liable for the loss or destruction of any property left at or in said house.

Liability for property.

SEC. 3. Any operator, owner, lessee or superintendent of any coal mine violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars, nor more than two hundred dollars, or by imprisonment in the county jail for not more than sixty days or by both such fine and imprisonment, in the discretion of the court or jury. It is further provided that every two weeks of such violation shall constitute a separate offense. Any person willfully injuring or destroying any property mentioned herein shall be punished as provided by law.

Violations.

SEC. 5. It shall be the duty of the commissioner of labor statistics of the State of Texas to enforce the provisions of this act.

Enforcement.

Approved March 8, 1915.

CHAPTER 56.—*Employment of women—Hours of labor—Seats.*

SECTION 1. No female shall be employed in any factory, mine, mill, workshop, mechanical or mercantile establishment, laundry, hotel, restaurant or rooming house, theater or moving-picture show, barber shop, telegraph, telephone or other office, express or transportation company, or any State institution, or any other establishment, institution or enterprise where females are employed, except as hereinafter provided, for more than nine hours in any one calendar day, nor more than fifty-four hours in any one calendar week: *Provided, however,* That in case of extraordinary emergencies, such as great public calamities, or where it

Nine-hour day.

Emergencies.

becomes necessary for the protection of human life or property, longer hours may be worked, but for such time not less than double time shall be paid such female with the consent of the said female: *Provided*, This act shall not apply to stenographers and pharmacists.

Work in laundries. Sec. 1a. No female shall be employed in any laundry for more than fifty-four hours in one calendar week; the hours of such employment to be so arranged as to permit the employment of such female at any time so that she shall not work more than a maximum of eleven hours during the twenty-four hours' period of one day: *Provided*, That if such female is employed for more than nine hours in any one day she shall receive pay at the rate of double her regular pay for such time as she is employed for more than nine hours per day.

Ten-hour day. Sec. 1b. No female shall be employed in any factory engaged in the manufacture of cotton, woolen or worsted goods or articles of merchandise manufactured out of cotton goods for more than ten hours in any one calendar day, nor for more than sixty hours in any one calendar week.

Provided, That if such female is employed for more than nine hours in any one day she shall receive pay at the rate of double her regular pay for such time as she may be employed for more than nine hours per day.

Seats to be furnished. Sec. 2. Every employer owning or operating any factory, mine, mill, workshop, mechanical or mercantile establishment, laundry, hotel, restaurant or rooming house, theater or moving picture show, barber shop, telegraph or telephone or other office, express or transportation company, the superintendent of any State institution or any other establishment, institution or enterprise where females are employed, as provided by sections 1, 1a and 1b, shall provide and furnish suitable seats, to be used by such employees when not engaged in the active duties of their employment, and shall give notice to all such female employees by posting in a conspicuous place, on the premises of such employment in letters not less than one inch in height, that all such female employees will be permitted to use such seats when not so engaged.

Violations. Sec. 3. Any employer, overseer, superintendent, foreman, or other agent of any such employer who shall permit any female to work in any of the places mentioned in sections 1, 1a and 1b more than the number of hours provided for in this act during any day of the [sic] twenty-four hours, or who shall fail, neglect or refuse to so arrange the work of females employed in the said places mentioned in sections 1, 1a and 1b so that they shall not work more than the number of hours provided for in sections 1, 1a and 1b of this act, during any day of twenty-four hours or the number of hours prescribed by this act in any one week, or who shall fail, neglect or refuse to provide suitable seats as provided in section 2 of this act shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be fined in any sum not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars and each day of such violation and each such female employee required or permitted to work more than the time provided in the various sections of this act shall constitute a separate offense: "*Provided*, That the provisions of the law shall not apply to telegraph and telephone companies in rural districts and in cities or towns of less than 3,000 inhabitants, as shown by the last Federal census." *Provided*, That the provisions of this act shall not apply to mercantile establishments in rural districts and in cities and towns and villages of less than 3,000 inhabitants.

Exemption. Sec. 4. If any section or provision of this act is for any reason held or declared to be unconstitutional it shall not affect nor impair nor render invalid the rest of this act, and changing other sections to conform thereto.

Approved March 15, 1915.

CHAPTER 108.—*Private employment agencies.*

SECTION 1. No person, firm or corporation in this State shall open, operate or maintain a private employment agency for hire, or where a fee is charged to either applicant for employment or for help, without first obtaining a license for the same from the commissioner of labor statistics, and such license fee shall be \$25 (twenty-five dollars). Such license shall be of force for one year, but may be renewed from year to year upon the payment of a fee of \$25 (twenty-five dollars) for each renewal. Every license shall contain a designation of the city, street and number of the building in which the licensed party conducts said employment agencies. The license, together with a copy of this act, shall be posted in a conspicuous place in each and every employment agency. The commissioner of labor statistics shall require with each application for a license a good and sufficient bond in the penal sum of five hundred (\$500) dollars, to be approved by said commissioner, and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions, or requirements of this act. The said commissioner of labor statistics is authorized to cause an action to be brought on said bond in the name of the State for any violation of any of its conditions, and may revoke, upon a full hearing, any license whenever, in his judgment, the party licensed shall have violated any of the provisions of this act.

License re-
quired.

Bond.

SEC. 2. It shall be the duty of every licensed agency to keep a register in a substantial book, in the form prescribed by the commissioner of labor statistics, in which shall be entered the age, sex, nativity, trade or occupation, name and address of every applicant. Such licensed agency shall also enter in a register the name and address of every person who shall make application for help or servants, and the name and nature of the employment for which such help shall be wanted. Such register shall, at all reasonable hours, be open to the inspection and examination of the commissioner of labor statistics or his deputies or inspectors. Where a registration fee is charged for filing or receiving application for employment or help, said fee shall in no case exceed the sum of two (\$2) dollars, for which a receipt shall be given, in which shall be stated the name of the applicant, the amount of the fee, the date, the name or character of the work or the situation to be secured. In case the said applicant shall not obtain a situation or employment through such licensed agency within one month after registration as aforesaid, then said licensed agency shall forthwith repay and return to such applicant, upon demand being made therefor, the full amount of the fee paid or delivered by said applicant to said licensed agency: *Provided*, That such demand be made within thirty (30) days after the expiration of the period aforesaid.

Register.

Registration
fee.

Receipt.

SEC. 3. No agency shall send or cause to be sent any female help or servants to any place of bad repute, house of ill fame or assignation house, or any house or place kept for immoral purposes. No such licensed agency shall publish, or cause to be published, any false information, or to [sic] make any false promise concerning or relating to work or employment to anyone who shall register for employment, and no such licensed agency shall make any false entries in the register to be kept as herein provided, and all entries in such registers shall be made in ink. Any licensed person or agency shall not by himself or itself, agent or otherwise, induce, or attempt to induce, any employee to leave his employment with a view to obtaining other employment through such agency.

Immoral re-
sorts.False state-
ments, etc.

SEC. 4. It shall be the duty of the commissioner of labor statistics to enforce this act, and when informed of any violation thereof, it shall be his duty to institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. He may make such rules and regulations for the enforcement of this act not inconsistent therewith, as he may deem

Enforcement.

- proper. Any person convicted of a violation of any of the provisions of sections 1, 2 and 3 shall be guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be fined not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars for each offense: *Provided*, That any person or persons who shall send any female help or servants to any place of bad repute, house of ill fame or assignation house or any house or place kept for immoral purposes, shall be deemed guilty of a felony, and upon conviction in any court of competent jurisdiction shall be punished by a fine of not less than one thousand (\$1,000) dollars nor more than five thousand (\$5,000) dollars, or by imprisonment in the penitentiary not less than two (2) years nor more than ten (10) years, or by both such fine and imprisonment.
- Definition.** SEC. 5. A private agency for hire is defined and interpreted to mean any person, firm or corporation engaging in the occupation of furnishing employment or help, or giving information as to where employment or help may be secured, or displaying any employment sign or bulletin, or, through the medium of any card, circular or pamphlet, offering to secure employment or help: *Provided*, That charitable organizations not charging a fee shall not be included in said term.
- Fund.** SEC. 6. The commissioner of labor statistics shall, at the end of each month, make an itemized account of all moneys received by him from fees and fines, under the provisions of this act, and pay the same into the State treasury, to be held in a separate fund known as the employment agency fund, and to be used for expenses incurred in inspecting, regulating and printing blanks and books to be furnished such employment agencies by the commissioner of labor statistics. The unexpended moneys remaining in the State treasury at the end of the fiscal year shall be transferred into the school fund.
- Fines.** SEC. 7. All fines assessed by the courts for violation of sections 1 and 2 of this act shall be paid by said court to the commissioner of labor statistics [statistics] or his duly authorized agents.
- Record books.** SEC. 8. The commissioner of labor statistics shall furnish to each licensed employment agency blank books upon which their record shall be kept, as provided for in this act, together with forms for receipts, etc., and all necessary blanks upon which reports shall be made to the commissioner of labor statistics.

Approved March 22, 1915.

ACTS OF 1915—FIRST CALLED SESSION.

CHAPTER 9.—*Weekly day of rest for city firemen.*

- Day off to be allowed.** SECTION 1. No member of any paid fire department in any city containing twenty-five thousand inhabitants or more, according to the last United States census, shall be required to be on duty for more than six days in any one week, except in cases of emergency.
- Designation.** SEC. 2. The city official having supervision of the fire department shall designate the day of the week upon which each member of such department shall not be required to be on duty.
- Violation.** SEC. 3. Any city official having charge of the fire department in any city coming under this act who shall violate any of the provisions hereof shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$10 nor more than \$100.

Approved May 29, 1915.

UTAH.

ACTS OF 1915.

CHAPTER 21.—*Mothers' pensions.*

SECTION 1. Section 1, chapter 90, Laws of Utah, 1913, * * * shall be amended to read as follows:

Section 1. It shall be the duty of the county commissioners of each county in this State and they are hereby authorized and empowered to provide funds in an amount to meet the purposes of this act, but not exceeding in any one year the sum of ten thousand dollars:

Provided, That in counties containing a population of one hundred thousand or more, the amount of such funds shall be twenty thousand dollars, such funds to be expended for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children.

Approved March 10th, 1915.

CHAPTER 23.—*Hours of labor in mercantile establishments.*

SECTION 1. All mercantile and commercial houses, either wholesale and over, shall close at six o'clock in the evening of every business day of the year, except for the period of six business days immediately preceding December 25th of each year.

SECTION 2. This act exempts all commercial and mercantile houses that deal exclusively in, or whose major portion of stock consists of foodstuffs, meats and other provisions of a perishable nature; which are regarded as, and are, public necessities.

SECTION 3. This act also exempts drug stores, which are regarded as, and are public necessities.

SECTION 4. Any violation of this act shall be a misdemeanor.

SECTION 5. The terms mercantile and commercial houses shall mean the owners and executive managers of such against whom information may be filed jointly or severally to carry into effect the penalties provided for violation of this act.

Approved March 15th, 1915.

[This act was held unconstitutional as special legislation, not within the police power of the State, and interfering with the right to enjoy, acquire and possess property. *Saville v. Corliss*, 151 Pac., 51.]

CHAPTER 61.—*Employment of children.*

[This act amends section 1 of chapter 144, Acts of 1911, by adding cigar stores and stands, any place where tobacco is sold at wholesale or retail, and pool rooms, to the list of places in which the employment of children under 14 years of age is prohibited.]

CHAPTER 63.—*Bureau of immigration, labor, and statistics.*

[This act amends section 2 of chapter 113, Acts of 1911, by increasing the salary of the commissioner of the bureau from \$1,800 to \$2,400 and his travel fund from \$500 to \$600. The salaries of the deputy commissioners are also increased from \$800 to \$1,000, and the added pay for the deputy acting as chief clerk from \$600 to \$800. These salaries are to be paid in monthly installments.]

VERMONT.

ACTS OF 1915.

ACT No. 1.—*Factory inspector—Board of conciliation and arbitration.*

[This act amends sections 1 and 2 of act No. 188, Acts of 1912, fixing the date of the appointment of the factory inspector in the month of January biennially, the term of service to begin on February 1 following. Reports are to be made biennially on or before January 1.

[Section 1 of act No. 190, Acts of 1912, is also amended, fixing the times of appointment and of beginning service for the members of the board of conciliation at the same dates, their terms of service, however, being three years.]

ACT No. 64.—*Employment of children—School attendance.*

SECTION 50. A person having the control of a child between the ages of eight and sixteen years shall, unless such child is mentally or physically unable so to attend, or is otherwise being furnished with the same education, or has completed the elementary school course, or is legally excused from attending school, cause such child to attend a public school continuously for the full number of days for which said school is held; * * *

School attendance required.

SEC. 52. If a child has completed the eight or nine year elementary course or has reached the age of fifteen years and has completed the first six years' work in said elementary school, he may be excused by the superintendent from further attendance if his services are needed for the support of those dependent upon him, or for any other sufficient reason.

Excused, when.

Approved April 1, 1915.

ACT No. 89.—*Suits for wages—Property worked on not exempt.*

SECTION 1. Section 2161 of the Public Statutes is hereby amended so as to read as follows:

Section 2161. * * * *Provided*, That no personal property shall be exempt from attachment on a suit brought * * * for material or labor expended on the same.

No exemption, when.

Approved January 29, 1915.

ACT No. 141.—*Wage debts of corporations.*

SECTION 37. The liability of any corporation to wage earners for any unpaid wages which were earned in the three months next prior to the filing of any mortgage or other lien upon the property and franchise of such corporation shall in all cases be a first lien thereon, notwithstanding any mortgage or other lien thereon recorded after such wages were earned. An individual who works for wages, salary or hire at a rate of compensation not exceeding \$1,500 a year shall be deemed to be a wage earner within the meaning of this section.

Prior claim.

Approved April 1, 1915.

ACT No. 200.—*Seats for female employees.*

Seats to be furnished. SECTION 1. The proprietor, manager or person having charge of any mercantile establishment, store, shop, hotel, restaurant or other place where women or girls are employed as clerks, or help therein, shall provide chairs, stools or other contrivances for the comfortable use of such female employees, for the preservation of their health and for rest when not actively employed in the discharge of their respective duties.

Violations. SEC. 2. Any proprietor, manager or other person violating the provisions of this act, shall be fined not more than one hundred dollars nor less than ten dollars.

Approved January 29, 1915.

WASHINGTON.

ACTS OF 1915.

CHAPTER 1.—*Employment offices.*

(Initiative act, 1914.)

SECTION 1. The welfare of the State of Washington depends on the welfare of its workers and demands that they be protected from conditions that result in their being liable to imposition and extortion. Basis of law.

The State of Washington therefore exercising herein its police and sovereign power declares that the system of collecting fees from the workers for furnishing them with employment, or with information leading thereto, results frequently in their becoming the victims of imposition and extortion and is therefore detrimental to the welfare of the State.

SEC. 2. It shall be unlawful for any employment agent, his representative, or any other person to demand or receive either directly or indirectly from any person seeking employment, or from any person on his or her behalf, any remuneration or fee whatsoever for furnishing him or her with employment or with information leading thereto. Fees from employees forbidden.

SEC. 3. For each and every violation of any of the provisions of this act the penalty shall be a fine or [of] not more than one hundred dollars and imprisonment for not more than thirty days. Violations.

Proclamation signed by the governor Dec. 3, 1914.

CHAPTER 31.—*Aliens—Prohibition as to fishing.*

SECTION 58. It shall be unlawful for any person to fish or take for sale or profit any salmon or other food or shell fish in any of the rivers or waters of this State or over which it has concurrent jurisdiction in civil and criminal cases, unless such person be a citizen of the United States or has declared his intention to become such and is and has been for twelve months immediately prior to the time he engages in such business an actual resident of this State or an adjoining State, but this section shall not apply to Indians. Only citizens of to fish for profit.

Approved March 6, 1915.

CHAPTER 68.—*Employment of women and children by telephone companies.*

SECTION 1. The industrial welfare commission is hereby authorized, in such manner as it shall deem advisable, and upon notice and hearing to parties directly affected thereby, to ascertain and establish such standards of wages, hours of work and conditions of labor of women and minors employed in the telephone industry in rural communities and in cities of less than three thousand (3,000) population, as shall be found to be reasonable and not detrimental to the health and morals of such women and minors and which shall be sufficient for the decent maintenance of such women and minors, and notwithstanding any statute heretofore passed or regulation of such commission heretofore made relative thereto: *Provided*, That nothing in this act contained shall be construed to amend or repeal any law or any regulation relat- Standards of employment to be fixed.

ing to wages, hours of labor or conditions of labor of women or minors excepting as in this act authorized.

Approved March 15, 1915.

CHAPTER 135.—*Mothers' pensions.*

[This act repeals chapter 179, Acts of 1913, but reenacts it with slight changes, chiefly in section 1, which now reads as follows:]

Provision to be made. SECTION 1. In every county it shall be the duty of the county commissioners to provide out of the moneys of the county treasury an amount sufficient to meet the purposes of this law, for the support of mothers who, by reason of destitution, insufficient property or income, or lack of earning capacity, are unable to support their children under the age of fifteen years, and who come within the following classes, to wit:

Who may receive aid. First. A mother whose husband is dead or confined in a penal institution or insane hospital.

Second. A mother whose husband, through total disability, is unable to support his family.

[The only other change occurs in section 3, in which is incorporated a provision requiring 3 years' residence in the State before receiving benefits under the act.]

CHAPTER 165.—*Intoxication of employees.*

[This act amends section 2527, Rem. & Bal. Codes and Statutes, by providing for punishing acts committed on highways or in other public places, as well as on streets.]

CHAPTER 181.—*Picketing.*¹

Picketing defined. SECTION 1. Whoever shall, for the purpose of carrying on, calling attention to, or advertising, directly or indirectly, any controversy, disagreement or dispute between any labor union or organization, or member or members thereof, and any person engaged in any lawful business, or his employee, or for the purpose of hindering or preventing such person from conducting his business in any lawful way, or employing or retaining in his employ any person who may lawfully engage in such business.

(1) Stand or continuously move back and forth, on the sidewalk, street, public place or private property, in front of or within five hundred feet of, any place in which any lawful business is conducted by such other person, or home or place of abode of such other person or his employee, or

(2) Openly maintain, carry or transport on any sidewalk, street, public place or private property, any banner, sign, transparency, writing or printing, or

(3) Cause any person to do any of the foregoing acts for any of the foregoing purposes:

Shall be guilty of picketing.

Misdemeanor. SEC. 2. Any person who shall engage in picketing shall be guilty of a misdemeanor.

Use of words. SEC. 3. The singular number when used in this act shall include the plural, and the word "person" shall include individuals, firms, partnerships, associations and corporations.

Provisions severable. SEC. 4. An adjudication of invalidity of any part of this act shall not affect the validity of the act as a whole or any part thereof.

Approved March 19, 1915.

¹ Referendum has been filed against this act, and its operation is suspended until voted upon in Nov., 1916.

WEST VIRGINIA.

ACTS OF 1915.

CHAPTER 8.—Safety of employees on railroads, etc.—Public service commission.

SECTION 4. Every person, firm or corporation engaged in a public service business in this State shall establish and maintain adequate and suitable facilities, safety appliances or other suitable devices, and shall perform such service in respect thereto as shall be reasonable, safe and sufficient for the security and convenience of the public, and the safety and comfort of its employees, and in all respects just and fair, and without any unjust discrimination or preference. * * * [The commission] may prescribe the number of men required to constitute safe crews for the handling of trains on any steam railroad in this State or any division of any such railroad. * * *

Provisions for safety.

Crews.

CHAPTER 10.—Mine regulations.

Chapter seventy-eight, acts one thousand nine hundred and seven, is hereby amended and reenacted so as to read as follows:

SECTION 1. There is hereby created an executive department to be known as the "department of mines" which shall have for its purpose the supervision of the execution and enforcement of all State laws pertaining to the inspection of mines, heretofore and hereafter enacted for the safety of persons employed within or at the mines within this State, and the protection of mine property and other property used and in connection therewith; and the said department of mines shall be in charge of an official to be known as the "chief of the department of mines," who shall have full charge of said department, and who shall superintend and direct the inspection of mines as herein provided and as provided by any other State law not in conflict with this act.

Department of mines.

SEC. 2. The present chief of the department of mines, provided his appointment be confirmed by the senate, shall continue in office under the title of "chief of the department of mines" until December thirty-first, one thousand nine hundred and seventeen, or until his successor shall be duly appointed and qualified, unless sooner removed as provided by law; and the governor of the State shall, with the consent of the senate, appoint a chief of the department of mines whose term of office shall begin January first, one thousand nine hundred and eighteen, and shall be for four years, or until his successor shall be duly appointed and qualified; and the governor, with the consent of the senate, shall each four years thereafter appoint a chief of the department of mines for the term of four years or until his successor be appointed and qualified.

Chief.

SEC. 3. The chief of the department of mines shall, before entering upon the discharge of his duties, take the oath of office prescribed by the constitution and shall furnish bond in the sum of two thousand dollars, with security to be approved by the governor, conditioned upon the faithful discharge of his duty, a certificate of which oath and which bond shall be filed in the office of the secretary of state. Vacancies in the office of the chief of the department of mines shall be filled by appointment for the unexpired term.

Oath.

Bond.

- Qualifications.** SEC. 4. The chief of the department of mines shall be a male citizen of West Virginia, and shall be a competent person, having had at least eight years' experience in the working, ventilation and drainage of coal mines in this State, and having a practical and scientific knowledge of all noxious and dangerous gases found in such mines. He shall devote all of his time to the duties of his office, and shall not be directly or indirectly interested in a financial way in any coal mine in this State. The salary of the chief of the department of mines shall be three thousand dollars per annum, and traveling expenses, which shall be paid monthly out of the State treasury upon a requisition upon the State auditor, properly certified by the chief of the department of mines.
- Salary.**
- Records.** SEC. 5. The chief of the department of mines shall keep a record of all inspections made by himself and the district mine inspectors, which shall be a permanent record properly indexed; records of the department of mines shall, at all times, be open to the inspection of any citizen of this State, and shall be laid before the governor of the State upon his request at any time. The chief of the department of mines shall have authority to visit, enter and examine any mine and may call the assistance of any district mine inspector, or inspectors, to any mine.
- Reports.** SEC. 6. The chief of the department of mines shall annually make a full and complete written report of his proceedings to the governor of the State for the year ending the thirtieth day of June; such report shall include the reports of the district mine inspectors, the number of visits and inspections made in the State by the district inspectors, the quantity of coal and coke produced in the State, the number of men employed, number of mines operated, ovens in and out of blast, improvements made, prosecutions, etc., and such other information in relation to the subject of mines, mining inspections and needed legislation as he may deem of public interest and beneficial to the mining interests of the State; such report shall be filed with the governor on or before the thirty-first day of December next succeeding the year for which it was made, and such report shall be printed upon the requisition of the governor; and, in order that the report shall be annually printed and distributed among the operators, miners and citizens of the State, the sum of fifteen hundred dollars annually, or so much thereof as may be necessary, is hereby appropriated out of the State treasury for this special purpose.
- Districts.** SEC. 7. As soon as practicable after this act becomes a law, the chief of the department of mines, by and with the approval of the governor, shall divide the State into fifteen mining districts, in such manner as to equalize as far as practicable the work of each inspector. The chief of the department of mines shall appoint such an additional number of district mine inspectors, which with those now in office, shall give one inspector for each mining district within the State, whose term of office shall expire the thirty-first day of December, one thousand nine hundred and seventeen, unless sooner removed as provided by law; and he shall direct and prescribe in which of the said districts each of the said inspectors shall serve. After December thirty-first, one thousand nine hundred and seventeen, appointments of all inspectors shall be for a term of four years, except those appointments made to fill out unexpired terms.
- Violations.** SEC. 8. Any chief of the department of mines who shall violate any of the provisions of this act shall, upon conviction, be fined not less than twenty-five dollars nor more than two hundred dollars, and may, in the discretion of the court, be imprisoned in the county jail not exceeding one year.
- Qualifications of inspectors.** SEC. 9. Every person appointed to the office of district mine inspector shall be a citizen of West Virginia, having a practical knowledge of mining and the proper ventilation and drainage of mines, and a knowledge of the gases met with in coal mines, and must be a miner of at least six years' experience in coal mines,

or having otherwise been engaged as an employee for six years within coal mines, and he shall not while in office be interested as owner, operator, stockholder, superintendent, or engineer of any coal mine, and he shall be of good moral character and temperate habits. His term of office shall expire on December thirty-first, one thousand nine hundred and seventeen, or when his successor is appointed and qualified, unless sooner removed as provided by law. An inspector of mines shall be removed from office by the chief of the department of mines for incompetency, neglect of duty, drunkenness, malfeasance, or for other good cause. The salary of each district mine inspector shall be two thousand one hundred dollars per annum, and actual traveling expenses; such salary and expenses shall be paid monthly out of the State treasury upon approval of the chief of the department of mines: *Provided*, That before payment of such expense shall be made to the inspector he shall file an account of such expense, verified by his affidavit, showing that they accrued in the discharge of his official duties.

Salaries.

Sec. 10. The district mine inspector shall, before entering upon the discharge of his duties, take the oath of office prescribed by the constitution and shall furnish bond in the sum of two thousand dollars, with security to be approved by the governor, conditioned upon the faithful discharge of his duty a certificate of which oath and which bond shall be filed in the office of the secretary of state. Vacancies in the office of district mine inspector shall be filled by appointment for the unexpired term.

Oath.

Bond.

Sec. 11. Each of the district mine inspectors shall report, in writing, weekly to the chief of the department of mines, the number and condition of all mines inspected by him during each week and shall deliver to the operator, or operators, of each mine inspected a certificate of inspection, and shall post a duplicate certificate at a prominent place of the operating company where it may be conveniently read by any of the mine employees; said duplicate certificate shall remain posted until a subsequent certificate is issued by the district mine inspector. He shall visit each mine in his district at least once in every three months, or oftener if called upon in writing by ten men engaged in any one mine, or the owner, operator or superintendent of such mine, and make a personal examination of each working place and also abandoned parts of the mine where gas is liberated, and outside of the mine where any danger may exist to the workmen, in their respective districts, and shall particularly examine into the condition of the mines as to ventilation, drainage and general safety and shall make a report of such examination, and he shall see that all the provisions of the mining statutes are strictly carried out, and it shall be unlawful for any district mine inspector to appoint any deputy or other person to do and perform any work required of such inspector.

Duties.

Sec. 12. Each district mine inspector shall for each year ending the thirtieth day of June, make a written report to the chief of the department of mines of his proceedings, stating therein the number of mines in his district, the improvements made in and at the mines, the extent to which the mining statutes are obeyed and violated, and such other information in relation to mines and mining as he may deem of public interest, or as may be required of him by the chief of the department of mines; he shall also suggest or recommend such legislation on the subject of mining as he may think necessary; such report shall be filed with the chief of the department of mines on or before the thirtieth day of September next succeeding the year for which it was made.

Reports.

Sec. 13. Should the mine inspector discover any room, entry, airway, or other working places, being driven in advance of the air currents contrary to the requirements of the mining statutes, he shall order the workmen in such places to cease work at once until the law is complied with.

Working in advance of current.

Penalty. SEC. 14. Any mine inspector failing to comply with the requirements of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars and be dismissed from office.

Maps. SEC. 15. The operator, or agent, of every coal mine shall make, or cause to be made, an accurate map or plan of such mine, on a scale to be stated thereon, of one hundred, two hundred or three hundred feet to the inch; such map or plan shall show the openings or excavations, the shafts, slopes, entries, airways, with darts or arrows showing direction of air currents, headings, rooms, pillars, etc., and such portions of such mine or mines as may have been abandoned, the general inclination of the coal strata, and so much of the property lines and the outcrop of the coal seam of the tract of land on which said mine is located, as may be within one thousand feet of any part of the workings of such mine; a true copy of such map or plan shall be delivered by such operator to the inspector of his district, to be preserved among the records of his office and turned over to his successor in office; but it is provided that in no case shall any copy of the same be made without the consent of the operator or his agent; and the original map, or a true copy thereof, shall be kept by such operator at the office of the mine, and open at all reasonable times for the examination and use of the inspector, and such operator shall, twice within every twelve months, while the mine is in operation, cause such mine to be surveyed and the map thereof extended so as to accurately show the progress of the workings, the property lines, and outcrops, as above provided.

The map, or maps, required by this section shall have the certificate of the engineer making same, acknowledged thereon before a notary public, or justice of the peace, in the following form:

I, the undersigned, hereby certify that this map is correct and shows all the information, to the best of my knowledge and belief, required by the mining laws of this State, and covers the period ending ----.

_____,
Engineer.

Acknowledged before me a ----, this -- day of ----.

Any engineer who shall knowingly make any such map which does not correctly show the data required in this section or knowingly makes any false statement in connection therewith, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than two hundred dollars.

Failure to furnish map. SEC. 16. If the operator, or agent, of any coal mine shall neglect or fail to furnish to the mine inspector of his district, any copy of map, or extension thereof, as provided in the preceding section of this act, the mine inspector is hereby authorized to cause a correct survey and map, or plan of said coal mine, or the extension thereof, to be made at the expense of the operator of such mine, the cost of which shall be recoverable from said operator as other debts are recoverable by law; and if at any time the chief of the department of mines has reason to believe that such map, or plan, or extension thereof, furnished in pursuance of the preceding section be materially incorrect, such as will not serve the purpose for which it was intended, he may have the survey and map, or plan, or the extension thereof made, or corrected, and the expense of making such survey and map, or plan, or extension thereof, under the direction of said chief of the department of mines, shall be paid by the operator, and the same may be collected as other debts are recoverable by law; and if found correct, the expense thereof to be paid by the State.

Ventilation. SEC. 17. The operator, agent or mine foreman of every coal mine, whether worked by shaft, slope or drift, shall provide and hereafter maintain for every such mine ample means of ventilation, affording no less than one hundred cubic feet of air per

minute for each and every person employed in such mine, and as much more as the district mine inspector may require, which shall be circulated around the main headings and cross-headings and working places, to an extent that will dilute, render harmless and carry off, the noxious and dangerous gases liberated therein; and as the working places shall advance, break throughs for air shall be made, not to exceed eighty feet apart, in pillars, or brattice shall be used so as to properly ventilate the face, and all the break throughs between the intake and return airways not required for the passage of air shall be closed with stoppings substantially built with suitable material, which shall be approved by the district mine inspector, so as to keep the working places well ventilated. Not more than sixty persons shall be permitted to work in the same air current: *Provided*, That a larger number not exceeding eighty persons, may be allowed by the district mine inspector where, in his judgment, it is impracticable to comply with the foregoing requirement.

SEC. 18. No product of petroleum, or alcohol, or any compound that in the opinion of the inspector will contaminate the air to such an extent as to be injurious to the health of the miner shall be used as motive power in any mine.

Oil as fuel.

SEC. 19. No operator, agent or mine foreman, shall permit any persons to work where they are unable to maintain at least one hundred cubic feet of air per minute; but this shall not be construed to prohibit the operator from employing men to make the place of employment safe and to comply with this requirement: *Provided further*, That while the repair work necessary to get the mine in condition to comply with the law is in progress, no person or persons shall be permitted to enter that part of the mine affected except those actually employed in doing the necessary repair work.

Air supply.

SEC. 20. In all mines accumulations of fine dry coal dust shall, as far as practicable, be removed from the mine and all dry and dusty sections kept thoroughly watered down at all times.

Dust.

For violations of the foregoing provisions of sections seventeen, eighteen, nineteen and twenty, the operator, agent or mine foreman shall, upon conviction, be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, in the discretion of the court.

SEC. 21. The operator, or agent, of every coal mine worked by shaft shall forthwith provide, and hereafter maintain, a metal tube from the top to the bottom of such shaft suitably adapted to the free passage of sound through which conversation may be held between persons at the top and at the bottom of the shaft; also the ordinary means of signaling, and an approved safety catch, and a sufficient cover overhead on every cage used for lowering or hoisting persons, and at the top of the shaft an approved safety gate, and an adequate brake on the drum of every machine used to lower or hoist persons in such shaft; and the said operator or agent shall have the machinery used for lowering or hoisting persons into or out of the mine kept in safe condition, and inspected once in each twenty-four hours by some competent person; and there shall be cut out or around the side of hoisting shaft or driven through the solid strata at the bottom thereof a traveling way of not less than five feet high and three feet wide to enable a person to pass the shaft in going from one side of it to the other without passing over or under the cage or other hoisting apparatus.

Speaking tube.

Safety devices.

Traveling ways.

SEC. 22. The operator or agent of every shaft mine shall install a uniform system of checking the employees in and out of the mine, whereby each employee upon entering the mine shall be given a check by which he shall be identified, and which check shall be placed in its proper place on the check board by the employee when leaving the mine.

Checking in and out.

Any operator, agent or employee who shall fail or refuse to comply with any of the requirements of sections twenty-one and

twenty-two shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than five hundred dollars; or be imprisoned in the county jail not less than thirty days nor more than one year, in the discretion of the court.

**Hoisting
workmen.**

SEC. 23. No operator or agent of any coal mine, worked by shaft, slope or incline shall place in charge of any engine or drum used for lowering or hoisting any persons employed in such mine any but competent and sober engineers or drum runners; and no engineer in charge of such machinery shall allow any person except such as may be deputed for this purpose, by the operator or agent, to interfere with any part of the machinery; and no person shall interfere with or intimidate the engineer or drum runner in the discharge of his duties; and in no case shall more than ten persons ride on any cage or car at one time, and no person shall ride on a loaded cage or car in any shaft or slope or on any incline.

**Provisions
for accidents.**

SEC. 24. At every mine where ten men are employed underground, it shall be the duty of the operator thereof to keep always on hand at the mine a properly constructed stretcher, a woolen and waterproof blanket and all necessary requisites which may be advised by the medical practitioner employed by the company, and if as many as one hundred and fifty men be employed, two stretchers with the necessary equipments as above advised.

For violation of the foregoing provisions of sections twenty-three and twenty-four, the operator or agent or miner, shall, upon conviction be fined not less than fifty nor more than three hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, in the discretion of the court.

**Defective
conditions.**

SEC. 25. The operator or agent of every coal mine shall furnish the inspector proper facilities for entering such mine and making examinations or obtaining information; and if any inspector shall discover that any mine does not, in respect to appliances for the safety of the persons employed therein, conform to the provisions of this act, or that by reason of any defect or practice in or at such mine the lives or health of persons employed therein, are endangered, he shall immediately, in writing, notify such operator or agent thereof, stating in such notice the particulars in which he considers such mine to be defective or dangerous and if he deems it necessary for the protection of the lives or health of the persons employed in such mine, he shall, after giving notice of one day to the said operator or agent, in writing, notify immediately the chief of the department of mines, who shall immediately examine the mine reported to be unsafe.

**Closing
mines.**

If upon such examination the mine reported to be unsafe is in fact found to be in an unsafe condition, the chief of the department of mines shall forthwith order the mine to be closed until it is placed in a safe and proper condition for mining operations; the owner or operator of any mine so closed may apply to the circuit court wherein such mine is located, or the judge thereof, in vacation, by petition for an order directing said mine to be reopened, and such court or the judge thereof in vacation, shall immediately hear and determine the matters arising upon such petition, and if upon full hearing thereof the court, or the judge thereof in vacation, shall find that said mine is in a reasonably safe condition, the prayer of said petition shall be granted; but notice of said hearing shall be given to the district mine inspector or the chief of the department of mines three days at the least before said hearing; and in all such hearings the attorney general shall appear for the State and defend the same.

**Ventilation
of gaseous
mines.**

SEC. 26. In all mines liberating explosive gas, and where there is any reason to believe that gas will be encountered in the future workings and developments of the mine, the minimum ventilation shall be one hundred and fifty cubic feet per minute, for each and every person employed therein, and as much more as one or more of the district mine inspectors may deem requisite; and all stoppings on the main entries shall be substantially built of masonry, concrete or other incombustible material, which shall

be approved by the district mine inspector, so as to keep the working places well ventilated; doors on main haulways shall be avoided in gaseous mines where practicable, and overcasts built of masonry, or other incombustible material, and of ample strength shall be adopted, and where doors are used they must be built in a substantial manner, and hung so as to close automatically when unobstructed.

SEC. 27. All unused workings and abandoned parts of the mines must be protected by such safeguards as will prevent so far as practicable the accumulation or overflow of gas therein, and all avenues leading thereto shall be so arranged and conducted so as to give cautionary notice to all persons of the danger in entering therein; and in order to secure the safety of the workmen in general against the danger in said unused or abandoned sections of the mine, notice shall be posted warning all persons not to enter such parts of said mine, except persons authorized to make examination of the above section, and it shall be unlawful for any person, except as aforesaid, to enter such parts of said mine. U n u s e d
workings.

Any operator, agent or mine foreman, violating the foregoing provisions of sections twenty-six and twenty-seven shall, upon conviction, be fined not less than fifty nor more than two hundred dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

SEC. 28. Mines, which in the opinion of the department of mines, liberate explosive gas in dangerous quantities from the coal or adjacent strata shall be worked exclusively by the use of locked safety lamps, or approved electric lamps, and no open lamp or torch shall be used except as may be permitted in writing by the district mine inspector; the safety lamps used for examining any mine or which may be used for working therein, shall be furnished by, and be the property of, the operator of the mine, and shall be in charge of some person to be designated by the "fire boss," and at least two safety lamps shall be kept at every coal mine whether such mine liberates fire damp or not. S a f e t y
lamps.

Any operator, agent or other person who shall fail or refuse to comply with the requirements of this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than one year, in the discretion of the court.

SEC. 29. The ventilation of all mines shall be produced by means of fans, mechanically operated, unless otherwise ordered by the chief of the department of mines. The fan (or fans) shall be kept in operation night and day, unless written permission be granted by the chief of the department of mines, or the district inspector in whose district the mine is located. In case of accident to a ventilating fan or its machinery, whereby the ventilation of the mine would be seriously interrupted, the mine foreman shall order the men to withdraw immediately from the mine, and he shall not allow them to return to their work until the ventilation has been restored, and the mine has been thoroughly examined by him, or by an assistant mine foreman or fire boss, and reported safe. F a n s.

Any mine foreman who shall fail or refuse to comply with the requirements of this section, shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty nor more than two hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than one year, in the discretion of the court.

SEC. 30. Any operator, or agent of a coal mine before making any new or additional openings, shall submit to the chief of the department of mines, for his information and approval, a plan showing the proposed system of ventilation and equipment of the openings with their location and relative positions to adjacent developments; and no such new or additional openings shall be made until approved by the chief of the department of mines. N e w o p e n -
ings.

Any operator, agent or other person who shall fail, or refuse to comply with the requirements of this section, shall be guilty

of a misdemeanor, and upon conviction, shall be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than sixty days nor more than one year, in the discretion of the court.

Two exits re-
quired.

SEC. 31. It shall be unlawful for the operator, agent or mine foreman of any coal mine, to employ any person to work in said mine, or permit any persons to be in said mine for the purpose of working therein, unless they are in communication with at least two openings, or outlets, to each seam, separated by natural strata, such openings to be not less than three hundred feet apart, if the mine be worked by shaft, and not less than fifty feet apart at the outlets, if worked by slope or drift; but this requirement of a distance of three hundred feet between openings or outlets to shaft mines, shall not apply where such openings, or outlets, have been made prior to the passage of this act. To each of said outlets there shall be provided from the interior of the mine, a safe and available roadway properly drained, which shall at all times while the mine is in operation, be kept free from all obstructions that might prevent travel thereon in case of an emergency, and if either of said outlets be by shaft, it shall be fitted with safe and available appliances, such as stairs or hoisting machinery, which shall at all times, when the mine is in operation, be kept in order and ready for immediate use, whereby persons employed in the mine may readily escape in case of an accident, and in addition to the regular hoisting machinery every shaft used for lowering or hoisting men shall be provided with a complete emergency windlass, or other hoisting device of ample strength for hoisting men from the mine, the same to be approved by the department of mines.

This section shall not apply to any mine while work is being prosecuted with reasonable diligence in making communication between said outlets, necessary repairs and removing obstructions, so long as not more than twenty persons are employed at any one time in said mine; neither shall it apply to any mine, or part of a mine, in which a second outlet has been rendered unavailable by reason of the final robbing of pillars, preparatory to abandonment, so long as not more than twenty persons are employed therein at any one time; but before said limited number of men are so permitted to work, approval of the necessity therefor shall first be obtained from the department of mines, by the operator.

For violation of this section the operator, agent, or mine foreman, shall, upon conviction, be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, in the discretion of the court.

Children and
women.

SEC. 32. No boy under fourteen years of age, nor female persons of any age, shall be permitted to work in any coal mine. Whenever any boy is so employed the parent or guardian of such boy shall make affidavit that his age is fourteen years or more, which affidavit shall be immediately filed with the employer, in duplicate, one of which said affidavits, in duplicate, shall be immediately filed with the district inspector of the district in which the mine is located, which affidavit shall as to the employer, be conclusive as to the age of such boy. Any operator, agent or mine foreman who shall knowingly violate the provisions of this section, or any person knowingly making a false statement as to the age of any boy under fourteen years of age, applying for work in any coal mine, shall, upon conviction, be fined not less than ten nor more than one hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, in the discretion of the court.

Employment
during school
time.

SEC. 33. It shall be unlawful for any person, operator, agent or mine foreman, to employ or permit any boy between the ages of fourteen and sixteen years, to work in or about a coal mine at any time in which a free school is in session in the school district

where said boy resides. Before any person, operator, agent or mine foreman, employs or permits any boy to work in or about a coal mine at any time in which a free school is in session in the school district where said boy resides, he shall require from the parent or guardian of such boy, affidavits in duplicate, that such boy has, at the time of his employment or permission to work, reached the age of sixteen years. A duplicate of said affidavit, or affidavits, shall be immediately forwarded to the district inspector of the district in which the mine is located. No boy under the age of sixteen shall be employed or permitted to work in or about any coal mine, at any time in a position which, in the opinion of the district inspector, is hazardous. Any person violating the provisions of this section, or making any false statement in the affidavit required herein, shall be guilty of a misdemeanor and upon conviction, fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned in the county jail not more than thirty days, in the discretion of the court.

Affidavit as to age.

SEC. 34. The operator or agent of every coal mine shall annually, during the month of July, mail or deliver to the chief of the department of mines, a report for the preceding twelve months, ending with the thirtieth day of June; such report shall state the names of the operators and officers of the mine, the quantity of coal mined and such other information, not of a private nature, as may from time to time be required by the chief of the department of mines; blank forms of such reports shall be furnished by the chief of the department of mines. At any time any person, company or corporation operating a coal mine shall transfer the ownership of any mine to another person, company or corporation, the person, company or corporation transferring such ownership shall, within thirty days make a report to the chief of the department of mines of such change, and a statement of the tons of coal produced since the first of July last, previous to the date of such sale or transfer of such mine or mines; any operator or agent failing to furnish the reports as required in this section shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

Reports.

Change of ownership.

SEC. 35. Any operator, agent, superintendent, or mine foreman having in charge any mine, who shall knowingly permit any person to work in any part of a mine in violation of written instructions issued by the mine inspector, made in compliance with the requirements of this act, shall, upon conviction, be fined not less than fifty nor more than one hundred dollars for each person permitted to work in violation of such instructions, and any employees who shall work in violation of such instructions shall, upon conviction, be fined not less than ten nor more than fifty dollars.

Work in violation of instructions.

SEC. 36. In any mine in which solid shooting is done the district mine inspector is authorized to prescribe the condition under which such solid shooting may be done; any operator, or mine foreman, who causes or permits any solid shooting to be done therein without having first obtained a written permit from the district inspector, or any miner therein who shoots coal from the solid without first having obtained permission so to do from the operator or mine foreman, shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten nor more than fifty dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

Solid shooting.

SEC. 37. No steam locomotive shall be used in mines where men are actually employed in the extraction of coal, except by the consent of the district mine inspector, but this shall not be construed to prohibit any mine owner from operating a steam locomotive through any tunnel, haulway or part of a mine that is not

Steam locomotives.

in actual operation and furnishing coal; any operator or agent who violates this section shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

Rules.

SEC. 38. There shall be adopted by the operator of every mine in this State special rules for the government and operation of his mine or mines, covering all the work pertaining thereto in and outside of the same, which, however, shall not be in conflict with the provisions of the mining laws of this State. Such rules when established shall be printed on cardboard, in the languages spoken by ten or more employees, and shall be posted up in the drum house, tippie or some other conspicuous place about the mines where the same may be seen and observed by all the employees at such mines, and when said rules are so posted the same shall operate as a notice to all employees at such mine of their acceptance of the contents thereof; and it shall be the duty of each mine operator to furnish a printed copy of said rules to each of his employees when requested by either or any of them. Any operator or agent who violates the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

Failure to furnish supplies.

SEC. 39. If any operator of a mine shall in any manner refuse to furnish all supplies necessary for the mine foreman to comply with the requirements of this act, after being requested so to do in writing by the mine foreman, he shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than fifty nor more than two hundred dollars, or imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

Injuring property.

SEC. 40. No miner, workman or other persons, shall knowingly injure any shaft, lamp, instrument, air course, or brattice or obstruct or throw open airways or carry matches or open lights in the places worked by safety lamps or disturb any part of the machinery or appliances, open a door used for directing ventilation and not close it again, or enter any part of a mine against caution or disobey any order given in carrying out any of the provisions of this act, or do any other act whereby the life or health of any person employed in the mine or the security of the mine is endangered. Any person who shall violate the provisions of this section shall, upon conviction, be fined not less than ten nor more than five hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, in the discretion of the court.

Search of person.

SEC. 41. The operator, mine foreman, assistant mine foreman or district inspector may search or cause to be searched any miner or other employee, including mine officials, or any other person, if he has reason to believe that intoxicating drinks, matches or pipes are being carried into the mine where electric or safety lamps are exclusively used.

Interfering with employment.

SEC. 42. Nor shall any person or persons or combination of persons, by force, threats, menaces, or intimidation of any kind, prevent or attempt to prevent from working in or about any mine, any person or persons who have the lawful right to work in or about the same, and who desire so to work; but this provision shall not be so construed as to prevent any two or more persons from associating together under the name of knights of labor, or any other name they may desire, for any lawful purpose, or for using moral suasion or lawful argument to induce any one not to work in and about any mine. Any person or persons who shall violate the provisions of this section shall, upon conviction, be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than ten days nor more than ninety days, in the discretion of the court.

Sec. 43. Whenever by reason of any explosion or other accident in any coal mine, or the machinery connected therewith, loss of life or serious personal injury shall occur, it shall be the duty of the superintendent of the colliery, and in his absence, the mine foreman in charge of the mine, to give notice forthwith, by mail or otherwise, to the chief of the department and the inspector of the district, stating the particulars of such accident; and if any one is killed thereby, to the coroner of the county also, or in his absence or inability to act, to any justice of the peace; and the said inspector shall, if he deems it necessary from the facts reported, immediately go to the scene of such accident and make such suggestions and render such assistance as he may deem necessary for the future safety of the men and investigate the cause of such explosion or accident, and make a record thereof which he shall preserve with the other records of his office; and to enable him to make such investigation, he shall have the power to compel the attendance of witnesses, and to administer oaths or affirmations; and the costs of such investigation shall be paid by the county in which such accident occurred, in the same manner as the costs of the coroner's inquest are now paid. If the coroner or justice shall determine to hold an inquest upon the body of any person killed, as aforesaid, he shall impanel a jury, no one of whom shall be directly or indirectly interested.

Accidents.

Inquests.

The chief of the department of mines, or the district inspector, if present at such inquest, shall have the right to appear and testify and to offer any testimony that may be relevant and to question and cross-question any witness; and the coroner or justice shall deliver to the inspector a copy of the testimony and verdict of the jury.

Any operator, agent, superintendent, or mine foreman, who shall fail to perform the duty provided in this section, shall upon conviction, be guilty of a misdemeanor, and shall be fined not less than ten nor more than five hundred dollars, or be imprisoned in the county jail not less than ten nor more than ninety days, in the discretion of the court.

Sec. 44. No operator, agent or mine foreman shall provide a horse or mule stable inside of any mine unless space for stable is excavated in solid strata of rock, slate or coal. If excavated in the coal seam, the wall shall be built of brick, stone or concrete, not less than four inches in thickness, or steel plates, and the said wall shall be built from the bottom slate to the roof. No wood or other combustible material shall be used in the construction of the inside of said stable. The air current used for the ventilation of the said stable shall not be intermixed with the air current used for ventilating any other portion of the mine, but shall be conveyed directly to the return air current. No open lights shall be permitted in any stable in any mine. No hay or straw shall be taken into any mine, unless pressed or made up in compact bales, which shall be kept in a storehouse, built apart from the stable, constructed in the same manner as the stable. Under no circumstances shall hay be stored in the stable. All refuse and waste shall be removed from the stable and shall not be allowed to accumulate in the mine.

Stables.

Any operator, agent or person who shall fail or refuse to comply with the requirements of this section, after six months from the date upon which this act becomes effective, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than fifty nor more than three hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than one year, in the discretion of the court.

Sec. 45. Within six months after this act becomes a law all magazines used for storing powder or other explosives in quantities greater than an estimated daily supply, shall be constructed of noncombustible material and located not less than three hundred feet from any mine opening or buildings used or occupied by any person, or persons; buildings in which the ventilating fan is inclosed shall be constructed of noncombustible material; or

Storage of powder.

otherwise protected from damage by fire, by such safeguards as may be approved by the department of mines.

A violation of this section shall be a misdemeanor and subject the offender to a fine of not less than one hundred dollars, and each month's failure to comply with this section shall be a separate offense.

Buildings near openings. Sec. 46. After the passage of this act, power houses and all other buildings erected at or near any opening of a mine, shall be constructed of noncombustible material, to be approved by the department of mines.

Any operator, or agent who fails to comply with this section shall, upon conviction, be fined not less than three hundred nor more than five hundred dollars.

Use of electricity. Sec. 47. The operator, agent or mine foreman of any coal mine in which electricity is used as means of power, shall, within six months after the passage of this act, comply with the provisions of the following sections, forty-eight, forty-nine, fifty, fifty-one and fifty-two.

Bare power wires. Sec. 48. On all haulage roads, landings and partings, where men are required to regularly work or pass under trolley or other bare power wires which are placed less than six and one-half feet above top of rail, a suitable protection shall be provided. This protection shall consist of channeling the roof, placing boards along the wire, which shall extend below it, or the use of other approved devices that afford protection.

Feed wires. Sec. 49. All machine feed wires shall be placed on glass or porcelain insulators, which shall be so placed as to prevent the wires coming in contact with the coal. When machine or feed wires are carried in same entry as trolley wire, they shall be placed on the same side as the trolley wire, between trolley wire and rib and protected so far as practicable from contact therewith, and positive feed wires crossing places where persons or animals are required to travel, shall be safely guarded or protected from such persons or animals coming in contact therewith, as provided in the preceding section.

Location of wires. Sec. 50. All trolley and positive feed wires shall be placed on opposite sides of track from refuge holes or necks of rooms, when so ordered by the department of mines, and wires may be placed across the necks of rooms when protected as provided for in section forty-eight. Switches or circuit breakers shall be provided to control the current at the mine, and all important sections in the mine.

Insulation. Sec. 51. All power wires and cables in hoisting shafts or man-way compartments shall be properly insulated, substantially fixed and well protected.

Electric haulage. Sec. 52. Electric haulage by locomotives operated from a trolley wire is not permissible in any mines worked by safety or approved electric lamps, except upon the intake airway, fresh from the outside.

For the violation of the foregoing provisions of section forty-seven, forty-eight, forty-nine, fifty, fifty-one and fifty-two the operator, agent or mine foreman, shall, upon conviction, be fined not less than fifty nor more than three hundred dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

Electric coal cutting machines. Sec. 53. Within six months after this act becomes a law all electric coal-cutting machines used in gaseous portions of the mines shall be flame proof, and be approved by the department of mines. No man shall be placed in charge of a coal-cutting machine in any gaseous portion of a mine who is not a competent person, capable of determining the safety of the roof and the sides of the working places and detecting the presence of explosive gas.

Gaseous places. Sec. 54. In any gaseous portion of a mine, a coal-cutting machine shall not be brought within the last break through next the working face, until the machine man shall have made an inspection for gas in the place where the machine is to work, unless such examination is then made by some other competent person author-

ized or appointed for that purpose by the mine foreman. If any explosive gas is found in the place, the machine shall not be taken in until the gas is removed.

SEC. 55. In working places where gas is likely to be encountered, a safety lamp, or other suitable apparatus for the detection of fire damp, shall be provided for use with each machine when working, and should any indication of fire damp appear on the flame of the safety lamp, or other apparatus used for the detection of fire damp, the person in charge shall immediately stop the machine, cut off the current at the nearest switch, and report the matter to the mine foreman, or fire boss, and the machine shall not again be started in such place until the mine foreman, fire boss, or a person duly authorized by either has examined it and pronounced it safe.

Same.

SEC. 56. No coal-cutting machine shall be continued in operation in a gaseous portion of a mine for a longer period than half an hour without an examination as above described being made for gas, and, if gas is found, the current shall at once be switched off the machine, and the trailing cable shall forthwith be disconnected from the power supply.

Half-hour tests.

SEC. 57. Machine runners and helpers shall use care while operating mining machines. They shall not permit any person to remain near the machine while it is in operation; they shall examine the roof of the working place, and see that it is safe before starting to operate the machine. They shall not move the machine while the cutter chain is in motion.

Machine men.

For violation of the foregoing provisions of sections fifty-three, fifty-four, fifty-five, fifty-six and fifty-seven the person shall, upon conviction, be fined not less than fifty nor more than three hundred dollars, or be imprisoned in the county jail not less than thirty nor more than ninety days, in the discretion of the court.

SEC. 58. It shall be the duty of every mine owner or operator in this State whose mines are known to liberate fire damp or other dangerous gas or gases to employ a fire boss, or bosses (if necessary), who shall be a citizen or resident of this State, and who shall hold a certificate of competency for such position, issued to him by the department of mines, after taking an examination held by the department of mines under its rules and regulations for such examination. He shall have such knowledge of fire damp and other dangerous gases as to be able to detect the same with the use of safety lamps, and shall have a practical knowledge of the subject of the ventilation of mines and the machinery and appliances used for that purpose, and be a person with at least three years' experience in mines liberating explosive gases.

Fire boss.

SEC. 59. It shall be the duty of said fire boss, or bosses, where employed in such gaseous mines to prepare a danger signal with red color at the mine entrance and no person except the mine owner, operator or agent, and only then in case of necessity, shall pass beyond this danger signal until the mine has been examined by the fire boss, and the same or certain parts thereof reported by him to be safe. It shall further be the duty of said fire boss, or bosses to go into all the working places of such mine or mines where gas is known to exist, or liable to exist, and carefully examine the same with a safety lamp, and do, or cause to be done, whatever may be necessary to remove from such working place, or places all dangerous or noxious gases, and make the same safe for persons to enter therein as workmen in such mine or mines; such examination and removal of said gases shall begin within three hours before the time each shift commences work, and it shall be the duty of the said fire boss at each examination to leave evidence of his presence at the face of every place examined, by plainly marking on a board at the face for that purpose, the date of examination. If the mine is safe, he shall remove the danger signal at the mine entrance, or change the color thereof to safety, in order that the employees may enter said mine and begin work.

Duties.

- Record of examination.** SEC. 60. The fire boss shall, upon having completed the examination of the mine before each shift, make a written record of the condition of the mine within a book having a form prescribed by the chief of the department of mines, which record shall at all times be kept at the mine, subject to the inspection of the district mine inspector or chief of the department of mines.
- Status.** SEC. 61. In the performance of the duties devolving upon the fire bosses they shall have no superior officers, but all the employees working inside of said mine or mines shall be subordinate to said fire boss or bosses, in his particular work.
- Workmen not to enter.** SEC. 62. It shall be unlawful for any person to enter said mine or mines for any purpose at the beginning of work upon each shift therein until such signal or warning has been given by said fire boss or bosses on the outside of said mine or mines as to the safety thereof, as by statute provided, except under the direction of said fire boss or bosses, and then for the purpose of assisting in making said mine safe; and each person who shall enter such mine except as aforesaid, before such notice or signal has been given, or any operator, agent or fire boss who shall violate the provisions of this act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than fifty dollars nor more than five hundred dollars, or imprisoned in the county jail not less than sixty days nor more than one year.
- Mine foreman.** SEC. 63. In order to better secure the proper ventilation of every coal mine, and promote the health and safety of persons employed therein, the operator or agent shall employ a competent and practical inside overseer, to be called mine foreman, who shall be a citizen or resident of this State, having had at least five years' experience in the working, ventilation and drainage of coal mines, and who shall hold a certificate of competency for such position, issued to him by the department of mines, after taking an examination held by the department of mines under its rules and regulations for such examinations. In mines in which the operations are so extensive that all the duties devolving upon the mine foreman cannot be discharged by one man, competent persons having had at least three years' experience in coal mines may be designated and appointed as assistants, who shall act under the mine foreman's instruction, and shall be responsible for their conduct in the discharge of their duties under such designation or employment.
- Assistants.**
- Duties.** SEC. 64. The duties of the mine foreman shall be to keep a careful watch over the ventilating apparatus and the airways, traveling ways, pumps and drainage; and shall see that as the miners advance their excavations, proper break throughs are made as required by law to properly ventilate the mine, and that all loose coal, slate and rock overhead in the working places and along the haulways be removed or carefully secured so as to prevent danger to persons employed in such mines; and that sufficient props, caps and timbers, as nearly as possible of suitable dimensions, are furnished for the places where they are to be used, and such props, caps and timbers shall be delivered and placed at such points, as the rules for the government of each respective mine provides for them to be delivered. The said mine foreman shall have all water drained or hauled out of the working places where the same is practicable before the miners enter and said working places kept dry as far as practicable while the miners are at work. It shall be the duty of the mine foreman to see that the cross-cuts are made, as required by law; that the ventilation shall be conducted by means of said cross-cuts through the rooms by means of check doors placed on the entries or other suitable places, and he shall not permit any room to be opened in advance of the ventilating current. The mine foreman shall measure the air current with an anemometer at least twice each month at the inlet and outlet and at or near the faces of the advanced headings, and shall keep a record of such measurements in a book having a form prescribed by the chief of the department of mines;

sign boards directing the way to outlets or escape way shall be conspicuously placed throughout the mine.

SEC. 65. The mine foreman shall require that all slopes, engine planes and haulage roads used by any persons in the mine shall be made of sufficient width to permit persons to pass moving cars with safety; or refuge holes shall be made on one side of said haulage road not less than five feet in width, nor less than four feet in depth, and on a level with the road. The refuge holes shall be not more than sixty feet apart, and shall be kept free from obstructions. The roof and sides thereof shall be made secure and be kept whitewashed at all times. S l o p e s ,
p l a n c e s ,
e t c .

SEC. 66. On all haulways, where hauling is done by machinery of any kind, the mine foreman shall provide a proper system of signals, and a conspicuous light on the front and rear of every trip or train of cars when in motion in a mine. When hoisting or lowering of men occurs in the morning before daylight, or in the evening after darkness, at any mine operated by shaft, the mine foreman shall provide and maintain at the shaft mouth a light of a stationary character sufficient to show the landing and all surrounding subjects [objects] distinctly, and sufficient light of a stationary character shall be located at the bottom of the shaft so that persons coming to the bottom may clearly discern the cages and other objects closely contiguous thereto. The mine foreman shall require that no cages on which men are riding shall be lifted or lowered at a rate of speed greater than six hundred feet per minute, and that no mine cars, either empty or loaded, shall be hoisted while men are being lowered or hoisted, and no cages having an unstable self-dumping platform shall be used for the carrying of workmen unless the same is provided with some device by which the same may be securely locked when men are being hoisted or lowered into the mine. S i g n a l s a n d
l i g h t s .

H o i s t i n g .

SEC. 67. It shall further be the duty of the mine foreman to have bore holes kept, not less than twelve feet in advance of the face, and, where necessary, on sides of the working places that are being driven toward and in dangerous proximity to an abandoned mine, or part of mine, suspected of containing inflammable gases or which is filled with water. B o r e h o l e s .

SEC. 68. It shall be the duty of the mine foreman, or the assistant mine foreman, of every coal mine in this State to see that every person employed to work in such mine shall, before beginning to work therein, be instructed in the particular danger incident to his work in such mine, and furnished a copy of the mining law and rules of such mine. Every inexperienced person so employed shall work under the direction of the mine foreman, his assistant or such other experienced worker as may be designated by the mine foreman or assistant until he is familiar with the danger incident to his work. I n s t r u c t i n g
w o r k m e n .

SEC. 69. The mine foreman or his assistants shall visit and carefully examine each working place in the mine each day while the miners of such places are at work, and shall direct that each and every working place shall be secured by props or timbers where necessary, to the end that the working places shall be made safe; should the mine foreman or his assistants find a place to be in a dangerous condition, they shall not leave the place until it is made safe, or remove the persons working therein until the place is made safe by some competent persons designated for that purpose. D a i l y i n s p e c -
t i o n s .

SEC. 70. The mine foreman shall see that every mine liberating explosive gas is kept free of standing gas in all working places and roadways. Any accumulations of explosive gas or noxious gases in the worked-out or abandoned portions of any mine shall be removed as soon as possible after its discovery, if it is practicable to remove it. No person who may be endangered by the presence of said explosive gas or noxious gases shall be allowed in that portion of the mine until said gases have been removed. The mine foreman shall direct and see that all dangerous places and the entrance or entrances to worked-out and abandoned G a s .

- places in all mines are properly fenced off across the openings, so that no person can enter, and that danger signals are posted upon said fencing to warn persons of the existing danger.
- Reported dangers.** SEC. 71. The mine foreman shall give prompt attention to the removal of all dangers reported to him by his assistants, the fire boss, or any other person working in the mine, and in case it is impracticable to remove the danger at once, he shall notify every person whose safety is menaced thereby to remain away from the portion where the dangerous condition exists. He or his assistants shall, at least once each week, travel and examine all the air courses, roads and openings that give access to old workings or falls, and make a record of the condition of all places where danger has been found, with ink in the book provided for that purpose.
- Impractical requirements.** SEC. 72. The mine foreman shall notify, in writing, the operator or agent of the mine of his inability to comply with any of the requirements of these sections, and it shall then become the duty of any operator or agent to at once attend to the matter complained of by the mine foreman so as to enable him to comply with the provisions hereof if the same can be practicably done. Any operator or agent of any coal mine, or other person, who shall neglect to comply with the requirements of this section shall, upon conviction, be guilty of a misdemeanor and shall be fined not less than fifty nor more than five hundred dollars, or be imprisoned in the county jail not less than ten days nor more than ninety days, in the discretion of the court.
- Report of fire boss.** SEC. 73. The mine foreman shall also, each day, read carefully and countersign with ink all reports entered in the record book of the fire bosses.
- Violations.** Any operator, mine foreman or assistant mine foreman failing to comply with any of the provisions of section sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two and seventy-three, shall, upon conviction, be fined not less than twenty-five nor more than one hundred dollars, or imprisoned in the county jail not less than ten days nor more than ninety days, in the discretion of the court.
- Vacancies.** SEC. 74. In case of the death or resignation of a mine foreman, the superintendent or manager, shall appoint a certified man, if one be available; and if not, he may temporarily appoint any other competent man who may serve with the approval of the chief of the department of mines until the next examination. He shall while acting as mine foreman be liable to the same penalty as the mine foreman for any violation of this act.
- Amount of powder.** SEC. 75. No miner or other employee shall take into any mine in this State any larger quantity of powder or other explosive than he may reasonably expect to use in any one shift, and all powder shall be carried into the mine in a metallic canister, or fibre receptacle, of a capacity not to exceed five pounds, which shall be properly closed with an approved top.
- Duty of miner.** SEC. 76. Every miner shall thoroughly examine the roof and general condition of his working place before commencing work, and if he finds loose rock or other dangerous conditions, he shall not commence work in such place unless he is granted permission by the mine foreman or his assistants.
- Orders for timbers.** SEC. 77. Every workman in want of props, cap pieces and timbers shall notify the mine foreman, or such other person who may be designated for that purpose, at least one day in advance, giving the length and number of props or timbers and cap pieces he requires; but in case of an emergency the timbers may be ordered immediately upon discovery of any danger; and it shall be the duty of each miner to properly prop and secure his place in order to make the same secure for him to work therein.
- Firing shots.** SEC. 78. No shots shall be fired in any place known to liberate explosive gas until such place has been properly examined by a competent person who is designated for that purpose, and no shots shall be fired in any place where gas is detected until said gas has been removed by means of ventilation.

Sec. 79. No miner shall fire more than one shot at a time, and after firing said shot he shall not return to the working place until the smoke has cleared away; and before starting to work he shall make a careful examination as to the condition of the roof, and do what is necessary to make himself safe before beginning to load coal.

Same.

Sec. 80. In no case shall more than one kind of explosive be used in the same drill hole. Every blasting hole shall be tamped full from the explosive to the mouth and no coal dust or inflammable material shall be used for tamping. No fuse shall be used unless permission is granted by the mine foreman; and in no case shall fuse be used of less length than the drill hole, nor shall dynamite be used in blasting coal. Where permissible explosives are used, the detonators and explosives shall be kept separate; no black powder, high explosives, or detonators shall be hauled on any trip operated by electric haulage motors, unless enclosed in nonconducting boxes approved by the district inspector.

Blasting.

Sec. 81. No person, except the persons necessary to operate the trip or car, shall ride on any loaded car or on the outside of any car, or get on or off a car while in motion. No person shall be permitted to or shall enter, work in or about the mine or mine buildings, tracks, or machinery connected therewith while under the influence of intoxicants.

Riding load-
ed cars.

Sec. 82. Motormen and trip riders shall use care in handling locomotive and cars. It shall be their duty to see that there is a conspicuous light on the front and rear of each trip or train of cars when in motion. They shall not permit any person or persons to ride on locomotives or loaded cars unless granted permission by the mine foreman.

Motormen
and trip riders.

Any person or persons who shall violate the provisions of sections seventy-five, seventy-six, seventy-seven, seventy-eight, seventy-nine, eighty, eighty-one or eighty-two, shall, upon conviction, be fined not less than ten nor more than fifty dollars, or be imprisoned in the county jail not less than ten nor more than sixty days, in the discretion of the court.

Sec. 83. Whenever any accident occurs in or about any coal mine to any employee or person connected with the mining operation, resulting in personal injury or death, the operator or agent shall, within twenty-four hours after the happening of such accident, report the same to the chief of the department of mines, and to the district mine inspector of the district in which the accident occurs, in writing, giving full details thereof upon forms prescribed and furnished by the department of mines.

Accidents to
be reported.

Any operator or agent failing to comply with the provisions of this section shall, upon conviction, be fined not less than ten nor more than fifty dollars, or imprisoned in the county jail not less than ten nor more than thirty days.

Sec. 84. There is hereby established in the college of engineering of the West Virginia University a mining experiment station (or bureau of mine research), which will have for its purpose the conducting of investigations and making tests, to better safeguard the lives of miners, and to bring about greater efficiency and conservation in the mining and mineral industries; to make such tests and investigations as may be required by the department of mines in the prosecution of its work, to conduct such experiments and tests as may promote the development of the mineral industries of the State, to cooperate with the department of mines in the investigation of the cause of mine disasters, and common mine accidents.

Experiment
station.

The work of the mining experiment station (or bureau of mine research), shall be conducted under such rules, regulations, and methods as may be prescribed by the board of regents and approved by the department of mines.

Sec. 85. In this act the term "mine" includes the shafts, slopes, drifts, or incline planes connected with excavations penetrating coal stratum or strata, which excavations are ventilated by one general air current, or divisions thereof, and connected by one

Definitions.

general system of mine railroads over which coal may be delivered to one or more points outside the mine, when such is operated by one operator.

The term "excavations and workings" includes all the excavated portions of a mine, those abandoned as well as the places actually being worked; also all underground workings and shafts, tunnels, and other ways and openings, and all such shafts, slopes, tunnels, and other openings in the course of being sunk or driven, together with all roads, appliances, machinery, and material connected with the same below the surface.

The term "shaft" means a vertical opening through the strata that is or may be used for the purpose of ventilation or drainage, or for hoisting men or material, or both, in connection with the mining of coal.

The term "slope" means an incline or opening used for the same purpose as a shaft.

The term "operator" means any firm, corporation, or individual operating any coal mine, or any part thereof.

The term "superintendent" means the person who shall have on behalf of the operator, immediate supervision of one or more mines.

The term "mine foreman" means the person whom the operator or superintendent shall place in charge of the inside workings of the mine and of the persons employed therein.

The term "approved safety lamps or electric lamps" shall mean any safety lamp, or electric lamp, approved by the department of mines.

Law applies,
where.

SEC. 86. The provisions of this act shall apply only to coal mines in which five or more persons are employed in a period of twenty-four hours; but no mine employing less than ten men shall be required to employ a mine foreman.

Jurisdiction
of courts.

SEC. 87. In all prosecutions under this act the circuit court, criminal court, intermediate court and justice of the peace, shall have concurrent jurisdiction, with right of appeal.

Approved February 11, 1915.

CHAPTER 12.—*Bureau of labor.*

SECTION 1. Chapter fifteen-h of the code of West Virginia, [of 1913] * * * [shall] be amended and reenacted so as to read as follows:

Commissioner.

Section 1. The governor shall, with the advice and consent of the senate, appoint a competent person, who is identified with the labor interests of the State, to be State commissioner of labor, who shall hold his office for a term of four years and until his successor is appointed and qualified. In case of a vacancy in the office of the commissioner of labor, caused by death, resignation, removal or otherwise, the governor shall appoint a commissioner of labor for the unexpired term in the manner above provided.

Duties.

Sec. 2. It shall be the duty of the commissioner of labor to collect, compile and present to the governor an annual report, statistical details relating to all departments of labor and the industrial interests of the State, especially in relation to the financial, social, educational and sanitary condition of the laboring classes, and all statistical information that may tend to increase the prosperity of the productive industries of the State. He shall, once at least in every year, visit and inspect the principal factories and workshops of the State; and shall, upon complaint and request of any three or more reputable citizens, visit and inspect any place where labor is employed and make true report of the result of his inspection.

Inspection.

Sec. 3. The commissioner of labor shall have power, in the discharge of his duties, to enter and inspect any public institution of the State and any factory, workshop or other place where labor is employed. He may furnish a written or printed list of inter-

rogatories asking information essential to a proper discharge of his duties, to any person, company or corporation employing labor, and require full and complete answers thereto. And if any person, or the officers of any company or corporation shall neglect or refuse to answer, within a reasonable time, any proper question propounded to him by the commissioner of labor, or if any person or the officers of any company or corporation to whom a list of interrogatories has been furnished, shall neglect or refuse to fully and truthfully answer and return the same, such person or such officer of such company or corporation shall be deemed guilty of a misdemeanor.

Sec. 4. The commissioner of labor shall report to the prosecuting attorney of the proper county all such violations of this act; whereupon said prosecuting attorney shall proceed against the guilty persons thereof, as in any other cases of misdemeanor; and any person, or any officer, or any company or corporation, convicted in such proceedings shall be fined not less than ten dollars, nor more than fifty dollars, or shall be confined in the county jail not less than ten nor more than ninety days, or shall be both fined and imprisoned within the above limits.

Enforcement.

Sec. 5. All State, county, district and city officers shall furnish the commissioner of labor, upon request, all statistical information relating to labor which may be in their possession as such officers. The commissioner of labor shall report to the governor, on or before the first day of December in each year, all the statistics he has collected and compiled, with such suggestions as he may deem advisable as to legislation tending to promote and increase the prosperity of the industrial establishments of the State, and to protect the lives and health and to promote the prosperity of the persons employed therein.

Public officers.

Sec. 6. The commissioner of labor, shall by written order filed with the governor, appoint not more than two factory inspectors who shall be under the supervision of the commissioner of labor. The commissioner of labor may at any time when the conditions are changed or in his discretion the good of the service requires, by an order filed with the governor, divide the State into inspection districts as to him may seem advisable.

Factory inspectors.

The salary of a factory inspector shall be twelve hundred dollars per annum and necessary traveling and hotel expenses.

Salary.

The commissioner of labor shall appoint a chief clerk whose salary shall not exceed twelve hundred dollars per annum and a stenographer whose salary shall not exceed nine hundred dollars per annum.

Sec. 7. The salary of the commissioner of labor provided for in this act, shall be two thousand four hundred dollars per annum, and he shall be allowed his actual and necessary traveling and incidental expenses.

Salary.

Approved March 4, 1915.

CHAPTER 21.—*Railroads—Employees' bonds.*

SECTION 1. If any common carrier authorized to do business in this State shall employ any person in any position of trust in this State, and shall apply to any surety company for surety for the faithful performance of duty by such employee, or for any form of fidelity insurance, and such surety company shall refuse to become responsible for such employee or, having become responsible for such employee, shall thereafter cancel such responsibility, such surety company shall furnish to such employee a statement in writing of the reasons therefor, which statement shall be sent by registered mail to such place as he shall designate, addressed to such employee, promptly on his demand therefor, in writing sent by registered mail to the head office of such surety company addressed to such surety company or officer thereof; and, unless such common carrier shall have other reasons for refusing to employ such employee than the facts of said refusal

Reasons for refusing or canceling bonds.

Other bond. of such surety company to so become or continue responsible for such employee, such common carrier shall, on request of such employee, accept as security for the fidelity of such employee, a bond or obligation in the same form or substantially in the same form as that under which such surety refused to become or continue responsible for such employee, when duly executed and acknowledged by any other solvent surety company authorized to execute such bond or obligation in this State, or a personal bond with satisfactory surety and furnished to such common carrier by such employee without cost or expense to such common carrier: *Provided, however,* That such surety company shall not be required to disclose the sources of its information regarding such employee, and that all communications, written or verbal, between such surety company or any officer or representative thereof and such common carrier or any officer or representative thereof or such employee or any person, firm or corporation mentioned in any statement made by such employee to such surety company shall be deemed privileged communications: *And further provided,* That no action or legal proceeding for libel or slander shall lie against such surety company or such common carrier by reason thereof.

Violations. **SEC. 2.** Any surety company or any common carrier which shall, by its officers or representatives, violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and be punished by a fine of not less than fifty dollars nor more than two hundred dollars.

Approved March 4, 1915.

CHAPTER 27.—*Protection of employees as voters.*

SECTION 12. The following persons shall be deemed guilty of corrupt practices, and upon conviction shall be punished in accordance with the provisions of this act:

* * * * *

Threats, etc., forbidden. (d) Any person who, being an employer, or acting for or on behalf of any employer, shall give any notice or information to his employees, containing any threat, either express or implied, intended or calculated to influence the political view or actions of his workmen or employees.

Approved February 26, 1915.

CHAPTER 90.—*Mothers' pensions.*

SECTION 1. Sections six, * * * chapter forty-six of the Code of West Virginia [shall] be amended and reenacted, * * * so that said sections shall read as follows:

When aid may be given. **Section 6.** * * * Whenever it shall appear to any overseer that there is in his district any woman who has such legal settlement and who has one or more legitimate children dependent upon her and that they are in need of assistance, it shall be the duty of said overseer to visit the home of such family without delay, and investigate the circumstances, and if it shall appear that assistance is needed to enable such woman to remain with and care for such children, and if it shall further appear that the husband of said woman is dead, or totally incapacitated by reason of mental or physical infirmity, or is confined in some State institution or has abandoned his wife, and that family is dependent upon said mother for support, such assistance may be allowed said woman as may be reasonably necessary under the circumstances to enable said woman to maintain and care for said children at their home, such assistance to continue only so long as may be necessary, and in no event to exceed ten dollars per month for one child and five dollars per month for each additional child, the allowance for any child not to continue beyond the age of fourteen years and the total amount allowed any family not to exceed twenty-five dollars in one month. The amount allowed shall be expended in such manner as in the

Amount.

Age limit.

opinion of the overseer will best serve the interests of said family.

Upon the refusal or failure of any overseer to act in such matter, application may be made by or on behalf of any such woman to the county court, who shall investigate the circumstances and grant or withhold relief as to it may seem proper. In such investigation the overseer of the district to whom application has been made shall be heard concerning his reasons for failing or refusing to grant relief in such case. Failure to act.

But the county court of the county may change or rescind any order or direction given by such overseer, and may direct any person or family to be provided for or assisted, though the overseer of the district has refused to do so. Power of court.

Became a law without the governor's approval.

WISCONSIN.

ACTS OF 1915.

CHAPTER 38.—*Accidents to be reported.*

[This act merely repeals section 1022-53, Wisconsin Statutes.]

CHAPTER 114.—*Payment of wages—Semimonthly pay day.*

SECTION 1. Section 1729a of the statutes is repealed.

SEC. 2. There is added to the statutes a new section to be numbered and to read: Law applies
where.

Section 1729a. 1. Every corporation organized for pecuniary profit engaged in any enterprise or business within the State of Wisconsin shall as often as semimonthly pay to every employee engaged in its business, except to those employees engaged in lumbering and logging operations, or in circuses and other traveling shows, all wages or salaries earned by such employee to a day not more than eighteen days prior to the date of such payment. Any employee who is absent at the time fixed for payment or who for any other reason is not paid at that time shall be paid thereafter at any time upon six days' demand, and any employee leaving his or her employment or discharged therefrom shall be paid in full following his or her employment at any time upon three days' demand. No corporation coming within the meaning of this act shall by special contract with employees or by any other means secure exemption from the provisions of this act and each and every employee of any corporation coming within the meaning of this act shall have his or her right of action against any such corporation for the full amount of his or her wages due on each regular pay day as herein provided, in any court of competent jurisdiction. Any corporation which pays its employees at the end of the month fifty per cent or more of the amount due for services performed or work done during such month and pays the remainder thereof not later than the fifteenth day of the month next succeeding shall be deemed to have complied with the provisions of this section. Discharged
employees.

2. Any corporation violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars or more than one hundred dollars for each separate offense and each and every failure or refusal to pay each employee the amount of wages due him or her at the time, or under the conditions required in this statute shall constitute a separate offense. Violations.

Approved May 20, 1915.

CHAPTER 115.—*Private employment offices.*

SECTION 1. There is added to the statutes a new section to read:

Section 2394-92m. 1. Every person managing or operating any employment bureau for women, in this State, shall make and file in his office application cards to be signed by any applicant for help, on which shall be stated the business of the place to which an employee is to be furnished, the nature of the work to be performed by the employee, and the wages to be paid. Application
cards.

2. No such licensed person shall knowingly send or cause to be sent any female help, servant, inmate, performer, or any other person to enter any questionable place of bad repute, house of ill Immoral re-
sorts.

fame or assignation house, or to any place of amusement in which immoral practices are permitted, or place resorted to for the purpose of prostitution, or any gambling house, the character of which such places the licensing person knows either directly or by reputation or which he might obtain by reasonable effort.

Immoral persons.

3. No such licensed person shall knowingly permit any questionable character, prostitute, gambler, intoxicated person or procurer to frequent such agency.

Records.

4. Every such licensed person shall keep a permanent record and index with names and post-office addresses of all persons placed in service by him, with reference to the facts contained in the application, which record shall be open to the inspection of the officers of the law and the parent or guardian of such person.

Approved May 20, 1915.

CHAPTER 250.—*Employment of children—School attendance.*

SECTION 1. Section 439a of the statutes is renumbered to be subsection 1 of section 439a of the statutes.

Enforcement.

SEC. 2. There is added to section 439a of the statutes, a new subsection to read:

(Section 439a.) 2. Prosecutions for violation of this section may also be brought in the juvenile court in and for the county in which such violations occur, and said court is hereby granted full and concurrent jurisdiction thereof.

Approved June 11, 1915.

CHAPTER 266.—*Employment of children—School attendance.*

School attendance required.

SECTION 1. There is added to the statutes a new section to read:—Section 439a-1. Any person between the ages of fourteen and sixteen, living within two miles of the school of any town, or within the corporate limits of any city or village and not physically incapacitated, who is not required by section 439a to attend some public, private or parochial school, and who is not attending a free high school or equivalent of a high school, must either attend some public, private, or parochial school, or attend for at least five hours a week for six months, or four hours a week for eight months, an industrial, continuation, or commercial school: *Provided*, Such school, or schools, are maintained according to the provisions of sections 553p-1 to 553p-9, inclusive, in the town, village or city in which his parents or guardians reside. This section shall apply only to persons between the ages of fourteen and sixteen living in towns, villages and cities maintaining schools as provided in sections 553p-1 to 553p-9, inclusive, of the statutes.

Approved June 18, 1915.

CHAPTER 296.—*Sunday labor.*

SECTION 1. There is added to the statutes a new section to read:

What not permitted.

Section 4595da. The keeping open of a store or shop in cities of the first class, for the sale of groceries, meats or meat products, on the first day of the week, shall not be deemed a work of necessity or charity.

Approved June 23, 1915.

CHAPTER 360.—*Exemption of wages from execution.*

SECTION 1. There is added to the statutes a new section to read:

Public employees.

Section 3716a. Whenever any person, firm or corporation shall recover a judgment against any person who is an officer or employee of the State, or of any county, city, village, town, school district or other municipal corporation, the person, firm or cor-

poration recovering such judgment may, within thirty days after the entry thereof, file a certified copy of such judgment with the secretary of state, or the clerk of such county, city, village, town, school district or other municipal corporation, as the case may be. It shall thereupon become the duty of the proper officers of such State, county, city, village, town, school district or other municipal corporation, after the expiration of thirty days, to pay to the owner of such judgment such sum as at the time of filing such certified copy is due, or may thereafter become due from the State, or any such county, city, village, town, school district or other municipal corporation, to such officer or employee as salary or wages, not to exceed the amount of such judgment, and to deduct the sum so paid from the amount due to such officer or employee as salary or wages: *Provided*, That the salaries and wages of such officers and employees shall be exempt from the provisions of this section to the same extent as salaries and wages are by law exempt from garnishment, and that this section shall apply only to the salaries and wages of such officers and employees as receive a fixed sum monthly or yearly: *Provided further*, That if any such officer or employee shall, within thirty days after such certified copy is filed with the secretary of state, or the clerk of any such county, city, village, town, school district or other municipal corporation, file with such secretary or such clerk an affidavit, that an appeal has been, or will be taken from such judgment within the time prescribed by law, such payment shall not be made until the final determination of such appeal, and that if such affidavit is not filed, payment made as herein provided shall be a final discharge of any liability of the State, or any such county, city, village, town, school district or other municipal corporation, to such officer or employee to the extent of such payment.

Exemption.

Approved July 6, 1915.

CHAPTER 420.—*Employment of children—School attendance.*

[This act amends section 1728c-1, Wisconsin Statutes, by requiring attendance at day school for 5 hours per week for 8 months instead of 6, or for 4 hours per week for 10 months instead of 8. It also adds a new section 1728c-2, as follows:]

SECTION 1. There is added to the statutes a new section to read:

Section 1728c-2. 1. Whenever an industrial, continuation or commercial school shall be established according to the provisions of section 553p-1 to 553p-9, inclusive, of the statutes, in any town, village or city, any minor in employment between the ages of sixteen and seventeen, residing in such town, village or city, shall attend such school in the daytime not less than five hours per week for six months in each year or four hours per week for eight months, as may be determined by the local board of industrial education. Every employer shall allow all such minor employees a reduction in hours of work of not less than the number of hours the minor is by this section required to attend school. Whenever the working time and the class time coincide, such reduction in hours of work shall be allowed at the time when the classes which the minor is by law required to attend are held.

Continuation,
etc., schools.

2. Any violation of this section shall be punished as is provided in the case of violation of the provisions of section 1728a of the statutes.

Approved July 20, 1915.

CHAPTER 421.—*Employment of children—Violations of statute.*

SECTION 1. Subsection 1 of section 1728h of the statutes is amended to read:

Section 1728h. 1. Any person, firm or corporation, agent or manager of any firm or corporation who, whether for himself or for

Violations.

such firm or corporation, or by himself or through agents, servants or foremen, shall employ, require, suffer or permit any person to work in any employment prohibited under the provisions of section 1728a, or hinders or delays the commissioner of labor, the factory inspector or assistant factory inspectors, or truant officers, or any or either of them, in the performance of their duties, or refuses to admit or locks out any such officer from any place required to be inspected by said sections, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than two hundred dollars for each offense, or imprisoned in the county jail not longer than thirty days.

Penalty.

Approved July 20, 1915.

CHAPTER 450.—*Assignments of wages.*

[This act amends section 1691, Wisconsin Statutes, by providing a maximum interest rate on debts secured by assignments of wages, etc. This sum is additional to the ten per cent contract rate generally permitted, and is fixed at seven per cent per annum on debts of \$100 or less, and four per cent on debts of larger amounts, such annual rates to cover all commissions, renewals, or charges of any kind, part payments and the dates thereof being disregarded.]

CHAPTER 457.—*Employment of labor—False advertisements.*

SECTION 1. Section 1729o of the statutes is repealed.

SEC. 2. There is added to the statutes a new section to read:

False statements forbidden.

Section 1729p. 1. It shall be unlawful to influence, induce, persuade or engage workmen to change from one place of employment to another in this State, or to bring workmen of any class or calling into this State to work in any department of labor in this State, through or by means of any false or deceptive representations, false advertising or false pretenses concerning the kind and character of the work to be done, or amount and character of the compensation to be paid for such work, or the sanitary or other conditions of the employment, or failure to state in any advertisement, proposal or contract for the employment that there is a strike or lockout at the place of the proposed employment, when in fact such strike or lockout then actually exists in such employment at such place. Any of such unlawful acts shall be deemed a false advertisement, or misrepresentation for the purposes of this section.

Violations.

2. Any person, who, by himself, his servant or agent, or as the servant or agent of any other person, or as an officer, director, servant or agent of any firm, corporation, association or organization of any kind, shall violate any of the provisions of subsection 1 of this section shall upon conviction thereof be punished by a fine of not more than two thousand dollars or by imprisonment in the county jail not more than one year or by both such fine and imprisonment.

Damages.

3. Any person who shall be influenced, induced or persuaded to engage with any persons mentioned in subsection 1 of this section, through or by means of any of the things therein prohibited, shall have a right of action for recovery of all damages that he shall have sustained in consequence of the false or deceptive representation, false advertising or false pretenses used to induce him to change his place of employment, against any person or persons, corporations or companies or associations, directly or indirectly causing such damage; and in addition to all such actual damages such workman may have sustained, shall be entitled to recover such reasonable attorney fees as the court shall fix, to be taxed as costs in any judgment recovered.

Approved, July 29, 1915.

CHAPTER 541.—*Industrial commission—Appropriations.*

SECTION 1. Subsection 1 of section 172-15 of the statutes, is amended to read:

(Section 172-15.) 1. There is * * * appropriated, * * * Amount.
 on July 1, * * * 1915, * * * seventy-seven thousand one hundred seventy-eight dollars and sixty-nine cents and annually beginning July 1, 1916, one hundred five thousand seven hundred fifty dollars payable from any moneys in the general fund not otherwise appropriated, for the industrial commission to carry into effect the powers, duties and functions provided by law for said commission.

SEC. 2. There is [are] added to section 172-15 of the statutes four new subsections to be numbered and to read:

(Section 172-15.) 3. All moneys received by each and every person for or in behalf of the industrial commission under subdivision (12) of section 2394-52, shall be paid into the State treasury within one week of receipt, and all such deposits are appropriated for said commission to carry into effect the provisions of said subdivision. Sums collected.

5. There is annually appropriated, beginning July 1, 1915, three thousand five hundred dollars, payable from any moneys in the general fund not otherwise appropriated, for the industrial commission to carry out the provisions of sections 2377 to 2387, inclusive, of the statutes. Annual appropriations.

6. There is annually appropriated, beginning July 1, 1915, two thousand four hundred dollars, payable from any moneys in the general fund not otherwise appropriated, for the industrial commission to carry out the provisions of sections 1729-1 to 1729s-12, inclusive of the statutes.

7. There is annually appropriated, beginning July 1, 1915, five thousand dollars, payable from any moneys in the general fund not otherwise appropriated, as a contingent appropriation for the industrial commission to carry into effect the powers, duties and functions of said commission.

Approved, August 10, 1915.

ORDERS OF THE INDUSTRIAL COMMISSION—1915.

Zinc mines.

ORDER 300. All hoisting compartments hereafter sunk in which men are hoisted in cans by power hoists must be not less than 5½ feet by 5½ feet in the clear. Hoisting compartments.

ORDER 301. Every mine or isolated underground working, reached by a vertical shaft only, must have at least one shaft equipped with a substantial ladder. This ladder must be of sufficient strength to sustain a load of 200 pounds for each eight feet of length, and must be anchored at the bottom. No ladder shall be inclined backward. Ladders.

ORDER 302. Ladders must be provided in all shafts in course of sinking to within such a distance of the bottom as will secure them from damage by blasting. From the end of such ladders chain, or other extension ladders, must be continued to the shaft bottom. Same.

ORDER 303. Every shaft must be equipped at the top with a substantial railing not less than three feet in height and must be constructed with two rails, the bottom rail being placed midway between top rail and floor. All openings in the railing must be equipped with a bar or gate. Where bars are used, lap bars with a lap of not less than two feet are permitted. Toe boards must be provided not less than 6 inches in height. Guards.

ORDER 304. In every mine the shaft in use must be lighted at the top and bottom landings with a fixed light. Lights.

ORDER 305. The cable hook must be closed with a spring snap. All hooks must be made of Norway iron, not less than 1¼ inches in diameter. Hooks must be kept in good repair. Hooks.

- Tamping bars.** ORDER 306. All tamping bars and powder punches must be of wood, or equipped with wood or copper tips.
- Explosives.** ORDER 307. Dynamite, caps or other explosives must not be stored or thawed in the change house or in other buildings frequented by employees. Dynamite and caps must be kept in separate magazines, both above and below ground. Only a sufficient quantity of explosives shall be stored underground to meet the estimated requirements of the succeeding twenty-four hours.
- A suitable thawing house must be provided for use where high explosives are to be thawed. A thawing house must not be heated with steam under pressure. Thawing houses must be located at least 300 feet from mine structures and dwellings. Refuse must not be allowed to collect in the thawing house, and primers must not be prepared in either the thawing house or the magazine.
- A suitable magazine must be provided for the storage of high explosives. Where conditions will permit, a natural isolation should be chosen, as far from the mine buildings and dwellings as is practicable.
- Cables.** ORDER 308. All hoisting and haulage cables used in vertical and inclined shafts must have a factor of safety of not less than eight, by which is meant that the ultimate strength of the cable must not be less than eight times the total weight on such cable. Spliced cables must not be used for hoisting. Hoisting cables must be securely fastened to the drum and when in use, must never be fully unwound, but at least one and one-half full turns must be left on the drum when the car is at the bottom of the shaft.
- Hoists.** ORDER 309. All mine hoists must be equipped with an efficient brake and also an additional device for stopping, such as a friction clutch or an auxiliary brake. The hand or foot levers used for operating the brake must be placed so as to be within immediate reach of the operator in any emergency.
- Balls.** ORDER 310. All can or tub balls must be made of Norway iron, not less than 1½ inches in diameter. Balls must never be welded. This order applies to cans of 1000 pounds capacity. On cans, skips and cars of other capacities, the balls or attachments must be of proportionate strength.
- Lifting cables.** ORDER 311. All lifting cables must pass around an oval thimble, must lap back not less than eighteen inches and must be securely fastened with not less than three cable clamps. A tapered socket with babbitt may be used.
- Signal system.** ORDER 312. All shafts where power hoists are used must be equipped with a signal system. A copy of the signal code must be posted at shaft landings and in hoist room. The following uniform code of signals is recommended:
- One bell-----Start or stop.
Two bells-----Lower.
Three bells-----Prepare to hoist men.
Three bells, followed by one bell-----Hoist men.
- Water and mud.** ORDER 313. Pools of water or mud must not be permitted on the floor of the shaft house nor at shaft landing within six feet of the entrance to shaft way.
- Waste oil.** ORDER 314. Waste oil or grease must not be permitted to drip in the stairs or mine buildings.
- Dressing room.** ORDER 2223. When twenty or more men are employed underground, a sanitary change house must be provided. Such change house must be properly heated and must be supplied with water and adequate lavatories. The change house must be well lighted and kept in clean and sanitary condition.
- Ventilation.** ORDER 2224. In mines where smoke, gases, or foul air are not removed by natural ventilation, after blasting, before the next shift starts work, some effective means of ventilation must be provided.

Inspection and regulation of factories—General provisions.

[Orders 1 to 20 appear in Bulletin No. 148. The following are of subsequent adoption:]

ORDER 21. The crank shaft and crank disk on all engines, where exposed to contact, must be guarded. Crankshafts.

ORDER 22. All stair steps and platforms located on engines or large machines for the use of operators and oilers must have a rough or nonslip surface to prevent slipping. Steps on engines.

ORDER 23. On all metal planers the space between the ways, which is exposed to contact, must be guarded. Metal planers.

ORDER 24. All parts of engines and other machines which need frequent oiling when the machine is in motion, and when the oil cup is so located as to make it dangerous to reach while the machine is in motion, must be equipped with automatic oilers, or some other means must be provided to guard the oiler. Oilers.

ORDER 25. All projecting parts on revolving shafts such as collars, clamps, split links, couplings, etc., where such parts are dangerous and are exposed to contact, must be guarded. Guards on revolving shafts.

ORDER 26. In each room of a place of employment, where machinery is used, means must be provided by which the power can be disconnected from the machines and line shafts. Disconnecting devices.

ORDER 27. All drop hammers used on work which requires the operator to place his hand beneath the hammer when he places the part in position, must be guarded. Drop hammers.

ORDER 28. When drop hammers which throw off sparks and scales are located near a passageway where persons pass along to the rear of the machine, a shield must be provided to stop the sparks and scales. Same.

ORDER 29. All board drop hammers must be so equipped with limit chains, limit stops or other devices so attached that the board cannot be thrown out of the guides and fall on the operator. Board drop hammers.

ORDER 30. The tool of every power press used for such work as punching, stamping, blanking, shearing or embossing, must be guarded. Power presses.

ORDER 31. All platen presses such as are used to cut and crease cardboard must be so guarded that the operator will not be accidentally caught between the platen and the die. Platen presses.

ORDER 32. All presses, drop hammers, and other machines which are set in motion with a tripping device, must be so equipped that when not in use or when being adjusted or repaired the trip can be locked or blocked so that it can not be accidentally tripped. Locks.

ORDER 33. All revolving stock which projects from the end of machines, such as tool and turret lathes, and automatic machines, must be guarded. Revolving stock.

ORDER 34. All fans, when exposed to contact, must be guarded. Fans.

ORDER 35. All revolving barrels, drums or cylinders, such as rattlers, cleaners, churns, etc., where dangerous and where exposed to contact, must be guarded. Barrels and drums.

ORDER 36. All counterweights, where exposed to contact, must be guarded. Counterweights.

ORDER 37. All overhead trolleys such as are used in shops, must be so constructed, or so guarded, as to make it impossible for the carriage to jump the track or run off the track at the end or at the switch. Overhead trolleys.

ORDER 38. Where valves in daily use which can not be operated from the floor are located higher than ten feet above the floor, a platform with stairs or stationary ladder must be provided. High valves.

ORDER 39. On all machines where a moving part, such as the bed to a metal planer, leaves less than 18 inches between it and another object when it reaches the limit of its travel, such part, if exposed to contact, must be guarded. Guards for moving parts.

ORDER 40. The truck wheels of all overhead traveling cranes must be guarded. Crane truck wheels.

- Runways.** ORDER 41. All overhead electric traveling cranes must be equipped with a runway on one side which must extend the full length of the crane bridge. Such runways must be equipped with a substantial railing and toe boards. The cracks between the boards of the floor of such runway or platform must not be wider than 1-4 inch.
- Switches.** ORDER 42. In the cab of every overhead electric traveling crane a switch must be provided which will enable the operator to cut off the current from the crane.
- Stairway.** ORDER 43. All overhead electrical traveling cranes must be provided with a stairway or permanent ladder which will give safe access to the crane cab. If stairway is used it must be equipped with a substantial railing. If ladder is used it must extend not less than 4 feet above the floor of the crane cab.
- Cabs.** ORDER 44. The crane cabs of all overhead electrical traveling cranes must have a solid floor and must be inclosed on sides either with a solid inclosure or a railing, to a height of not less than 36 inches. If a railing is used toe boards must be provided.
- Loading.** ORDER 45. The maximum safe working loads for all hoisting cables used in places of employment must be not more than 1-7 of the breaking load as given in the schedules of the cable manufacturers. Cables are considered unsafe and must be condemned when through broken wires, wear, rust, undue strain, or other conditions indicating deterioration, the strength of the cable has deteriorated 25 per cent.
- Protection for eyes.** ORDER 46. Where men are doing work whereby any substance is thrown off which may injure the eyes, suitable goggles or spectacles or other efficient guard must be provided by the employer.
- Work in cupolas.** ORDER 47. When men are relining or doing other work in a cupola a guard must be provided by the employer which will prevent other men from throwing parts into the cupola door and upon the workmen below.
- Corner staying machines.** ORDER 48. All corner staying machines such as are used to fasten corners on cardboard boxes must have pressure head guarded.
- Leather dressing, etc., machinery.** ORDER 49. All machines with revolving cylinders, to which cylinders are attached knives, blades, brushes, sandpaper, etc., used for the purpose of surfacing hides and leather, such as fleshing machines, setting out machines, shaving machines and brush machines, must be guarded.
- Glazing, etc., jacks.** ORDER 50. All jacks used for glazing, rolling, pebbling, and setting out, must be guarded.
- Setting - out machines.** ORDER 51. All setting-out leather machines with horizontal traveling tables must be so guarded that the operator can not be caught by the tables while taking out pieces of leather between setting out blades.
- Rolls, etc.** ORDER 52. All rolls, wheels and brushes, when exposed to contact and when they revolve in such a way with regard to other revolving or stationary parts that a person may be accidentally caught and drawn in, must be guarded.
- Excavations.** ORDER 53. All excavations, when so located that persons may accidentally fall into them must be guarded, and at night must be equipped with a red light. All excavations which are located in sandy or wet soil, or any soil which is liable to cave in must be securely shored up.
- Vats and tanks.** ORDER 54. All vats and tanks which contain hot liquids, acids or other injurious chemicals; or vats and tanks which are of sufficient depth to be dangerous, and where such vats and tanks are exposed to contact, must be guarded.
- Pits, man-holes, etc.** ORDER 55. All pits, manholes, and openings in floors, platforms and sidewalks, must be guarded. If trapdoors are used the door and hinges must be flush with the floor and the door must have a rough or nonslip surface.
- Window cleaners.** ORDER 56. In all public buildings and places of employment every window above the first story, or where the top of the window is more than 20 feet from the ground, except windows which

are cleaned from within, must be provided with an efficient safety device to protect the window cleaner. Such safety device must consist of:

(a) A safety belt must be provided for each window cleaner, which belt must be fastened at each end to a permanent attachment which must be bolted through the window frame and be secured by a nut and washer on the inside; or

(b) A substantial, movable platform which is projected through the window for the window cleaner to stand upon and which is provided with a substantial railing; or

(c) Other equally efficient device.

ORDER 57. When a doorway or corner of a building is located near a railroad or trolley track so that a person is liable to suddenly and unexpectedly walk out onto the track in front of approaching engine or cars an efficient guard must be installed with a warning sign. Doorways near railroad tracks.

ORDER 58. Where ladders are not used when oiling overhead shafting and machinery, or doing other overhead work, a runway or platform equipped with toe boards and handrails must be provided. The cracks between the boards of the floor of such runway or platform must not be wider than one-fourth inch. Such runway or platform must be so placed as to make it convenient and safe for the workman to do his work. A permanent ladder, or stairway equipped with handrails must be provided to reach such runway or platform. Overhead runways.

ORDER 59. All trestles on which cars run, which are also used as walk ways for men must be equipped with a walk way on the outer edge, so located as to give safe clearance to cars. Such walk ways must be equipped with toe boards and handrails. Where a trestle crosses a driveway or passageway the trestle over such points must be solidly boarded over. Trestles and walks.

ORDER 60. All spinners, such as are used in twine mills, when the flyers are exposed to contact, must be equipped with guards so adjusted as to completely cover the flyers and so locked that they can not be opened when the flyers are in motion. Flyers on spinners.

Paper mills.

ORDER 61. On all machine calenders used in paper mills, except supercalenders, each roll must be equipped with an efficient doctor. Paper calenders.

ORDER 62. On all machine calenders, except supercalenders, where the paper is taken over the top roll to be fed into the first nip, a feeding belt or other efficient device must be provided to conduct the paper into the first nip and thus make it unnecessary for the operator to use his hands in this dangerous place. Feeding belts.

ORDER 63. On all paper machines with drier felts, each lower drier must be equipped with an efficient doctor. Driers.

ORDER 64. On all drum winders where the drum and paper roll run in on the operating side, the point of contact must be guarded. Drum winders.

ORDER 65. The winding reels in paper mills used with the paper machine, where the rolls of paper run in, must be guarded or the reels must be so constructed that it is impossible to have less space than 8 inches between the reels of paper when they reach the maximum size. Winding reels.

ORDER 66. All barkers and chippers must be so equipped that the speed is maintained within safe limits. Barkers and chippers.

Woodworking.

[Orders 200 to 204 appear in Bulletin No. 148. The following is of subsequent adoption:]

ORDER 205. The counterweights of all swing saws must be equipped with a safety chain or stop and the frame of such saws must be equipped with limit chain or stop to prevent the saw from swinging too far forward. Swing saws.

Factory, etc., regulations—Existing buildings.

Scope of orders. **ORDER 6100.** Under this classification are included all factories and workshops (including all places where manual labor is employed), office buildings, telegraph and telephone offices, mercantile establishments where commodities are bought or sold, restaurants, accommodating not more than 100 persons, warehouses, railroad stations, and exhibition buildings.

Exits. **ORDER 6101.** Every building more than one story in height (except two story buildings which accommodate not more than 20 persons above the first story) shall have at least two exits. In large buildings, or where a large number of persons are employed, or where there is an especially hazardous condition, additional exits shall be provided, if required, so as to afford safe egress for all the occupants.

The exit herein required shall be either stairways or fire escapes or horizontal exits. But in every nonfireproof building more than two stories in height, at least one exit shall be a fire escape or an outside stairway or a horizontal exit, unless the building is equipped throughout with an approved automatic sprinkler system, or unless there are at least two stairways inclosed with fireproof or semifireproof partitions and doors.

Fire escapes. **ORDER 6102.** Fire escapes hereafter constructed shall be stairway fire escapes as described in orders 6015-6025; on buildings which accommodate more than 50 persons on any story above the second, such fire escape shall be a "B" fire escape or there shall be two "A" fire escapes. Existing stairway fire escapes will be accepted if strongly and properly built and in good condition. Existing fire ladders will be accepted as emergency exits under this order where not more than 10 males and no females are employed or accommodated on any floor above the first. In all other cases existing fire ladders will not be accepted as exits after October 1, 1917.

[The requirements as to fire escapes in the orders named are in their main features like those prescribed in orders 5121 to 5130, Bulletin No. 166.]

Stairways. **ORDER 6103.** Outside stairways heretofore constructed will be accepted if in good condition. Every outside stairway hereafter constructed as a required exit from a building of more than two stories, shall be covered by a roof, and shall be made of incombustible material except that the treads and floors may be of wood at least 1½ inches thick.

Inside stairways at a steeper angle than 45 degrees with the horizontal, will not be accepted as exits.

All stairways and steps of more than three risers shall have at least one handrail. Stairways and steps which are 5 feet or more in width, or which are open on both sides, shall have a handrail on each side. Rails shall be not less than 2 feet 6 inches vertically above nose of treads or 3 feet above platform.

Width of stairways. **ORDER 6104.** In a building not provided with horizontal exits, the total width of stairways (if inclosed) and stairway fire escapes (if protected by fireproof windows) shall be not less than the following:

In ordinary or frame buildings:

Sprinklered	40 in. per 100 persons
Not sprinklered	60 in. per 100 persons

In fireproof or mill buildings:

[The table used is the same as in order 5404, Bul. No. 166, p. 227.]

This table is based on the assumption that in buildings over three stories in height the inside stairways will be inclosed by fireproof or semi[fire]proof partitions and doors, and that the fire escapes will either be placed against a blank wall or, if they pass windows, the windows will have metal frames and sash and wire glass. In buildings of more than three stories where the stairways are not thus inclosed or the fire escapes are not thus pro-

tected, such stairways or fire escapes shall be calculated at only one-half of their actual width; that is, they shall be considered as being only 50 per cent efficient. Ladders shall not be given any credit in calculating the total width of exits.

If horizontal exits are provided for any floor, the number of persons accommodated on such floor may be increased at the rate of 100 persons for each 40 inches width of such exits, provided such increase shall not exceed 100 per cent of the number of persons accommodated by the stairways and fire escapes.

ORDER 6105. In calculating the aggregate width of exits, the capacity of buildings shall be established as follows: Capacity of buildings.

In wholesale mercantile establishments and warehouses, by the number of persons employed therein plus an equal number of customers.

In retail mercantile establishments and exhibition halls, the capacity shall be determined by the architect or owner and no greater number of persons shall be permitted therein; but such number shall in no case be less than one person per 100 square feet of gross floor area excluding elevators and stairways.

In all other buildings, the capacity shall be determined by the actual number of persons engaged therein, and no greater number of persons shall be permitted therein.

ORDER 6106. Every door which serves as the exit from a stairway shall be not more than 20 feet distant from the stairway unless the passageway from the stairway to the door is inclosed with fireproof or semifireproof partition and doors. Every such door, and also every door which serves as an exit for more than 30 persons, shall be a standard exit door as described in order 6026. Exit doors.

ORDER 6107. Every public passageway or aisle leading to or from a stairway, fire escape, or exit door, shall be kept clear and unobstructed at all times. Where loose chairs or seats would be liable to cause confusion or obstruction, such chairs or seats must be fastened. Passageways.

ORDER 6108. All passageways and stairways when used at night shall have lights at the head and foot of each flight of stairs, and at the intersections of all corridors and passageways. Where "B" fire escapes are required, such fire escapes shall be lighted whenever the stairways are required to be lighted. Lighting.

All gas jets or gas lights in factories or workshops where combustible material is used, shall be properly inclosed by globes or wire cages, or otherwise properly guarded.

ORDER 6109. For exterior standpipes see order 6024.

Standpipes.

[Pipes are to extend from within 5 feet of the ground to 3 feet above roof or cornice, and be not less than 3 inches in diameter, with 2½-inch outlet hose valve on each floor.]

Standard interior standpipes [connected with city main, with opening at each story], or fire extinguishers [2½ gallon, soda-acid type], or water pails, in such number as may be required by the industrial commission, State fire marshal or fire department, shall be provided in all buildings of more than two stories where inflammable material or any other hazardous condition is present, unless an approved automatic sprinkler system is provided.

ORDER 6110. A complete automatic sprinkler system [city system or tank supply] shall be provided in every building of this classification (except office buildings not used for mercantile purposes) where more than 50 persons are employed or accommodated above the third floor, except as provided below. Automatic sprinklers.

In every such building where more than 50 persons are accommodated above the second floor, an automatic sprinkler system shall be provided in the basement and sub-basements, except where there is no city water supply.

An office building in which one or more of the lower floors is used for mercantile purposes, shall be classed as a mercantile building, except that no sprinklers will be required in such portions of the building as are used for offices only.

- No sprinklers will be required in a building of fireproof construction whose contents are not readily combustible.
- Fire alarm.** ORDER 6111. An approved fire alarm system shall be provided in every factory or workshop where more than 10 persons are employed above the second story, excepting fireproof buildings whose contents are practically incombustible.
- Floor loads.** ORDER 6112. Floors shall not be loaded beyond the safe load which corresponds to the unit stresses specified in orders 5303, 5313, 5316 and 5317 of the State building code.

RULES OF THE INDUSTRIAL COMMISSION—1915.

Bakeries.

- [Many of these rules relate to the construction and care of buildings and utensils and to the storage and handling of materials and products. Only those that relate more directly to the conduct and convenience of the employees are reproduced.]
- Outer garments.** 83. The outer garments to be worn by bakery workmen while at work shall consist of caps, shoes or slippers, and overalls or aprons to which bibs must be attached, and these garments shall be used for no other purpose. In no case shall bakery products come in contact with shirts or other garments that lie next to bare skin of the workmen.
- Same.** 84. External garments used in bakeries must be washed at least once a week and undergarments must also be kept clean.
- Female employees.** 85. The outer garments of female employees shall consist of shoes or slippers, and large aprons with bibs. These garments shall be used for no other purpose. The hair must be compactly and neatly done up in caps or nets. Aprons and bibs must be washed at least once a week.
- Washing hands.** 86. All persons working in bakeries who handle or touch goods that are to be eaten shall wash their hands and arms with soap or other equally efficient material, and clean water before beginning work and every time they have made use of water-closet, urinal or privy, and every time they change from one kind of work to another, and every time their work is interrupted for any cause, before again touching or handling bakery products.
- Finger nails.** 87. All persons working in bakeries must keep their finger nails absolutely clean.
- Deliveries.** 88. No person delivering bakery goods shall handle the same with dirty hands or piled against his body or clothes, but all deliveries must be made in clean baskets, boxes, trays, or other containers.
- Spitting.** 89. No person shall spit or expectorate or deposit any sputum, mucus, tobacco juice, cigar or cigarette stumps or quids of tobacco on the floor, walls or furnishings of any bakery.
- Tobacco.** 90. No person shall smoke, chew, or snuff tobacco while at work in any bakery.
- Skin diseases.** 91. No person afflicted with any skin disease or with any communicable disease, shall work or be permitted to work in any bakery. Nor shall any such person handle, sell or deliver or be employed by any person operating a bakery, in the sale or delivery of any bakery product.
- Infectious diseases.** 92. No person who lives in a house in which a case of contagious or infectious disease exists, or has existed within six months, shall work or be permitted to work in any bakery unless such house has been properly disinfected, or unless the local board of health issues a certificate in writing that no danger to the public health would result from his working therein.
- Loathsome diseases.** 93. No food shall be handled, prepared or cared for in any bakery by any person afflicted with a loathsome or a venereal disease, and no person so afflicted shall be employed in or about any bakery.
- Water-closets.** 98. Water-closets or privies must be provided conveniently accessible to all persons employed in bakeries.

99. Places where workmen change their clothing must be light and partitioned off by a wall or other substantial partition at least six feet high and must be warmed during cold weather. **Dressing rooms.**
100. Rubbish must be removed from dressing rooms daily and the rooms well cleaned at least once a week. They must be kept free from vermin at all times and must be disinfected at once after becoming contaminated or infected. **Cleanliness.**
101. Every bakery shall be equipped with water under pressure or in lieu thereof, sufficient wash basins and plenty of clean water may be provided. Good soap and towels shall also be provided to enable persons working in bakeries to keep clean. **Washing conveniences.**
102. Every person employed in mixing or preparing ingredients and every person engaged in handling, molding, scaling, shaping or baking bakery products shall be provided with at least one clean towel each day. **Towels.**
103. Where persons of both sexes are employed, separate dressing rooms shall be provided for each sex. **Separate dressing rooms.**
104. If persons of both sexes to the number of eight or more are employed or in attendance at any bakery, separate water-closets or privies shall be provided for each sex. **Separate toilets.**
105. In bakeries where it is necessary to maintain separate water-closets or privies for females, at least one such convenience shall be provided for every twenty-five females or fraction thereof. **Number.**
106. In bakeries where it is necessary to maintain water-closets or privies for males, there shall be one such convenience for every twenty-five males: *Provided*, That in bakeries where the number of males employed or in attendance exceeds one hundred, and sufficient urinal accommodation is also provided, it shall be sufficient if there is one water-closet or privy for every twenty-five males up to the first hundred, and one for every forty thereafter. **Same.**
111. Prism lights must be provided whenever necessary in order to light every part of rooms. **Lighting.**
112. No room should be used as bake room or workroom in which artificial light is needed for ordinary purposes all the time. **Same.**
113. Rooms to be used as bake rooms or workrooms should be of sufficient size to allow each person employed therein at least 350 cubic feet of air space. **Air space.**
114. Each open fish-tail gas flame shall be considered to use air equal to six persons unless means are provided to carry off the waste products of such gas flames. **Gas flames.**
115. Each Bunsen burner shall be considered to consume as much air as two persons. **Bunsen burn-ers.**
116. Provisions must be made to change air completely in work-rooms sufficiently often to furnish each person employed therein at least 1,500 cubic feet of fresh air each hour after deducting air consumed by gas or other open fires. **Change of air.**
117. Every bakery shall be provided with ventilating flues or in lieu of such flues, chimneys may be arranged so as to ventilate the bakery properly. **Flues.**
118. All outside windows shall be arranged so that they can be opened easily for the purpose of ventilation. **Windows.**

WYOMING.

ACTS OF 1915.

CHAPTER 32.—*Mothers' pensions.*

SECTION 1. Whenever any woman whose husband is dead or has become permanently disabled for work by reason of physical or mental infirmity or is a prisoner, or has deserted her and such desertion has continued for a period of one year, and such woman is poor and is the mother of children under the age of 14 years, and such mother and children have been legal residents in any county of the State for one year, the district court or the judge thereof may make an allowance to such woman as follows:

Who may receive aid.

First, not to exceed \$20 a month, when she has but one child under the age of 14 years, and if she has more than one child under the age of 14 years, such allowance shall not exceed \$20 a month for the first child and \$10 a month for each of the other children under the age of 14 years. The order making such allowance shall not be effective for a longer period than 6 months, but upon expiration of such period said court may from time to time extend such allowance for a period of 6 months or less. The home of such woman shall be visited from time to time by a probation officer, agent of an associated charity organization, humane agent, or such other agent as the court may direct: *Provided*, That the person who actually makes such visits shall be thoroughly trained in charitable relief work, and the report or reports of such visiting agent shall be considered by the court in making such order.

Amount.

Inspection.

SEC. 2. Such allowance may be made by the district court or the judge thereof only upon the following conditions:

Conditions.

First. The child or children for whose benefit the allowance is made must be living with the mother of such child or children.

Second. The allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and that by means of such allowance she shall be able to remain at home with her children except by absence for work for such time as the court deems advisable.

Third. The mother must in the judgment of the district court or the judge thereof be a proper person morally, mentally and physically for the bringing up of her children.

Fourth. Such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect and to avoid the breaking up of the home of such woman.

Fifth. It must appear to be for the benefit of the children to remain with such mother.

Sixth. A careful preliminary examination of the home of such mother must first have been made by the probation officer, an associated charities organization, humane agent, or such other competent person or agent as the court may direct, and a written report of such examination filed.

SEC. 3. It shall be the duty of the board of county commissioners to make an appropriation of such sum as may be recommended by the district court or the judge thereof for the purpose of paying such allowances as may be made during the year.

Sum to be provided.

SEC. 4. All payments of allowances as herein provided shall be made on warrants drawn as other county warrants are drawn and paid by the county treasurer out of such fund.

Payments.

Applications. SEC. 5. A petition for such an allowance may be made by any woman coming within the purview of this act, or it may be made on her behalf by any probation officer, associated charities organization, or humane agent, and when such petition is filed it shall be set down for hearing at a time fixed by the court, and the report of the probation officer, associated charities organization, or humane agent designated by the court to make the examination and report as required by section 2 of this act shall be filed on or before such hearing, and upon the date fixed the court shall hear said report and any other evidence that may be offered, and at the conclusion of the same make such order as to the court seems proper in such matters.

Approved February 15, 1915.

CHAPTER 45.—*Hours of labor of women.*

Ten-hour day. SECTION 1. No female shall be employed, or suffered or permitted to work in any manufacturing, mechanical, mercantile, printing, baking, laundering, or canning establishment or hotel, or telephone exchange, restaurant, theater or place of public amusement, more than fifty-six hours in any one week, nor more than ten hours in any one day, and such working hours shall not extend over a longer period than twelve hours in any one day, and the continuous period of employment without rest shall not be for a period of hours longer than six, and the period specified by the word "lunch," shall not be less than one-half hour nor more than for two hours; nor shall there be included in any one week more than two days of ten hours each.

Exemptions. SEC. 2. The provisions of section 1, of this act shall not apply to telephone offices or exchanges, employing three females or less, or to hotels and restaurants operated by railroad companies.

Violations. SEC. 3. The employment of any female for a longer time in any day or in any week than as so provided in section 1, of this act, shall be deemed a violation of this act, and any person, firm or corporation so violating the provisions hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars (\$25), nor more than one hundred dollars (\$100), or by imprisonment in the county jail for a period of not less than thirty (30) days or more than ninety (90) days, or by both such fine and imprisonment: *Provided further,* That each and every violation shall constitute a separate offense.

Approved February 23, 1915.

CHAPTER 67.—*Mine regulations—Examination of mine bosses, etc.*

SECTION 1. Section 3522 of the Compiled Statutes of 1910 [shall] be amended and reenacted to read as follows:

Examination of mining bosses, etc. Section 3522. Said board of examiners shall meet at the call of the inspector of the district, and they shall grant proper certificates to all persons whose examination shall disclose their fitness for the duties of mining boss, assistant mining boss, and fire boss, and such certificates shall be sufficient evidence of the competency and qualifications of the holders for the duties of said offices: *Provided, however,* That it shall be the duty of the inspector of each district to arrange for and call at least three meetings of boards of examiners each year, and to see that an opportunity is given in his district, on at least three different occasions in each year, to applicants for mining boss, assistant mining boss and fire boss certificates, to be examined by a duly authorized board: *Provided, further,* That when a State mine inspector from his inspection of any mine shall become satisfied that the mine boss, assistant mine boss or fire boss is incompetent in the performance of his duties, he may request him to undergo a reexamination before the examining board, and in the event of his refusal to un-

Derger said examination he is hereby authorized to cancel his certificate of competency, and cause the same to become null and void.

Approved February 24, 1915.

CHAPTER 77.—*Employment of children.*

SECTION 1. No child under eighteen (18) years of age shall be employed or permitted to work in any brewery, distillery, saloon, concert hall or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, bottled or sold; no child under fourteen (14) years of age employed in the public messenger service, shall be required to deliver any message, package or any other thing whatsoever to any brewery, distillery, saloon, concert hall, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, bottled or sold, or to any premises used for immoral purposes.

Employment
in breweries,
etc.

Messengers.

SEC. 2. It shall be unlawful for any person having the care, custody or control, of any child under the age of sixteen (16) years to exhibit, use or employ such child as an actor or performer in any concert hall or room where intoxicating liquors are sold or given away, or for any illegal, obscene, indecent or immoral purpose, exhibition or practice whatsoever, or for any business or in any place, situation, or exhibition, or vocation injurious to the morals or health, or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein; nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or the teaching or learning the science or practice of music, or in the physical development of its body in any respectable gymnasium or natatorium; nor shall anything in this section be construed to prevent children taking part in what are known as amateur entertainments or theatricals for charity, or not for profit, in schools, churches, settlement houses, or boys' or girls' clubs.

Certain em-
ployments for-
bidden.

SEC. 3. It shall be unlawful for any person, firm or corporation, to take, receive, hire or employ any child or children under fourteen (14) years of age, in any underground works, or mine, in or about the surface workings thereof, or to any smelter, coke oven, or to adjust any belt to any machinery, or to operate, or assist in operating, circular or band saws, wood shapers, wood joiners, planers, sand paper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories; nor shall they be employed in operating any passenger or freight elevators, steam boiler, steam machinery, or other steam generating apparatus, or automobiles, wire or iron straightening machinery; nor shall they operate, or assist in operating, rolling-mill machinery, punchers or shears, nor shall they operate, or assist in operating laundry machinery, nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors, or white lead; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes.

Dangerous
employments.

SEC. 4. No person under the age of fourteen (14) years shall be employed, or suffered, or permitted, to work at any gainful occupation, except farm work or domestic service, more than fifty-six (56) hours in any one week, or more than nine (9) hours in any one day.

Hours of
labor.

SEC. 5. No female under eighteen (18) years of age shall be employed, permitted, or suffered to work in any capacity where such employment compels her to remain standing constantly. Every person who shall employ any female under eighteen (18)

Seats for fe-
males.

years of age, shall provide suitable seats, chairs, or benches, for the use of the females so employed, which shall be so placed as to be accessible to such employees, and shall permit the use of such seats, chairs, or benches, by them in so far as the nature of their work allows, and there shall be provided at least one seat to every three (3) female employees.

Violations.

SEC. 6. Any person, firm or corporation, employing any child in violation of the provisions of this act, or permitting, or conniving at such violation, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) or imprisoned in the county jail not less than thirty (30) days nor more than ninety (90) days, or by both such punishments, in the discretion of the court.

Approved February 24, 1915.

UNITED STATES.

ACTS OF 63d CONGRESS—THIRD SESSION, 1914-1915.

ACT No. 263.—*Enforcement of antitrust law—Exemption of labor organizations.*

[This act contains the same provisions as are found in act No. 161, Bulletin No. 166.]

ACT No. 264.—*Preference of domestic materials in the manufacture of ordnance.*

SECTION 2. All material purchased under the provisions of this act [making appropriations for fortifications, ordnance, etc.] shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases in limited quantities abroad, which material shall be admitted free of duty.

Purchase of domestic supplies. Exception.

Approved March 3, 1915.

ACT No. 267.—*Inspection of steam vessels.*

SECTION 1. Sections forty-two hundred and forty-eight * * * of the Revised Statutes of the United States are hereby amended to read as follows:

Section 4448. All officers licensed under the provisions of this title shall assist the inspectors in their examination of any vessels to which such licensed officers belong and shall point out all defects and imperfections known to them in the hull, equipments, boilers, or machinery of such vessel, and shall also make known to the inspectors at the earliest opportunity all accidents or occurrences producing serious injury to the vessel, her equipments, boilers, or machinery, and in default thereof the license of any such officer so neglecting or refusing shall be suspended or revoked.

Officers to assist.

No inspector or supervising inspector receiving information from a licensed officer who is employed on any vessel as to defects in such vessel, or her equipments, boilers, or machinery, or that any provision of this title is being violated, shall impart the name of such licensed officer, or the source of his information, to any person other than his superiors in the Steamboat-Inspection Service. Any inspector or supervising inspector violating this provision shall be subject to dismissal from the service.

Approved, March 3, 1915.

ACT No. 271.—*Efficiency tests and bonuses in the naval service.*

* * * No part of the appropriations made in this act [for the naval service] shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee

Use of funds forbidden.

in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Approved, March 3, 1915.

ACT No. 292.—*Efficiency tests and bonuses in arsenals, etc.*

Use of funds
forbidden.

Provided, That no part of the appropriations made in this bill [for the support of the army] shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made, with a stop watch or other time-measuring device, a time study of any job or any such employee between the starting and completion thereof or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this bill be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no claim for services performed by any person while violating this proviso shall be allowed.

Approved, March 4, 1915.

ACT No. 302.—*Seamen.*

[SECTION 1.] Section forty-five hundred and sixteen of the Revised Statutes of the United States is hereby amended to read as follows:

Vacancies in
crew.

Section 4516. In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. This section shall not apply to fishing or whaling vessels or yachts.

Watches.

SEC. 2. In all merchant vessels of the United States of more than one hundred tons gross, excepting those navigating rivers, harbors, bays, or sounds exclusively, the sailors shall, while at sea, be divided into at least two, and the firemen, oilers, and water tenders into at least three watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management of the vessel. The seamen shall not be shipped to work alternately in the fireroom and on deck, nor shall those shipped for deck duty be required to work in the fireroom, or vice versa; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, the whole or any part of the crew are needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo, or for the saving of life aboard other vessels in jeopardy, or when in port or at sea from requiring the whole or any part of the crew to participate in the performance of fire, lifeboat, and other drills. While such vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or the following-named days: New Year's Day, the Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage. And at all times while such vessel is in a safe harbor, nine hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and to receive the wages earned. But this section shall not apply to fishing or whaling vessels, or yachts.

Holidays.

While such vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or the following-named days: New Year's Day, the Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage. And at all times while such vessel is in a safe harbor, nine hours, inclusive of the anchor watch, shall constitute a day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and to receive the wages earned. But this section shall not apply to fishing or whaling vessels, or yachts.

SEC. 3. Section forty-five hundred and twenty-nine of the Revised Statutes of the United States is hereby amended to read **Time for payment.** as follows:

Section 4529. The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and in case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within twenty-four hours after the cargo has been discharged, or within four days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage.

SEC. 4. Section forty-five hundred and thirty of the Revised Statutes of the United States is hereby amended to read as follows:

Section 4530. Every seaman on a vessel of the United States shall be entitled to receive on demand from the master of the vessel to which he belongs one-half part of the wages which he shall have then earned at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended and all stipulations in the contract to the contrary shall be void: *Provided*, Such a demand shall not be made before the expiration of, nor oftener than once in five days. Any failure on the part of the master to comply with this demand shall release the seaman from his contract and he shall be entitled to full payment of wages earned. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him, as provided in section forty-five hundred and twenty-nine of the Revised Statutes: *Provided further*, That notwithstanding any release signed by any seaman under section forty-five hundred and fifty-two of the Revised Statutes any court having jurisdiction may upon good cause shown set aside such release and take such action as justice shall require: *And provided further*, That this section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement. **Payment at ports.**

SEC. 5. Section forty-five hundred and fifty-nine of the Revised Statutes of the United States is hereby amended to read as follows:

Section 4559. Upon a complaint in writing, signed by the first and second officers or a majority of the crew of any vessel, while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage sufficient or wholesome, thereupon, in any of these or like cases the consul or a commercial agent who may discharge any of the duties of a consul shall cause to be appointed three persons of like qualifications with those described in section forty-five hundred and fifty-seven, who shall proceed to examine into the cause of complaint and who shall proceed and be governed in all their proceedings as provided by said section. **Inspection in foreign port.**

SEC. 6. Section two of the act entitled "An Act to amend the laws relating to navigation," approved March third, eighteen hundred and ninety-seven, is hereby amended to read as follows:

Space for crews. Section 2. On all merchant vessels of the United States the construction of which shall be begun after the passage of this act, except yachts, pilot boats, or vessels of less than one hundred tons register, every place appropriated to the crew of the vessel shall have a space of not less than one hundred and twenty cubic feet and not less than sixteen square feet, measured on the floor or deck of that place, for each seaman or apprentice lodged therein, and each seaman shall have a separate berth and not more than one berth shall be placed one above another; such place or lodging shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvium of cargo or bilge water. And every such crew space shall be kept free from goods or stores not being the personal property of the crew occupying said place in use during the voyage.

In addition to the space allotment for lodgings hereinbefore provided, on all merchant vessels of the United States which in the ordinary course of their trade make voyages of more than three days' duration between ports, and which carry a crew of twelve or more seamen, there shall be constructed a compartment, suitably separated from other spaces, for hospital purposes, and such compartment shall have at least one bunk for every twelve seamen, constituting her crew, provided that not more than six bunks shall be required in any case.

Every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section, so far as they are applicable thereto, by providing sleeping room in the engine room of such steamboat, properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated.

All merchant vessels of the United States, the construction of which shall be begun after the passage of this act having more than ten men on deck must have at least one light, clean, and properly ventilated washing place. There shall be provided at least one washing outfit for every two men of the watch. The washing place shall be properly heated. A separate washing place shall be provided for the fireroom and engine-room men, if their number exceed ten, which shall be large enough to accommodate at least one-sixth of them at the same time, and have hot and cold water supply and a sufficient number of wash basins, sinks, and shower baths.

Any failure to comply with this section shall subject the owner or owners of such vessel to a penalty of not less than \$50 nor more than \$500: *Provided*, That forecastles shall be fumigated at such intervals as may be provided by regulations to be issued by the Surgeon General of the Public Health Service, with the approval of the Department of Commerce, and shall have at least two exits, one of which may be used in emergencies.

SEC. 7. Section forty-five hundred and ninety-six of the Revised Statutes of the United States is hereby amended to read as follows:

Punishments. Section 4596. Whenever any seaman who has been lawfully engaged or any apprentice to the sea service commits any of the following offenses, he shall be punished as follows:

First. For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

Second. For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within twenty-four hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without

leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute.

Third. For quitting the vessel without leave, after her arrival at the port of her delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay.

Fourth. For willful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay, or, at the discretion of the court, by imprisonment for not more than one month.

Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every twenty-four hours' continuance of such disobedience or neglect, of a sum of not more than twelve days' pay, or by imprisonment for not more than three months, at the discretion of the court.

Sixth. For assaulting any master or mate, by imprisonment for not more than two years.

Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than twelve months.

Eighth. For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than twelve months.

SEC. 8. Section forty-six hundred of the Revised Statutes of the United States is hereby amended to read as follows:

Section 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused, the consular officer shall inquire into the facts and proceed as provided in section forty-five hundred and eighty-three of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner.

Insubordination.

SEC. 9. Section forty-six hundred and eleven of the Revised Statutes of the United States is hereby amended to read as follows:

Section 4611. Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section, it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable, provided he has actual knowledge of the misdemeanor, or complaint thereof is made within three days after reaching port. Any failure on the part of such master

Corporal punishment.

to use due diligence to comply herewith, which failure shall result in the escape of such officer, shall render the master or vessel or the owner of the vessel liable in damages for such flogging or corporal punishment to the person illegally punished by such officer.

**Food allow-
ances.**

SEC. 10. Section twenty-three of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December twenty-first, eighteen hundred and ninety-eight, is hereby amended as regards the items of water and butter, so that in lieu of a daily requirement of four quarts of water there shall be a requirement of five quarts of water every day, and in lieu of a daily requirement of one ounce of butter there shall be a requirement of two ounces of butter every day.

SEC. 11. Section twenty-four of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December twenty-first, eighteen hundred and ninety-eight, is hereby amended to read as follows:

Section 24. Section ten of chapter one hundred and twenty-one of the laws of eighteen hundred and eighty-four, as amended by section three of chapter four hundred and twenty-one of the laws of eighteen hundred and eighty-six, is hereby amended to read as follows:

Advances.

Section 10 (a) It shall be, and is hereby, made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order, or note, or other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100, and may also be imprisoned for a period of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment shall in no case except as herein provided absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action for the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment, as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than \$500.

Allotments.

(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children.

(c) That no allotment shall be valid unless in writing and signed by and approved by the shipping commissioner. It shall be the duty of the said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made.

(d) That no allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be such relation, as above described, of a seaman under this section shall for every such offense be punished by a fine not exceeding \$500 or imprisonment not exceeding six months, at the discretion of the court.

**Foreign ves-
sels.**

(e) That this section shall apply as well to foreign vessels while in waters of the United States, as to vessels of the United

States, and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for similar violation.

The master, owner, consignee, or agent of any vessel of the United States, or of any foreign vessel seeking clearance from a port of the United States, shall present his shipping articles at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this section have been complied with.

(f) That under the direction of the Secretary of Commerce the Commissioner of Navigation shall make regulations to carry out this section.

SEC. 12. No wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court, and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages or of any attachment, encumbrance, or arrestment thereon; and no assignment or sale of wages or of salvage made prior to the accruing thereof shall bind the party making the same, except such allotments as are authorized by this title. This section shall apply to fishermen employed on fishing vessels as well as to seamen: *Provided*, That nothing contained in this or any preceding section shall interfere with the order by any court regarding the payment by any seaman of any part of his wages for the support and maintenance of his wife and minor children. Section forty-five hundred and thirty-six of the Revised Statutes of the United States is hereby repealed.

Attachment,
etc., of wages.

SEC. 13. No vessel of one hundred tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes and except as provided in section one of this act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than seventy-five per centum of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless forty per centum in the first year, forty-five per centum in the second year, fifty per centum in the third year, fifty-five per centum in the fourth year after the passage of this act, and thereafter sixty-five per centum of her deck crew, exclusive of licensed officers and apprentices, are of a rating not less than able seaman. Every person shall be rated an able seaman, and qualified for service as such on the seas, who is nineteen years of age or upward, and has had at least three years' service on deck at sea or on the Great Lakes, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessel or coast guard vessels; and every person shall be rated an able seaman, and qualified to serve as such on the Great Lakes and on the smaller lakes, bays or sounds, who is nineteen years of age or upward and has had at least eighteen months' service on deck at sea or on the Great Lakes or on the smaller lakes, bays, or sounds, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or coast guard vessels; and graduates of school ships approved by and conducted under rules prescribed by the Secretary of Commerce may be rated able seamen after twelve months' service at sea: *Provided*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, and physical condition, such persons or graduates are found to be competent: *Provided further*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship a person found competent may be rated as able seaman after having served on deck twelve months at sea, or on the Great Lakes; but seamen examined and rated able seamen under this proviso shall not in any case compose more than one-fourth of the number of able seamen required by this section to be shipped or employed upon any vessel.

Language of
crew.

Able seamen.

Certificates. Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit and examination, under rules approved by the Secretary of Commerce, showing the nationality and age of the applicant and the vessel or vessels on which he has had service and that he is entitled to such certificate under the provisions of this section, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits upon which said certificates are issued.

Enforcement. The collector of customs may, upon his own motion, and shall, upon the sworn information of any reputable citizen of the United States setting forth that this section is not being complied with, cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart: *Provided further*, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury and upon conviction thereof shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section by the owner, master, or officer in charge of the vessel shall subject the owner of such vessel to a penalty of not less than \$100 and not more than \$500: *And provided further*, That the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of this section, and nothing herein shall be held or construed to prevent the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, from making rules and regulations authorized by law as to vessels excluded from the operation of this section.

Life-saving appliances. SEC. 14. Section forty-four hundred and eighty-eight of the Revised Statutes is hereby amended by adding thereto the following: The powers bestowed by this section upon the Board of Supervising Inspectors in respect of lifeboats, floats, rafts, life preservers, and other life-saving appliances and equipment, and the further requirements herein as to davits, embarkation of passengers in lifeboats and rafts, and the manning of lifeboats and rafts, and the musters and drills of the crews, on steamers navigating the ocean, or any lake, bay, or sound of the United States, on and after July first, nineteen hundred and fifteen, shall be subject to the provisions, limitations, and minimum requirements of the regulations herein set forth, and all such vessels shall thereafter be required to comply in all respects therewith: *Provided*, That foreign vessels leaving ports of the United States shall comply with the rules herein prescribed as to life-saving appliances, their equipment, and the manning of same.

[Then follow in detail technical regulations as to the types, capacity, equipment, numbers, stowage, etc., of various life-saving appliances.]

Lifeboat men. There shall be for each boat or raft a number of lifeboat men at least equal to that specified as follows: If the boat or raft carries twenty-five persons or less, the minimum number of certificated lifeboat men shall be one; if the boat or raft carries twenty-six persons and less than forty-one persons the minimum number of certificated lifeboat men shall be two; if the boat or raft carries forty-one persons and less than sixty-one persons the minimum number of certificated lifeboat men shall be three; if the boat or raft carries from sixty-one to eighty-five persons, the minimum number of certificated lifeboat men shall be four; if the

boat or raft carries from eighty-six to one hundred and ten persons, the minimum number of certificated lifeboat men shall be five; if the boat or raft carries from one hundred and eleven to one hundred and sixty persons, the minimum number of certificated lifeboat men shall be six; if the boat or raft carries from one hundred and sixty-one to two hundred and ten persons, the minimum number of certificated lifeboat men shall be seven; and, thereafter, one additional certificated lifeboat man for each additional fifty persons: *Provided*, That if the raft carries fifteen persons or less a licensed officer or able seaman need not be placed in charge of such raft: *Provided further*, That one-half the number of rafts carried shall have a capacity of exceeding fifteen persons.

The allocation of the certificated lifeboat men to each boat and raft remains within the discretion of the master, according to the circumstances.

By "certificated lifeboat man" is meant any member of the crew who holds a certificate of efficiency issued under the authority of the Secretary of Commerce, who is hereby directed to provide for the issue of such certificates.

In order to obtain the special lifeboat man's certificate the applicant must prove to the satisfaction of an officer designated by the Secretary of Commerce that he has been trained in all the operations connected with launching lifeboats and the use of oars; that he is acquainted with the practical handling of the boats themselves; and, further, that he is capable of understanding and answering the orders relative to lifeboat service.

Section forty-four hundred and sixty-three of the Revised Statutes as amended is hereby amended by adding the words "including certificated lifeboat men, separately stated," to the word "crew" wherever it occurs.

A licensed officer or able seaman shall be placed in charge of each boat or pontoon raft; he shall have a list of its lifeboat men, and other members of its crew which shall be sufficient for her safe management, and shall see that the men placed under his orders are acquainted with their several duties and stations. Manning of boats.

A man capable of working the motor shall be assigned to each motor boat.

The duty of seeing that the boats, pontoon rafts, and other life-saving appliances are at all times ready for use shall be assigned to one or more officers.

Special duties for the event of an emergency shall be allotted to each member of the crew. Muster roll and drills.

The muster list shows all these special duties, and indicates, in particular, the station to which each man must go, and the duties that he has to perform.

Before the vessel sails the muster list shall be drawn up and exhibited, and the proper authority, to be designated by the Secretary of Commerce, shall be satisfied that the muster list has been prepared for the vessel. It shall be posted in several parts of the vessel, and in particular in the crew's quarters.

The muster list shall assign duties to the different members of the crew in connection with— Muster list.

- (a) The closing of the water-tight doors, valves, and so forth.
- (b) The equipment of the boats and rafts generally.
- (c) The launching of the boats attached to davits.
- (d) The general preparation of the other boats and the pontoon rafts.
- (e) The muster of the passengers.
- (f) The extinction of fire.

The muster list shall assign to the members of the stewards' department their several duties in relation to the passengers at a time of emergency. These duties shall include—

- (a) Warning the passengers.
- (b) Seeing that they are dressed and have put on their life jackets in a proper manner.

(c) Assembling the passengers.

(d) Keeping order in the passages and on the stairways, and, generally, controlling the movements of the passengers.

The muster list shall specify definite alarm signals for calling all the crew to the boat and fire stations, and shall give full particulars of these signals.

Musters and drills.

Musters of the crews at their boat and fire stations, followed by boat and fire drills, respectively, shall be held at least once a week, either in port or at sea. An entry shall be made in the official log book of these drills, or of the reason why they could not be held.

Different groups of boats shall be used in turn at successive boat drills. The drills and inspections shall be so arranged that the crew thoroughly understand and are practiced in the duties they have to perform, and that all the boats and pontoon rafts on the ship with the gear appertaining to them are always ready for immediate use.

Life jackets and life buoys.

A life jacket of an approved type, or other appliance of equal buoyancy and capable of being fitted on the body, shall be carried for every person on board, and, in addition, a sufficient number of life jackets, or other equivalent appliances, suitable for children.

First. A life jacket shall satisfy the following conditions:

(a) It shall be of approved material and construction.

(b) It shall be capable of supporting in fresh water for twenty-four hours fifteen pounds avoirdupois of iron.

Life jackets of which depends on air compartments are prohibited.

Second: A life buoy shall satisfy the following conditions:

(a) It shall be of solid cork or any other equivalent material.

(b) It shall be capable of supporting in fresh water for twenty-four hours at least thirty-one pounds avoirdupois of iron.

Life buoys filled with rushes, cork shavings, or granulated cork, or any other loose granulated material, or whose buoyancy depends upon air compartments which require to be inflated, are prohibited.

Third. The minimum number of life buoys with which vessels are to be provided is fixed as follows:

Length of the vessel under four hundred feet, minimum number of buoys, twelve; length of the vessel, four hundred and under six hundred feet, minimum number of buoys, eighteen; length of the vessel, six hundred and under eight hundred feet, minimum number of buoys, twenty-four; length of the vessel, eight hundred feet and over, minimum number of buoys, thirty.

Fourth. All the buoys shall be fitted with beackets securely seized. At least one buoy on each side shall be fitted with a life line of at least fifteen fathoms in length. The number of luminous buoys shall not be less than one-half of the total number of life buoys, and in no case less than six. The lights shall be efficient self-igniting lights which can not be extinguished in water, and they shall be kept near the buoys to which they belong, with the necessary means of attachment.

Fifth. All the life buoys and life jackets shall be so placed as to be readily accessible to the persons on board; their position shall be plainly indicated so as to be known to the persons concerned.

The life buoys shall always be capable of being rapidly cast loose, and shall not be permanently secured in any way. The owner of any vessel who neglects or refuses to provide and equip his vessel with such lifeboats, floats, rafts, life preservers, line-carrying projectiles, and the means of propelling them, drags, pumps, or other appliances, as are required under the provisions of this section, or under the regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce, authorized by and made pursuant hereto, shall be fined not less than \$500, nor more than \$5,000, and every master of a vessel who shall fail to comply with the requirements of this section, and the regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce, authorized by and made pursuant

hereto, shall upon conviction be fined not less than \$50, nor more than \$500. Section forty-four hundred and eighty-nine of the Revised Statutes is hereby repealed.

SEC. 15. The owner, agent, or master of every barge which, while in tow through the open sea, has sustained or caused any accident, shall be subject in all respects to the provisions of sections ten, eleven, twelve, and thirteen of chapter three hundred and forty-four of the Statutes at Large, approved June twentieth, eighteen hundred and seventy-four, and the reports therein prescribed shall be transmitted by collectors of customs to the Secretary of Commerce, who shall transmit annually to Congress a summary of such reports during the previous fiscal year, together with a brief statement of the action of the department in respect to such accidents.

Accidents.

SEC. 16. In the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment and any other treaty provision in conflict with the provisions of this act, ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within ninety days after the passage of this act, to give notice to the several Governments, respectively, that so much as hereinbefore described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions.

Treaties.

SEC. 17. Upon the expiration after notice of the periods required, respectively, by said treaties and conventions and of one year in the case of the independent State of the Kongo, so much as hereinbefore described in each and every one of said articles shall be deemed and held to have expired and to be of no force and effect, and thereupon section fifty-two hundred and eighty and so much of section four thousand and eighty-one of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, shall be, and is hereby, repealed.

Expiration.

SEC. 18. This act shall take effect, as to all vessels of the United States, eight months after its passage, and as to foreign vessels twelve months after its passage, except that such parts hereof as are in conflict with articles of any treaty or convention with any foreign nation shall take effect as regards the vessels of such foreign nation on the expiration of the period fixed in the notice of abrogation of the said articles as provided in section sixteen of this act.

Act in effect.

SEC. 19. Section sixteen of the act approved December twenty-first, eighteen hundred and ninety-eight, entitled "An Act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," [shall] be amended by adding at the end of the section the following:

Provided, That at the discretion of the Secretary of Commerce, and under such regulations as he may prescribe, if any seaman incapacitated from service by injury or illness is on board a vessel so situated that a prompt discharge requiring the personal appearance of the master of the vessel before an American consul or consular agent is impracticable, such seaman may be sent to a consul or consular agent, who shall care for him and defray the

Incapacitated seamen.

cost of his maintenance and transportation, as provided in this paragraph.

Who not fel- low servants. Sec. 20. In any suit to recover damages for any injury sustained on board vessel or in its service seamen having command shall not be held to be fellow-servants with those under their authority.
Approved March 4, 1915.

ACT No. 318.—*Inspection of locomotives.*

Entire loco- motive includ- ed. SECTION 1. Section two of the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February seventeenth, nineteen hundred and eleven, shall apply to and include the entire locomotive and tender and all parts and appurtenances thereof.

Powers of inspectors ex- tended. Sec. 2. The chief inspector and the two assistant chief inspectors, together with all the district inspectors, appointed under the act of February seventeenth, nineteen hundred and eleven, shall inspect and shall have the same powers and duties with respect to all the parts and appurtenances of the locomotive and tender that they now have with respect to the boiler of a locomotive and the appurtenances thereof, and the said act of February seventeenth, nineteen hundred and eleven, shall apply to and include the entire locomotive and tender and all their parts with the same force and effect as it now applies to locomotive boilers and their appurtenances. That upon the passage of this act all inspectors and applicants for the position of inspector shall be examined touching their qualifications and fitness with respect to the additional duties imposed by this act.

Act con- strued. Sec. 3. Nothing in this act shall be held to alter, amend, change, repeal, or modify any other act of Congress than the said act of February seventeenth, nineteen hundred and eleven, to which reference is herein specifically made, or any order of the Interstate Commerce Commission promulgated under the safety appliance act of March second, eighteen hundred and ninety-three, and supplemental acts.

Approved, March 4, 1915.

ACT No. 333.—*Inspection of steam vessels.*

Section forty-four hundred and twenty-one of the Revised Statutes of the United States is hereby amended so as to read as follows:

Certificates. Sec. 4421. When the inspection of a steam vessel is completed and the inspectors approve the vessel and her equipment throughout, they shall make and subscribe a certificate, which certificate shall be verified by the oaths of the inspectors signing it, before the chief officer of the customs of the district or any other person competent by law to administer oaths. Such certificate shall be delivered to the master or owner of the vessel to which it relates, and one copy thereof shall be kept on file in the inspectors' office and one copy shall be delivered to the collector or other chief officer of the customs of the district in which such inspection has been made, who shall keep the same on file in his office. If the inspectors refuse to grant a certificate of approval they shall make a statement in writing and sign the same, giving the reasons for their disapproval. Upon such inspection and approval the inspectors shall also make and subscribe a temporary certificate, which shall set forth substantially the fact of such inspection and approval, and shall deliver the same to the master or owner of the vessel and shall keep a copy thereof on file in their office. The said temporary certificate shall be carried and exposed by vessels in the same manner as is provided in section forty-four hundred and twenty-three for the regular certificate, and the form thereof and the period during which it is to be in force shall be as pre-

scribed by the board of supervising inspectors, or the executive committee thereof, as provided in section forty-four hundred and five. And such temporary certificate, during such period and prior to the delivery to the master or owner of the regular certificate, shall take the place of and be a substitute for the regular certificate of inspection, as required by this section and by section forty-four hundred and twenty-six, and for the purposes of said sections. Such temporary certificate shall also be subject to revocation in the manner and under the conditions provided in section forty-four hundred and fifty-three. No vessel required to be inspected under the provisions of this title shall be navigated without having on board an unexpired regular certificate of inspection or such temporary certificate: *Provided, however,* That any such vessel operated upon a regularly established line from a port of the United States to a port of a foreign country not contiguous to the United States whose certificate of inspection expires at sea or while said vessel is in a foreign port or a port of the Philippine Islands or Hawaii may lawfully complete her voyage without the regular certificate of inspection or the temporary certificate required by this section, and no liability for penalties imposed by this title for want of such certificate shall be incurred until her voyage shall have been completed: *Provided,* That said voyage shall be so completed within thirty days after the expiration of said certificate or temporary certificate: *Provided further,* That no such vessel whose certificate of inspection shall expire within fifteen days of the date of her sailing shall proceed upon her voyage to such port of a foreign country not contiguous to the United States without first having procured a new certificate of inspection or the temporary certificate required by this section.

SEC. 3. Section forty-four hundred and twenty-three of the Revised Statutes of the United States is hereby amended so as to read as follows:

SEC. 4423. The original certificate of inspection delivered to the master or owner of a steam vessel shall be placed by such master or owner in a conspicuous place in the vessel where it will be most likely to be observed by passengers and others, and there kept at all times, framed under glass, as evidence of the authority thereby conferred: *Provided, however,* That where it is not practicable to so expose said certificate, it shall be carried in the vessel in such manner as shall be prescribed by the regulations established by the Board of Supervising Inspectors with the approval of the Secretary of Commerce.

Certificate to
be displayed.

Approved, March 4, 1915.

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